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8424.30	Steam or sand blasting machines and similar jet projecting machines	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8424.82 - 8424.90	8424.82 Agricultural or horticultural 8424.89 Other 8424.90 Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 8425	Pulley tackle and hoists other than skip hoists; winches and capstans; jacks	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
8425.31 - 8425.39	8425.31 Powered by electric motor 8425.39 Other	Manufacture from materials of any heading, except that of the product and heading 84.31 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8425.42 - 8425.49	8425.42 Other jack and hoists, hydraulic 8425.49 Other	Manufacture from materials of any heading, except that of the product and heading 84.31 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8426	Ships' derricks, cranes, including cable cranes, mobile lifting frames, straddle carriers and works trucks fitted with a crane	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8427	Fork-lift trucks; other works trucks fitted with lifting or handling equipment	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8428	Other lifting, handling, loading or unloading machinery (for example, lifts, escalators, conveyors, teleferics)	Manufacture from materials of any heading, except that of the product and heading 84.31 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	Manufacture from materials of any heading, except that of the product and heading 84.31 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8431	Parts suitable for use solely or principally with the machinery of headings 8425 to 8430	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8432	Agricultural, horticultural or forestry machinery for soil preparation or cultivation; lawn or sports-ground rollers	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8433 - 8434	8433 Harvesting or threshing machinery, including straw or fodder balers; grass or hay mowers; machines for cleaning, sorting or grading eggs, fruit or other agricultural produce, other than machinery of heading 8437 8434 Milking machines and dairy machinery	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
8435	Presses, crushers and similar machinery; used in the manufacture of wine, cider, fruit juices or similar beverages	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

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8436	Other Agricultural, horticultural, forestry, poultry-keeping or bee-keeping machinery; including germination plant fitted with mechanical or thermal equipment; poultry incubators and brooders	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8437	Machines for cleaning, sorting or grading seed, grain or dried leguminous vegetables; machinery used in the milling industry or for the working of cereals or dried leguminous vegetables, other than farm type machinery	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8438	Machinery n.e.c. in this chapter, for the industrial preparation or manufacture of food or drink; other than machinery for extraction or preparation of animal or fixed vegetable fats or oils	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
8439	Machinery for making pulp of fibrous cellulosic material, or for making or finishing paper or paperboard	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8440	Book-binding machinery; including book-sewing machines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8442 - ex 8443	8442 Machinery, apparatus and equipment (other than the machines of headings 8456 to 8465) for preparing or making plates, cylinders or other printing components; plates, cylinders and other printing components; plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished) 8443 Printing machinery; used for printing by means of plates, cylinders and other printing components of heading 8442; other printers, copying machines and facsimile machines, whether or not combined; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8443.31 - 8443.32, 8443.99	8443.31 Machines which perform two or more of the functions of printing, copying or facsimile transmission, capable of connecting to an automatic data processing machine or to a network 8443.32 Other, capable of connecting to an automatic data processing machine or to a network 8443.99 Other	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8444	Machines for extruding, drawing, texturing or cutting man-made textile materials	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8445	Machines for preparing textile fibres; spinning, doubling or twisting machines and other machinery for producing textile yarns; textile reeling or winding (including wend-winding) machines and machines for preparing textile yarns for use on the machines of heading 8446 or 8447	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8446	Weaving machines (looms)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8447	Knitting machines, stitch-bonding machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net and machines for tufting	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

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8448 - 8449	8448 Auxiliary machinery for use with machines of heading 8444, 8445, 8446 or 8447 (for example, dobbies, Jacquards, automatic stop motions, shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of this heading or of heading 8444, 8445, 8446 or 8447 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-frames, hosiery needles) 8449 Machinery for the manufacture or finishing of felt or non-wovens in the piece or in shapes, including machinery for making felt hats, blocks for making hats	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
8450	Household or laundry-type washing machines; including machines which both wash and dry	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8451	Machinery (other than machines of heading 8450) for washing, cleaning, wringing, drying, ironing, pressing (including fusing presses), bleaching, dyeing, dressing, finishing, coating or impregnating textile yarns, fabrics or made up textile articles and machines for applying the paste to the base fabric or other support used in the manufacture of floor coverings such as linoleum; machines for reeling, unreeling, folding, cutting or pinking textile fabrics	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8452	Sewing machines; other than book-sewing machines of heading 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8453	Machinery for preparing, tanning or working hides, skins or leather or for making or repairing footwear or other articles of hides, skins or leather, other than sewing machines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8454	Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy or in metal foundries	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8455	Metal-rolling mills and rolls therefor	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8456 - 8457	8456 Machine-tools for working any material by removal of material, by laser or other light or photon beam, ultrasonic, electro-discharge, electro-chemical, electron beam, ionic-beam or plasma arc processes; water-jet cutting machines 8457 Machining centres, unit construction machines (single station) and multi-station transfer machines, for working metal	Manufacture from materials of any heading, except that of the product and heading 84.66 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 8458	Lathes (including turning centres) for removing metal; except for:	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8458.11	Horizontal lathes: - Numerically controlled	Manufacture from materials of any heading, except that of the product and heading 84.66 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

