

ANNEX 2

SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES

CAMBODIA

EXPLANATORY NOTES

1. This Schedule sets out Cambodia's commitments in accordance with Article 11 (Schedules of Specific Commitments) of Chapter 8 (Trade in Services).
2. The classification of services in this Schedule is based on the Services Sectoral Classification list (MTN.GNS/W/120 dated 10 July 1991) and is in accordance with the definition in the 1991 UN Provisional Central Product Classification (CPC), unless otherwise specified.
3. The use of (**) against individual CPC codes indicates that the specific commitments for that code shall not extend to total range of services covered under that code.
4. Notwithstanding Article 2.3(e)(iv) to (vi) (Scope) of Chapter 8 (Trade in Services), Cambodia reserves the right to adopt or maintain any measure relating to specialty air services, ground handling services and airport operation services.
5. In accordance with Article 9.6 (Most-Favoured-Nation Treatment) of Chapter 8 (Trade in Services), Cambodia is not obliged to make commitments under this Article.
6. In accordance with Article 11.5 (Schedules of Specific Commitments) of Chapter 8 (Trade in Services), Cambodia is not obliged to make commitments under the Article 11.3 and 11.4 (Schedules of Specific Commitments) of Chapter 8 (Trade in Services).
7. Unbound* means unbound due to lack of technical feasibility.

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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. HORIZONTAL COMMITMENTS			
APPLICABLE TO SECTORS LISTED IN THIS SCHEDULE			
Subsidies		(3), (4), Unbound for subsidies, including for research and development.	
Tax Measures		(1), (2), (3), None with respect to taxes.	
Land		(3) Non-Cambodian natural and juridical persons may lease but not own land.	
Acquired rights	The conditions of ownership, management, operation, juridical form, and scope of activities as set out in a licence or other form of approval establishing or authorising the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than those in existence as of the date of Cambodia's accession to the WTO.		

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Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Investment incentives	(3) Investors, seeking incentives under the provisions of the <i>Law on Investment</i> , shall have the obligation to provide adequate and consistent training to Cambodian staff, including for promotion to senior positions.	(3) None	
Presence of Natural Persons	(4) Unbound except for measures concerning the temporary entry and temporary stay of a natural person who falls in one of the categories referred to in Cambodia's Schedule in Annex 4 (Schedules of Specific Commitments on the Movement of Natural Persons). (1), (2), (3), (4) Cambodia remains unbound to all measures with respect to permanent residents.	(4) Unbound except for measures affecting the categories of natural persons referred to in the market access column. (1), (2), (3), (4) Cambodia remains unbound to all measures with respect to permanent residents.	

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Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional Services			
a) Legal Services (CPC 861)	(1) None (2) None (3) In commercial association with Cambodian Law Firms ¹ , and may not directly represent clients in courts. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
Foreign legal consultancy on law of jurisdiction where service supplier is qualified as a lawyer (including home country law, third country law and international law)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
b) Accounting, auditing, bookkeeping (CPC 86211, 86212, 86220)	(1) None, except must have commercial presence in Cambodia for auditing services. (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

¹ If legal services provided in foreign law (including home country and third country law) and international law, the commercial association with Cambodian law firms is not required. Commercial association is understood to include any commercial arrangement and does not imply a specific juridical form.

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c) Taxation services (CPC 8630)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
d) Architectural services (consulting, planning or design services) (CPC 8671)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
e) Engineering services (CPC 8672)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
f) Integrated engineering services (CPC 8673)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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g) Urban planning and landscape architectural services (CPC 8674)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
h) Specialized medical services (CPC 93122) Dental services (CPC 93123**) These services are limited only to orthodontic services, oral surgery and other specialized dental services	(1) Unbound (2) None (3) Provision of services is permitted through a joint venture with Cambodian juridical persons. (4) Unbound except as indicated in the horizontal commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
B. Computer and Related Services			
a) Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
b) Software implementation services (CPC 842)			
c) Data processing services (CPC 843)			
d) Data base services (CPC 844)			
e) Other (CPC 845+849)			