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8459 - 8460	8459 Machine-tools; (including way-type unit head machines) for drilling, boring, milling, threading or tapping by removing metal, other than lathes (including turning centres) of heading 8458 8460 Machine-tools; for deburring, sharpening, grinding, honing, lapping, polishing or otherwise finishing metal or cermets by means of grinding stones, abrasives or polishing products, other than gear cuttin, gear grinding or gear finishing machines of heading 8461	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8461	Machine-tools; for planing, shaping, slotting, broaching, gear cutting, gear grinding or gear finishing, sawing, cutting off and other machine-tools working by removing metal or cermets, not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8462	Machine-tools (including presses) for working metal by forging, hammering or die-stamping; machine-tools (including presses) for working metal by bending, folding, straightening, flattening, shearing, punching or notching; presses for working metal or metal carbides, not specified above	Manufacture from materials of any heading, except that of the product and heading 84.66 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8463 - 8466	8463 Other machine-tools for working metal or cermets, without removing material 8464 Machine-tools for working stone, ceramics, concrete, asbestos- cement or like mineral materials or for cold working glass 8465 Machine-tools (including machines for nailing, stapling, glueing or otherwise assembling) for working wood, cork, bone, hard rubber, hard plastics or similar hard materials 8466 Parts and accessories suitable for use solely or principally with the machines of headings 8456 to 8465, including work or tool holders, self-opening dieheads, dividing heads and other special attachments for the machines; tool holders for any type of tool for working in the hand	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8467	Tools for working in the hand, pneumatic, hydraulic or with self-contained electric or non-electric motor	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8468	Machinery and apparatus for soldering, brazing, welding, whether or not capable of cutting, other than those of heading no. 8515; gas-operated surface tempering machines and appliances	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8470	Calculating machines and pocket-size data recording, reproducing and displaying machines with calculating functions; accounting machines, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8471	Automatic data processing machines and units thereof, magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included	Manufacture from materials of any heading, except that of the product and heading 84.73 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8472	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, automatic banknote dispensers, coin-sorting machines, coin-counting or wrapping machines, pencil-sharpening machines, perforating or stapling machines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

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ex 8473	Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of headings 8470 to 8472	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8473.21	Of the electronic calculating machines of subheading 8470.10, 8470.21 or 8470.29	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
8474	Machinery for sorting, screening, separating, washing, crushing, grinding, mixing or kneading earth, stone, ores or other mineral substances, in solid (including powder or paste) form; machinery for agglomerating, shaping or moulding solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand.	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
8475	Machines; for assembling electric or electronic lamps, tubes, valves, flash-bulbs, in glass envelopes, machines for manufacturing or hot working glass or glassware	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8476	Automatic goods-vending machines (e.g. postage stamp, cigarette, food or beverage machines), including money-changing machines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8477	Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this Chapter	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8478	Machinery; for preparing or making up tobacco, n.e.c. in this chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex 8479	Machines and mechanical appliances having individual functions, not specified or included elsewhere in this Chapter.	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8479.10 - 8479.20	8479.10 Machinery for public works, building or the like 8479.20 Machinery; for the extraction or preparation of animal or fixed vegetable fats or oils	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8479.50	Industrial robots, n.e.c. or included	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8479.81 - 8479.90	8479.81 For treating metal, including electric wire coil-winders 8479.82 Mixing, kneading, crushing, grinding, screening, sifting, homogenising, emulsifying or stirring machines 8479.89 Other 8479.90 Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8480.10 - 8480.49 and 8480.71	8480.10 Moulding boxes for metal foundry 8480.20 Mould bases 8480.30 Moulding patterns 8480.41 Moulds for metals or metal carbides: Injection or compression types 8480.49 Moulds for metals or metal carbides: Other 8480.71 Moulds for rubber or plastics: Injection or compression types	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	



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ex 8481	Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like, including pressure-reducing valves and thermostatically controlled valves	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8481.20, 8481.80, 8481.90	8481.20 Valves for oleohydraulic or pneumatic transmissions 8481.80 Other appliances 8481.90 Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8482-8483	8482 - Ball or roller bearings. 8483 - Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints).	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings; mechanical seals	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8486	Machines and apparatus of a kind used solely or principally for the manufacture of semiconductor boules or wafers, semiconductor devices, electronic integrated circuits or flat panel displays; machines and apparatus specified in Note 9 (C) to this Chapter; parts and accessories	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
8487	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles		
ex 8501	Electric motors and generators (excluding generating sets)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8501.10 - 8501.32	8501.10 Motors of an output not exceeding 37.5 W 8501.20 Universal AC/DC motors of an output exceeding 37.5 W 8501.31 Other DC motors; DC generators: Of an output not exceeding 750 W 8501.32 Other DC motors; DC generators: Of an output exceeding 750 W but not exceeding 75 kW	Manufacture from materials of any heading, except that of the product and heading 85.03 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8501.40 - 8501.62	8501.40 Other AC motors, single-phase 8501.51 Other AC motors, multi-phase: Of an output not exceeding 750 W 8501.52 Other AC motors, multi-phase: Of an output exceeding 750 W but not exceeding 75 kW 8501.53 Other AC motors, multi-phase: Of an output exceeding 75 kW 8501.61 AC generators (alternators): Of an output not exceeding 75 kVA 8501.62 AC generators (alternators): Of an output exceeding 75 kVA but not exceeding 375 kVA	Manufacture from materials of any heading, except that of the product and heading 85.03 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8501.64	AC generators, (alternators): of an output exceeding 750 kVA	Manufacture from materials of any heading, except that of the product and heading 85.03 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 8502	Electric generating sets and rotary converters	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

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8502.12 - 8502.20	8502.12 Generating sets with compression-ignition internal combustion piston engines (diesel or semi-diesel engines): Of an output exceeding 75 kVA but not exceeding 375 Kva 8502.13 Generating sets with compression-ignition internal combustion piston engines (diesel or semi-diesel engines): Of an output exceeding 375 kVA 8502.20 Generating sets with spark-ignition internal combustion piston engines	Manufacture from materials of any heading, except that of the product and heading 85.03 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8502.39	Other generating sets: Other	Manufacture from materials of any heading, except that of the product and heading 85.03 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8503	Parts suitable for use solely or principally with the machines of heading 8501 or 8502	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8504 and 8505	8504 Electrical transformers, static converters (for example, rectifiers) and inductors 8505 Electro-magnets; permanent magnets and articles intended to become permanent magnets after magnetisation; electro-magnetic or permanent magnet chucks, clamps and similar holding devices; electro-magnetic couplings, clutches and brakes; electro-magnetic lifting heads	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8506	Primary cells and primary batteries	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8507	Electric accumulators, including separators therefor; whether or not rectangular (including square)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8508	Vacuum cleaners	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8509	Electro-mechanical domestic appliances; with self-contained electric motor, other than vacuum cleaners of heading 8508.	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8510	Shavers, hair clippers and hair removing appliances, with self-contained electric motor	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8511	Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of a kind used in conjunction with such engines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8512 - ex 8514	8512 Electrical lighting or signalling equipment (excluding articles of heading 8539), windscreen wipers, defrosters and demisters, of a kind used for cycles or motor vehicles 8513 Portable electric lamps designed to function by their own source of energy (for example, dry batteries, accumulators, magnetos), other than lighting equipment of heading 8512 8514 Industrial or laboratory electric furnaces and ovens (including those functioning by induction or dielectric loss); other industrial or laboratory equipment for the heat treatment of materials by induction or dielectric loss	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

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8514.90	Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 8515 - ex 8517	8515 Electric (including electrically heated gas), laser or other light or photon beam, ultrasonic, electron beam, magnetic pulse or plasma arc soldering, brazing or welding machines and apparatus, whether or not capable of cutting; electric machines and apparatus for hot spraying of metals or cermets. 8516 Electric instantaneous or storage water heaters and immersion heaters; electric space heating apparatus and soil heating apparatus; electro-thermic hair-dressing apparatus (for example, hair dryers, hair curlers, curling tong heaters) and hand dryers; electric smoothing irons; other electro-thermic appliances of a kind used for domestic purposes; electric heating resistors, other than those of heading 85.45 8517 Telephone sets, including telephones for cellular networks or for other wireless networks; other apparatus for the transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network), other than transmission or reception apparatus of heading 8443, 8525, 8527 or 8528	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8515.11 - 8515.21	8515.11 Brazing or soldering machines and apparatus: soldering irons and guns 8515.19 Brazing or soldering machines and apparatus: other 8515.21 Machines and apparatus for resistance welding of metal: fully or partly automatic	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8515.31 - 8516.10	8515.31 Machines and apparatus for arc (including plasma arc) welding of metals: Fully or partly automatic 8515.39 Machines and apparatus for arc (including plasma arc) welding of metals: Other 8515.80 Machines and apparatus for arc (including plasma arc) welding of metals: Other machines and apparatus 8515.90 Machines and apparatus for arc (including plasma arc) welding of metals: Parts 8516.10 Electric instantaneous or storage water heaters and immersion heaters	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8516.29	Electric space heating apparatus and electric soil heating apparatus: Other	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8516.32	Electro-thermic hair-dressing or hand-drying apparatus: Other hair-dressing apparatus	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8516.60	Other ovens, cookers, cooking plates, boiling rings, grillers and roasters	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

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8516.79 - 8516.90	8516.79 Other electro-thermic appliances: Other 8516.80 Electric heating resistors 8516.90 Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8517.12	Telephone sets, including telephones for cellular networks or for other wireless networks: Telephones for cellular networks or for other wireless networks	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8517.62 - 8517.70	8517.62 Other apparatus for transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network): Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus 8517.69 - Other apparatus for transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network): Other 8517.70 Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 8518 - ex 8519	8518 Microphones and stands therefor, loudspeakers, whether or not mounted in their enclosures; headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers; audiofrequency electric amplifiers; electric sound amplifier sets 8519 Sound recording or reproducing apparatus	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8518.10 - 8518.40	8518.10 Microphones and stands therefor 8518.21 Loudspeakers, whether or not mounted in their enclosures: Single loudspeakers, mounted in their enclosures 8518.22 Loudspeakers, whether or not mounted in their enclosures: Multiple loudspeakers, mounted in the same enclosure 8518.29 Loudspeakers, whether or not mounted in their enclosures: Other 8518.30 Headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers 8518.40 Audio-frequency electric amplifiers	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8518.90	Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8521	Video recording or reproducing apparatus, whether or not incorporating a video turner	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8522 - 8523	8522 Parts and accessories suitable for use solely or principally with the apparatus of heading 85.19 or 85.21 8523 Discs, tapes, solid-state non-volatile storage devices, "smart cards" and other media for the recording of sound or of other phenomena, whether or not recorded, including matrices and masters for the production of discs, but excluding products of chapter 37	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

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8525	Transmission apparatus for radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras, digital cameras and video camera recorders	Manufacture from materials of any heading, except that of the product and heading 85.29 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus	Manufacture from materials of any heading, except that of the product and heading 85.29 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8527	Reception apparatus for radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock.	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8528	Monitors and projectors, not incorporating television reception apparatus; reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus	Manufacture from materials of any heading, except that of the product and heading 85.29 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8529 - 8532	8529 Parts suitable for use solely or principally with the apparatus of heading 8525 to 8528 8530 Electrical signalling, safety or traffic control equipment; for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields (other than those of heading 8608) 8531 Electric sound or visual (e.g. bells, sirens, indicator panels, burglar or fire alarms), other than those of heading 8512 or 8530 8532 Electrical capacitors; fixed, variable or adjustable (pre-set)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8533 - 8534	8533 Electrical resistors (including rheostats and potentiometers), other than heating resistors 8534 Printed circuits	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8535 - ex 8537	8535 Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, fuses, lightning arresters, voltage limiters, surge suppressors, plugs and other connectors, junction boxes), for a voltage exceeding 1,000 volts 8536 Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders and other connectors, junction boxes), for a voltage not exceeding 1,000 volts; connectors for optical fibres, optical fibre bundles or cables 8537 Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 85.35 or 85.36, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control apparatus, other than switching apparatus of heading 85.17	Manufacture from materials of any heading, except that of the product and heading 85.38 OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8537.10	For a voltage not exceeding 1,000 V	Manufacture from materials of any heading, except that of the product and heading 85.38 OR Manufacture in which the value of all the materials used does not exceed 55% of the ex-works price of the product	