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C. Research and Development Services			
a) Research and Experimental Development Services on Agricultural Sciences (CPC 85104)	(1) None (2) None (3) None	(1) None (2) None (3) None	
b) Research and Experimental Development Services on Economics (CPC 85202)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	
E. Rental/Leasing Services Without Operators			
d) Renting and leasing of studio recording equipment (CPC 83109**)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
F. Other Business Services			
a) Advertising services (CPC 871)	(1) None	(1) None	
b) Market research services (CPC 86401)	(2) None	(2) None	
c) Management consulting services (CPC 865)	(3) None	(3) None	
d) Services related to management Consulting (CPC 866)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	
e) Technical testing and analysis services (CPC 8676)			

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h) Services incidental to mining (CPC 883**)	(1) None	(1) None		
	(2) None	(2) None		
j) Services incidental to energy distribution (887**): Exclusively covers only consultancy services related to the transmission and distribution on a fee or contract basis of electricity, gaseous fuels and steam and hot water to household, industrial, commercial and other users	(3) None	(3) None		
	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.		
k) Placement and supply services of Personnel (CPC 872)	(1) None	(1) None		
	(2) None	(2) None		
m) Engineering related scientific and technical consulting services (CPC 8675)	(3) None	(3) None		
	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.		
q) Packaging services (CPC 876)				

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2. COMMUNICATION SERVICES			
B. Courier Services			
Courier services (CPC 7512)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
C. Telecommunication Services			
Commitments are taken consistent with "Notes for Scheduling Basic Telecom Services Commitments" (S/GBT/W/2/Rev.1) and "Market Access Limitations on Spectrum Availability" (S/GBT/W/3).			
a) Voice telephone services (CPC 7521) b) Packet-switched data transmission services (CPC 7523**) c) Circuit-switched data transmission services (CPC 7523**) d) Telex services (CPC 7523**) e) Telegraph services (CPC 7522) f) Facsimile services (CPC 7521**+ 7529**) g) Private leased circuit services (CPC 7522**+7523**)	(1) None (2) None (3) None, except subject to requirement for local shareholding of up to 49 per cent. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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h) Electronic mail (CPC 7523**)	(1) None	(1) None		
i) Voice mail (CPC 7523**)	(2) None	(2) None		
j) On-line information and data base-retrieval (CPC 7523**)	(3) None	(3) None		
k) Electronic Data Interchange (CPC 7523**)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.		
l) Enhanced or value added facsimile services, including store and forward, store and retrieve (7523**)				
m) Code and protocol conversion				
n) On-line information or data processing (including transaction processing) (CPC 843**)				
o) Other services:	(1) None	(1) None	Cambodia commits to permit licensed suppliers of mobile telecommunications services choice of technology used in the supply of such services.	
– Mobile services	(2) None	(2) None		
	(3) None	(3) None		
	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.		

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Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. General Construction Work for Buildings (CPC 512)	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	
B. General Construction Work for Civil Engineering (CPC 513)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	
C. Installation and Assembly Work (CPC 514 + 516)			
D. Building Completion and Finishing Work (CPC 517)			
E. Other (CPC 511+515+518)			
4. DISTRIBUTION SERVICES			
A. Commission agents' services (CPC 621)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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<p>B. Wholesale trade services (CPC 622):</p> <ul style="list-style-type: none"> - Wholesale trade services of motor vehicles (CPC 61111); - Sales of parts of motor vehicles (CPC 6113); - Sales of motorcycles and related parts (CPC 6121); - Wholesale trade services of radio and television equipment, musical instruments and records, music scores and tapes (CPC 62244). 	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the horizontal commitments.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the horizontal commitments.</p>	

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Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>C. Retailing services (CPC 631+632;6111+6113+6121):</p> <ul style="list-style-type: none"> - Retail sales of motor vehicles (CPC 61112); - Sales of parts of motor vehicles (CPC 6113); - Sales of motorcycles and related parts (CPC 6121). <p>For supermarkets and large department stores only²:</p> <ul style="list-style-type: none"> - Food and non-food retailing services (CPC631+632), excluding sales of pharmaceutical goods, medical and orthopedic goods (CPC 63211) - Retailing services of radio and television equipment, music instruments, music scores, and audio and video records and tapes (CPC 63234) 	<ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments. 	<ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments. 	