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8538	Parts suitable for use solely or principally with the apparatus of heading 85.35, 85.36 or 85.37	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8539 - 8540	8539 Electric filament or discharge lamps, including sealed beam lamp units and ultra-violet or infra-red lamps, arc lamps, light-emitting diode (LED) lamps 8540 Thermionic, cold cathode or photo-cathode valves and tubes (e.g. vacuum, vapour, gas filled valves and tubes, mercury arc rectifying valves and tubes, cathode-ray and television camera tubes)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8541 - 8542	8541 Diodes, transistors and similar semiconductor devices; photosensitive semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light-emitting diodes (LED); mounted piezo-electric crystals 8542 Electronic integrated circuits	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 8543	Electrical machines and apparatus; having individual functions, not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8543.20 - 8543.90	8543.20 Signal generators 8543.30 Machines and apparatus for electroplating, electrolysis or electrophoresis 8543.70 Other machines and apparatus 8543.90 Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8544	Insulated (including enamelled or anodised) wire, cable (including co-axial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon; with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly, other than insulators of heading 85.46; electrical conduit tubing and joints therefor, of base metal lined with insulating material	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8548	Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, n.e.c. or included elsewhere in chapter 85	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
Chapter 86	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex Chapter 87	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

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8708	Parts and accessories of the motor vehicles of heading 8701 to 8705	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
Chapter 88	Aircraft, spacecraft, and parts thereof	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex Chapter 89	Ships, boats and floating structures	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8905	Light-vessels, fire-floats, dredgers, floating cranes and other vessels the navigability of which is subsidiary to their main function; floating docks; floating or submersible drilling or production platforms	Manufacture from materials of any chapter, except that of the product OR Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof		
9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading 8544; sheets and plates of polarising material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9002	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts or fittings for instruments or apparatus, other than such elements of glass not optically worked	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9003	Frames and mountings; for spectacles, goggles or the like, and parts thereof	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9004	Spectacles, goggles and the like; corrective, protective or other	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9005	Binoculars, monoculars, other optical telescopes, mountings therefore; other astronomical instruments, mountings therefore, but not including instruments for radio-astronomy	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9006 - 9007	9006 Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading 8539 9007 Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9008	Image projectors, other than cinematographic; photographic (other than cinematographic) enlargers and reducers	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9010	Apparatus and equipment Photographic (including cinematographic) laboratories, n.e.c. in this chapter; negatoscopes; projection screens	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9011 - 9013	9011 Compound optical microscopes; including those for photomicrography, cinephotomicrography or microprojection 9012 Microscopes (other than optical microscopes); diffraction apparatus 9013 Liquid crystal devices not constituting articles provided for more specifically in other headings; lasers, other than laser diodes; other optical appliances and instruments n.e.c. in this chapter	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

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9014	Direction finding compasses; other navigational instruments and appliances	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex 9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses, rangefinders; except for:	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9015.90	Parts and accessories	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9016	Balances; of a sensitivity of 5cg or better, with or without weights	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9017	Drawing, marking-out, mathematical calculating instruments (for example, drafting machines, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (e.g. measuring rods, tapes, micrometers, callipers) n.e.c. in this chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9018 - 9021	9018 Instruments and appliances used in medical, surgical, dental or veterinary sciences, including: scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments 9019 Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus 9020 Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters 9021 Orthopaedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9022	Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9023	Instruments, apparatus and models, designed for demonstrational purposes (for example, in education or exhibitions), unsuitable for other uses	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9024	Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (e.g. metals, wood, textiles, paper, plastics)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9025	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, any combination of these instruments	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	

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9026 - 9027	9026 Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 9014, 9015, 9028 or 9032 9027 Instruments and apparatus; for physical or chemical analysis (e.g. polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9028	Gas, liquid or electricity supply or production meters, including calibrating meters therefor	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
ex 9029	Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 9014 or 9015; stroboscopes	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
9029.90	Parts and accessories	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 90.28; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 9031	Measuring or checking instruments, appliances and machines, n.e.c. or included in this chapter; profile projectors	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
9031.20 - 9031.90	9031.20 Test benches 9031.41 Other optical instruments and appliances: For inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices 9031.49 Other optical instruments and appliances: Other 9031.80 Other instruments, appliances and machines 9031.90 Parts and accessories	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 9032	Automatic regulating or controlling instruments and apparatus	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
9032.89 - 9032.90	9032.89 Other instruments and apparatus: Other 9032.90 Parts and accessories	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9033	Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 45% of the ex-works price of the product	
Chapter 91	Clocks and watches and parts thereof	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
Chapter 92	Musical instruments; parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
Chapter 93	Arms and ammunition; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	



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ex Chapter 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings; except for:	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9403	Other furniture and parts thereof	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9404.90	Other	Spinning of natural and/or man-made staple fibres and/or extrusion of man-made filament yarn, combined with fabric formation and making up including cutting of fabric	
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex Chapter 95	Toys, games and sports requisites; parts and accessories thereof; except for:	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9504.50	Video games consoles and machines, other than those of subheading 9504.30	Manufacture in which the value of all non-originating materials used does not exceed 40% of the ex-works price of the product	
ex Chapter 96	Miscellaneous manufactured articles; except for:	Manufacture from materials of any heading, except that of the product	
9603	Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorised, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9606	Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9613.80 and 9613.90	9613.80 Other lighters 9613.90 Parts	Manufacture from materials of any heading, except that of the product OR Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
Chapter 97	Works of art, collectors' pieces and antiques	Manufacture from materials of any heading, except that of the product	



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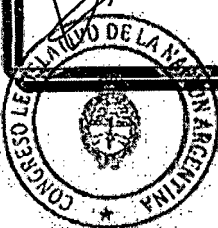
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ANNEX 3-C

CERTIFICATE OF ORIGIN

1. Producer or Exporter (name, address, country, e-mail address, and telephone number)		Certificate No.
2. Importer (name, address, country, e-mail address, and telephone number)		Name of the Issuing Authority
		Address
		City: Country:
		3. Commercial invoices
		Number: Date:
4. N° of Order	5. HS classification of the good to the 6-digit level	6. Description of the goods
7. Remarks (if any)		

HS in accordance with Article 2.4 (Classification of goods) of Chapter 2 (National Treatment and Market Access for Goods)



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ORIGIN CERTIFICATION	
8. Declaration by the producer or the exporter (if not the producer) The undersigned hereby declares that the goods comply with the origin requirements specified in the Agreement. Date Stamp and Signature	9. Certification by the issuing Authority We hereby certify the authenticity of this certificate and that it was issued in accordance with the provisions of the Agreement. Date Stamp and Signature



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ANNEX 3-D

MINIMUM DATA ELEMENTS

An origin declaration that is the basis for a claim for preferential tariff treatment under this Agreement shall include the following elements:

(a) Exporter

Provide the exporter's name, address in a Party's territory, e-mail address, and telephone number.

(b) Producer

Provide the producer's name, address, e-mail address, and telephone number, if different from the exporter or, if there are multiple producers, provide a list of producers. An exporter wishing this information to remain confidential may state "Available upon request by the importing authorities".

(c) Importer or consignee

Provide the importer or consignee's name, address, e-mail address, and telephone number.

(d) Description and HS tariff classification of the good¹

Provide a description of the good and the HS tariff classification of the good to the 6-digit level. The description should be sufficient to relate it to the good covered by the origin declaration.

(e) Invoice number

(f) Authorised signature, full name and date

The origin declaration must be signed and dated by the exporter or producer and accompanied by the following statement:

I certify that the goods described in this document qualify as originating and assume responsibility for proving such representations and agree to maintain and present upon request, or to make available during a verification visit, documentation necessary to support this declaration, in accordance with the Rules of Origin Chapter of the MERCOSUR-Singapore Free Trade Agreement.

¹ HS in accordance with Article 2.4 (Classification of goods) of Chapter 2 (National Treatment and Market Access for Goods).

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CHAPTER 4

CUSTOMS PROCEDURES AND TRADE FACILITATION

ARTICLE 4.1

Scope

This Chapter shall apply to import, export and transit procedures required for goods traded between the State Parties, in accordance with their respective laws and regulations.

ARTICLE 4.2

Objectives

The objectives of this Chapter are to:

- (a) ensure that procedures and practices related to the importation, exportation, and transit of goods are predictable, consistent, transparent, and facilitate trade, including through the expeditious clearance of goods;
- (b) promote efficient administration of procedures related to the importation, exportation, and transit of goods, and the expeditious clearance of goods;
- (c) simplify import, export and transit procedures of the State Parties and harmonise them to the extent possible with relevant international standards;
- (d) promote cooperation between the competent authorities of the State Parties; and
- (e) facilitate trade between the State Parties, including through a strengthened environment for global and regional supply chains.

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ARTICLE 4.3

Transparency

1. Each State Party shall publish online, free of charge, and as far as practicable in the English language, all its laws, regulations, trade-related guidelines, procedures and administrative rulings subject to the State Parties' laws and regulations.
2. Each State Party shall designate or maintain one or more enquiry points to address enquiries from interested persons related to import, export and transit procedures and shall make information concerning the procedures for making such enquiries publicly available online. Such inquiries will be addressed, as far as possible, in the language in which the consultation was conducted.
3. Import, export and transit procedures of each State Party shall, where possible and to the extent permitted by its laws and regulations, conform with the standards and recommended practices of the World Customs Organisation (hereinafter referred to as "WCO") and the WTO.
4. Each State Party shall review its customs import, export and transit procedures with a view to their simplification to facilitate trade.
5. Each State Party shall, in a manner consistent with its laws and regulations and its legal system, provide opportunities and an appropriate time period to traders and other interested parties to comment on the proposed introduction or amendment of laws and regulations of general application related to the movement, release, and clearance of goods, including of goods in transit.
6. Each State Party shall provide for regular consultations between its relevant authorities and traders within its territory in order to identify their needs regarding the development and implementation of trade facilitation measures.

ARTICLE 4.4

Customs cooperation

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1. Each State Party shall, in accordance with its laws and regulations, cooperate with the other State Parties, through:

(a) information sharing and other activities, as appropriate, in the following areas:

(i) simplification and modernisation of procedures;

(ii) initiatives on trade facilitation;

(iii) customs valuation;

(iv) border agency coordination;

(v) single window systems;

(vi) relations with the business community; and

(vii) supply chain security and risk management;

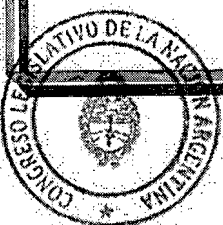
(b) providing regular updates on changes in their respective laws and regulations on the matters listed above;

(c) developing joint initiatives related to import, export, and transit procedures including technical assistance, capacity building, and measures to improve the delivery of services to the business community; and

(d) exchanging experiences on trade facilitation, their functions and their work towards facilitating domestic coordination and implementation of WTO commitments.