² Large supermarket and department stores are those of floor space no less than 2000 square metres.

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D. Franchising services (CPC 8929)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
E. Other: - Retail sales of motor fuel (CPC 613)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
5. EDUCATIONAL SERVICES			
C. Higher education services (CPC 923)	(1) None (2) None	(1) None (2) None	Cambodia will seek to establish an independent national accrediting process for market purposes in education and professional services which is in keeping with global practice.
D. Adult education (CPC 924)	(3) None	(3) None	
E. Other education services (CPC 929)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	

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6. ENVIRONMENTAL SERVICES			
A. Sewage services (CPC 9401)	(1) None (2) None	(1) None (2) None	
B. Refuse disposal services (CPC 9402)	(3) None	(3) None	
C. Sanitation and similar services (CPC 9403)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	
D. Other services: <ul style="list-style-type: none"> - Cleaning of exhaust gases (CPC 9404); - Noise abatement services (CPC 9405); - Nature and landscape protection services (CPC 9406); - Other environmental services not included elsewhere (CPC 9409). 			

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7. FINANCIAL SERVICES			
A. All insurance and insurance-related services			
a) Life insurance services (CPC 81211)	(1) Natural or juridical person can enter into contract only with the insurance companies licensed to carry out insurance business in the Kingdom of Cambodia. (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
b) Non-life insurance services (CPC 8129)	(1) None for marine, aviation and transport insurance. Marine, aviation and transport insurance services may be supplied by insurance companies licensed to carry out insurance business in the Kingdom of Cambodia. For all other non-life insurance services, natural or juridical persons can enter into contract only with the insurance companies licensed to carry out insurance business in the Kingdom of Cambodia. (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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c) Reinsurance and retrocession (CPC 81299*)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.		
d) Services auxiliary to insurance (including broking and agency services) (CPC 8140)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.		
B. Banking and other financial services				
The commitments for subsectors (a), (b) and (d) refer to commercial banking only. a) Acceptance of deposits and other repayable funds from the public (CPC 81115 – 81119) b) Lending of all types, including, inter alia, consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC 8113) d) All payment and money transmission service, including credit, charge and debit cards, traveller cheques and bankers drafts (CPC 81339**)³	(1) None, except deposits from the public must be reinvested in Cambodia. (2) None (3) Only permitted through authorized financial institutions as banks. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.		

³ According to services sectoral classification list, this refers to only part of the total range of activities covered by the CPC concordance.

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Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
<p>The commitments for subsectors (c) and (e) refer to commercial banking only.</p> <p>c) Financial leasing (CPC 8112)</p> <p>e) Guarantees and commitments (CPC 81199**)</p>	(1) Unbound	(2) None	(3) Unbound until related laws and regulations are established.	(4) Unbound except as indicated in the horizontal commitments.
<p>f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <ul style="list-style-type: none"> – money market instruments (including cheques, bills, certificates of deposits) (CPC 81339**); – foreign exchange (CPC 81333); – derivative products including, but not limited to, futures and options (CPC 81339**); – exchange rate and interest rate instruments, including products such as swaps, forward rate agreements (CPC 81339**); 	(1) Unbound	(2) None	(3) Unbound for subsectors (f) – (l), until the Government of Cambodia determines what types of entities can conduct these services, the related laws and regulation are established, and such business is authorized by the government or other relevant designated authority.	(4) Unbound except as indicated in the horizontal commitments.