2. For the purposes of this Article, each State Party shall designate at least one contact point and inform the other State Parties upon entry into force of the Agreement.

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ARTICLE 4.5

Advance rulings

1. Each State Party shall issue an advance ruling in accordance with its laws and regulations with respect to:

- (a) tariff classification of a product; and
- (b) origin of goods.

2. In addition to the advance rulings specified under subparagraphs (a) and (b) of paragraph 1, the State Parties shall endeavour to issue advance rulings with respect to the appropriate method or criteria, and the application thereof, to be used for determining the customs value under a particular set of facts in accordance with the Customs Valuation Agreement.

3. Each State Party shall issue an advance ruling with respect to tariff classification and origin as expeditiously as possible, and in no case later than 150 (one-hundred and fifty) days after it receives all necessary information to issue the advance ruling or such time as specified in its laws and regulations, whichever is shorter.

4. Each State Party shall establish a validity period for an advance ruling of at least 3 (three) years from the date of the issuance of the advance ruling.

5. A State Party may modify, revoke or invalidate an advance ruling which it has issued if:

- (a) the ruling was based on an error of fact;
- (b) the information provided is false or inaccurate;
- (c) there is a change in the material facts or circumstances on which the ruling was based;

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- (d) any of the conditions to which the advance ruling was made subject cease to be met or complied with; or
- (e) a change is required to conform with a judicial decision or a change in its laws and regulations.

6. Each State Party shall provide that any modification, revocation, or invalidation of an advance ruling shall be effective on the date on which the modification, revocation, or invalidation is issued, or on such later date as may be specified therein, and shall not be applied to importations of a good that have occurred prior to that date. Where a State Party revokes or modifies or invalidates an advance ruling with retroactive effect, it may only do so where the ruling was based on incomplete, incorrect, false or misleading information.

7. Where a State Party revokes, modifies, or invalidates an advance ruling, it shall provide written notice to the applicant setting out the relevant facts and the basis for its decision.

ARTICLE 4.6

Review and appeal

1. Each State Party shall ensure that any person to whom it issues a determination on a customs matter has access to:

- (a) administrative review of the determination, independent¹ of the employee or office that issued the determination; or
- (b) judicial review of the determination.

¹ The level of administrative review may include any authority supervising the customs administration.



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2. Each State Party shall ensure that an authority that conducts a review pursuant to paragraph 1 notifies the parties to the matter in writing of its decision and the reasons for the decision. A State Party may require a request as a condition for providing the reasons for a decision in the review.

ARTICLE 4.7

Single window and use of automated system

1. Each State Party shall establish or maintain a single window, enabling traders to submit documentation and/or data requirements for importation, exportation, or transit of goods through a single entry point to the participating authorities or agencies. After the examination by the participating authorities or agencies of the documentation and/or data, the results shall be made available to the applicants through the single window in a timely manner.
2. In cases where documentation and/or data requirements have already been received through the single window, the same documentation and/or data requirements shall not be requested by participating authorities or agencies except in urgent circumstances and other limited exceptions which are made public.
3. Each State Party shall adopt or maintain procedures to determine duties and taxes upon the submission of the customs declaration and to allow electronic payment of duties and taxes upon approval of the customs declaration.
4. The State Parties shall endeavour to promote the interoperability between the National Single Windows which allows the creation of conditions for the mutual recognition of electronic documentation and data requirements necessary to carry out trade activities. For these purposes, the State Parties shall endeavour to develop institutional, legal and technical basis to ensure information exchange between each State Party's National Single Windows.

ARTICLE 4.8

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Express shipments

Each State Party shall adopt or maintain expedited customs procedures for express shipments, while maintaining appropriate control and customs selection. These procedures shall:

- (a) provide for pre-arrival processing of information related to express shipments;
- (b) allow the single submission of information covering all goods contained in an express shipment, if possible through electronic means;
- (c) minimise, to the extent possible, the documentation required for the release of express shipments; and
- (d) provide, in normal circumstances, for an express shipment to be released within 6 (six) business hours after the submission of the necessary information for the shipment, provided that the shipment has arrived and all requirements have been met.

ARTICLE 4.9

Risk management

1. Each State Party shall adopt or maintain a risk management system for assessment and targeting that enables its customs administration and relevant authorities to focus its inspection activities on high-risk consignments and expedite the release of low-risk consignments.

2. Each State Party shall design and apply risk management in a manner as to avoid arbitrary or unjustifiable discrimination, or a disguised restriction on international trade.

3. Each State Party shall base risk management on an assessment of risk through appropriate selectivity criteria. Such selectivity criteria may include, *inter alia*, the Harmonized System code, nature and description of the goods, country of origin, country from which the goods were shipped, value of the goods, compliance record of traders, and type of means of transport.

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ARTICLE 4.10

Authorised Economic Operator ("AEO")

A State Party operating an AEO program shall:

- (a) afford another State Party the possibility of negotiating mutual recognition of AEO programs for the purpose of facilitating international trade while ensuring effective customs control;
- (b) work together on the customs-related aspects of securing and facilitating the international trade supply chain in accordance with the Framework of Standards to Secure and Facilitate Global Trade of the WCO; and
- (c) foster cooperation between the State Parties' customs authorities and other government authorities or agencies in relation to authorised economic operator programs.

ARTICLE 4.11

Perishable goods

In order to prevent deterioration of perishable goods, each State Party shall:

- (a) provide for the release of perishable goods, under normal circumstances, within the shortest possible time;
- (b) give the appropriate priority to perishable goods when scheduling any examinations that may be required;
- (c) in cases of delays in the release of perishable goods, provide, upon request, a communication on the reasons for the delay;

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- (d) either arrange, or allow an importer to arrange, for proper storage of perishable goods whose release is pending. Each State Party may require that any storage facilities arranged by the importer have been approved or designated by its relevant authorities; and
- (e) provide for the release of perishable goods in exceptional circumstances where it would be appropriate to do so, and provided that all regulatory requirements have been met, outside the business hours of customs and other relevant authorities.

ARTICLE 4.12

Release of goods

1. Each State Party shall adopt or maintain procedures that:
 - (a) provide for the release of goods within a period of time no longer than required to ensure compliance with its laws and regulations;
 - (b) provide, in normal circumstances, for goods to be released within 48 (forty-eight) business hours of arrival unless the importer fails to fulfil the requirements of the importing State Party's laws and regulations or where the release is delayed by virtue of *force majeure*;
 - (c) provide for electronic submission and processing of information in advance of the arrival of the goods to enable release of the goods on arrival; and
 - (d) allow the release of imported goods prior to the final determination by its customs administration of the applicable customs duties, taxes, fees and charges, provided the good is otherwise eligible for release.²

² Uruguay shall comply with this provision in accordance with its notification under Article 16 of the Trade Facilitation Agreement of the WTO (G/TFA/N/URU/19 signed on March 7, 2019).



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2. Notwithstanding subparagraph (d) of paragraph 1, each State Party may require importers to provide security as a condition for the release of goods when such security is required to ensure that obligations arising from the importation of the goods will be fulfilled.

3. If a State Party allows for the release of goods conditioned on a security, it shall adopt or maintain procedures that:

- (a) ensure that the amount of any security is no greater than that required to ensure that obligations arising from the importation of the goods will be fulfilled;
- (b) ensure that any security shall be discharged as soon as possible after its customs authorities are satisfied that the obligations arising from the importation of the goods have been fulfilled; and
- (c) allow importers to provide security:
 - (i) in the form of bank guarantees, bonds, or other non-cash financial instruments covering multiple entries; and
 - (ii) in any other forms specified by its customs authorities.

ARTICLE 4.13

Temporary import

1. Each State Party shall allow goods to be brought into its customs territory conditionally relieved, totally or partially, from payment of import duties and taxes if such goods are brought into its customs territory for a specific purpose, are intended for re-exportation within a specific period, and have not undergone any change except normal depreciation and wastage due to the use made of them.

2. Each State Party may accept, for the temporary imports of goods, ATA Carnets issued by an association that is part of the ATA international guarantee chain, certified by the relevant authorities

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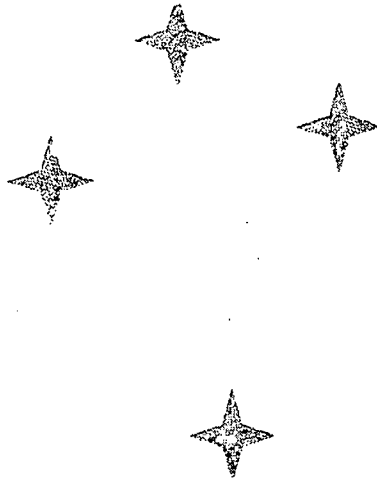


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and valid in the customs territory of the importing State Party. Alternatively, the State Parties may establish different simplified procedures that include a guarantee system.



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CHAPTER 5

TRADE REMEDIES

SECTION A

GLOBAL SAFEGUARD MEASURES

ARTICLE 5.1

Global safeguard measures

1. The State Parties affirm their rights and obligations concerning global safeguard measures under Article XIX (Emergency Action on Imports of Particular Products) of GATT 1994 and the Safeguards Agreement.
2. Except as provided for in paragraph 3, no provision of this Agreement shall be construed as imposing any rights or obligations on the State Parties with respect to global safeguard measures.
3. A State Party that initiates a safeguard investigatory process shall provide to another State Party an electronic copy of the notification given to the WTO Committee on Safeguards pursuant to subparagraph (a) of Article 12.1 (Notification and Consultation) of the Safeguards Agreement.

SECTION B

ANTI-DUMPING AND COUNTERVAILING MEASURES



ARTICLE 5.2

General provisions

1. The State Parties affirm their rights and obligations under Article VI (Anti-dumping and Countervailing Duties) of GATT 1994, the Anti-Dumping Agreement and the SCM Agreement and shall apply anti-dumping and countervailing measures in accordance with this Chapter. To this end, this Agreement shall apply to the extent not specifically provided for in the Anti-Dumping Agreement and the SCM Agreement.
2. The State Parties should use anti-dumping and countervailing measures in full compliance with the relevant WTO requirements. Those measures should be based on a fair and transparent system and careful consideration should be given to the interests of the State Party against which such a measure is to be imposed.

ARTICLE 5.3

Practices relating to anti-dumping and countervailing duty proceedings

1. In any proceeding in which the investigating authorities determine to conduct an in-person verification of information that is provided by a respondent¹, and that is pertinent to the calculation of anti-dumping duty margins or the level of a countervailable subsidy, the investigating authorities shall promptly notify each respondent of their intent, and:
 - (a) at least 10 (ten) days prior to an in-person verification, provide the respondent a list of topics that the respondent should be prepared to address during the verification visit and that describes the types of supporting documentation to be made available for review; and

For the purposes of this paragraph, "respondent" means a producer, manufacturer, exporter, importer, and, where appropriate, a government or government entity, that is required by a State Party's investigating authorities to respond to an antidumping or countervailing duty questionnaire.



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(b) after an in-person verification is completed, and subject to the protection of confidential information², issue a written report that describes the methods and procedures followed in carrying out the verification and the extent to which the information provided by the respondent was supported by the documents reviewed during the verification. The report shall be made available to all interested parties in sufficient time for the parties to defend their interests.