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<ul style="list-style-type: none"> – transferable securities (CPC 81321*); – other negotiable instruments and financial assets, including bullion (CPC 81339**). <p>g) Participation in issues of all kinds of securities, including underwriting and placement as agency (whether publicly or privately) and provision of services related to such issues (CPC 8132);</p> <p>h) Money broking (CPC 81339**);</p> <p>i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services (CPC 8119** + 81323*);</p> <p>j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC 81339** or 81319**);</p>				

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<p>k) Advisory, intermediation and other auxiliary financial services on all the activities listed in Article 2(b)(v) to (xv) (Definition) of Annex 8A (Financial Services), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131 or 8133)</p> <p>l) Provision of financial information, and financial data processing and related including underwriting and software by suppliers of other financial services (CPC 8131)</p>			
8. HEALTH RELATED AND SOCIAL SERVICES			
<p>A. Hospital services (CPC 9311):</p> <p>– Ownership and management of private hospitals and clinics only</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) At least one director for technical matters must be Cambodian.</p> <p>(4) Unbound except as indicated in the horizontal commitments.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in the horizontal commitments.</p>	

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9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and Restaurants			
Hotels (CPC 64110)	(1) None (2) None (3) None only for Three-Star Hotel or Higher. ⁴ (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
Restaurants (CPC 642, 643)	(1) Unbound* (2) None (3) Permit is granted taking into account characteristics of the area ⁵ (4) Unbound	(1) Unbound* (2) None (3) Unbound (4) Unbound	
B. Travel agencies and tour operators services (CPC 7471)	(1) None (2) None (3) None, except foreign equity participation limited to 51 per cent for travel agencies. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

⁴ Three-star hotel is defined as in the Fifth Draft Hotel Rating Classification of March 2003, which will be implemented in December 2003.

⁵ The main criteria are: the number of and impact on existing restaurants, historical and artistic characteristics of the location, geographic spread, impact on traffic conditions and creation of new employment.

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C. Tourist guides services (CPC 7472)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments. Cambodian nationality is required for Tourist Guides.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments. Cambodian nationality is required for Tourist Guides.	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
A. Entertainment Services			
Other entertainment services n.e.c. (CPC 96199): – Cinema theatre services, including cinema projection services	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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11. TRANSPORT SERVICES			
A. Maritime Transport Services			
International transport (Freight and passengers) (CPC 7211 and 7212), excluding cabotage	(1) Unbound (2) Unbound (3) Unbound (4) Unbound	(1) Unbound (2) Unbound (3) Unbound (4) Unbound	Where not otherwise made available to the international maritime transport suppliers pursuant to Article 1(h)(ii) (Definitions) of Chapter 8 (Trade in Services), no measures shall be applied which deny reasonable and nondiscriminatory access to the following services: <ol style="list-style-type: none"> 1. Towing and tug assistance; 2. Provisioning, fuelling and watering; 3. Garbage collecting and ballast waste disposal; 4. Emergency repair facilities; 5. Lightering and water taxi services; 6. Ship agencies; 7. Custom brokers; 8. Stevedoring and terminal services; 9. Surveying and classification services.
C. Air Transport Services			
<ul style="list-style-type: none"> - Aircraft repair and maintenance services (CPC 8868**) - Selling and marketing of air transport services - Computer Reservation System Services (CRS) 	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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F. Road Transport Services			
a) Passenger transportation (CPC 7121 + 7122)	(1) None (2) None	(1) None (2) None	
b) Freight transportation (CPC 7123)	(3) None (4) Unbound except as indicated in the horizontal commitments.	(3) None (4) Unbound except as indicated in the horizontal commitments.	
c) Rental of commercial vehicles with operator (CPC 7124)			
d) Maintenance and repair of road transport equipment (CPC 6112 + 8867)			
e) Supporting services for road transport services (CPC 744)			
G. Pipeline Transport Services			
a) Transport of fuels (CPC 7131)	(1) Services must be provided through a contract of concession granted by the State on case-by-cases basis.	(1) None	
b) Transport of other goods (CPC 7139)	(2) None (3) Services must be provided through a contract of concession granted by the State on case-by-cases basis. (4) Unbound except as indicated in the horizontal commitments.	(2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	