2. A State Party's investigating authorities shall maintain a non-confidential file for each investigation and review that contains:

- (a) all non-confidential documents that are part of the record of the investigation or review; and
- (b) to the extent feasible without revealing confidential information, non-confidential summaries of confidential information that is contained in the record of each investigation or review.

3. The non-confidential file and a list of all documents that are contained in the record of the investigation or review shall be physically available for inspection and copying during the investigating authorities' normal business hours or electronically available for download.

4. If, in an anti-dumping or countervailing duty action that involves imports from another State Party, a State Party's investigating authorities determine that a timely response to a request for information does not comply with the request, the investigating authorities shall inform the interested party that submitted the response of the nature of the deficiency and, to the extent practicable in light of time limits established to complete the anti-dumping or countervailing duty action, provide that interested party with an opportunity to remedy or explain the deficiency.

2

For the purposes of this chapter, "confidential information" includes information which is provided on a confidential basis and which is by its nature confidential, for example, because its disclosure would be of significant competitive advantage to a competitor or because its disclosure would have a significantly adverse effect upon a person supplying the information or upon a person from whom that person acquired the information.

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ARTICLE 5.4

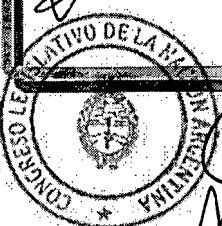
Notifications and consultations

1. Upon receipt by a State Party's competent authorities of a properly documented anti-dumping application with respect to imports from another State Party, as soon as possible in accordance with each State Party's laws and regulations before initiating such anti-dumping investigation, the State Party shall provide written notification to another State Party of its receipt of the application.
2. Upon receipt by a State Party's competent authorities of a properly documented countervailing duty application with respect to imports from another State Party, and before initiating an investigation, the State Party shall provide written notification to that other State Party of its receipt of the application as soon as possible in accordance with each State Party's laws and regulations in advance of the date of initiation and invite that other State Party for consultations on the application.

ARTICLE 5.5

Treatment of confidential information

1. The investigating authority of a State Party shall require interested parties providing confidential information to furnish non-confidential summaries thereof, referred to in subparagraph (6.5.1) of Article 6(6.5) (Evidence) of the Anti-Dumping Agreement. These non-confidential summaries referred to in subparagraph (6.5.1) of Article 6(6.5) (Evidence) of the Anti-Dumping Agreement shall be in sufficient detail to permit a reasonable understanding of the substance of the information submitted in confidence in order to allow the other interested parties in the investigation an opportunity to respond and defend their interest.
2. The exceptional circumstances referred to in subparagraph (6.5.1) of Article 6(6.5) (Evidence) of the Anti-Dumping Agreement shall be limited to the cases where summarisation necessarily leads to disclosure of the confidential information or a failure to provide a sufficient



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level of detail to permit a reasonable understanding of the substance of the information submitted in confidence.

ARTICLE 5.6

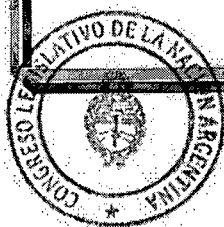
Disclosure of the essential facts

The investigating authorities shall, before a final determination is made, inform all interested parties of the essential facts under consideration. Such disclosure shall take place in sufficient time for the parties to defend their interests, and they should be allowed to make their comments in accordance with each State Party's laws and regulations.

ARTICLE 5.7

Undertakings

1. After a State Party's competent authorities initiate an anti-dumping or countervailing duty investigation, upon request of another State Party, the State Party shall transmit to that other State Party's competent authorities written information regarding the State Party's procedures for requesting its authorities to consider an undertaking on price including the timeframes for offering and concluding any such undertaking.
2. In an anti-dumping investigation, where a State Party's competent authorities have made a preliminary affirmative determination of dumping and injury caused by such dumping, the State Party shall afford due consideration and opportunity for meetings to exporters of another State Party regarding proposed price undertakings which, if accepted, may result in suspension of the investigation without imposition of anti-dumping duties, consistent with the State Party's laws and regulations.



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3. In a countervailing duty investigation, where a State Party's competent authorities have made a preliminary affirmative determination of subsidisation and injury caused by such subsidisation, the State Party shall afford due consideration and opportunity for meetings to another State Party and exporters of that other State Party regarding proposed price undertakings, which, if accepted, may result in suspension of the investigation without imposition of countervailing duties, consistent with the State Party's laws and regulations.

ARTICLE 5.8

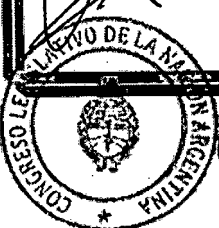
Lesser duty rule

If a State Party decides to apply an anti-dumping or countervailing duty in respect of goods from another State Party, it shall, in accordance with its laws and regulations, apply a duty that is less than the margin of dumping or total amount of the subsidy if that level is adequate to remove the injury to the domestic industry.

ARTICLE 5.9

Sunset reviews

1. A State Party shall not initiate a review pursuant to Article 11(11.3) (Duration and Review of Anti-Dumping Duties and Price Undertakings) of the Anti-Dumping Agreement without a request submitted by or on behalf of its domestic industry.
2. A request to initiate a review pursuant to Article 11(11.3) (Duration and Review of Anti-Dumping Duties and Price Undertakings) of the Anti-Dumping Agreement should be submitted by or on behalf of the domestic industry no later than 3 (three) months prior to the end of the five (5) year period following the date of the imposition of the anti-dumping duty or of the five (5) year period following the effective date of the most recent review of the anti-dumping duty. The review shall normally be completed within 12 (twelve) months from the date of initiation.



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3. Each State Party shall analyse with special care requests for the extension of measures in force against exporters of another State Party.

ARTICLE 5.10:

Exemption from investigation after termination

Except where circumstances have changed, the State Parties shall not initiate an investigation where a previous investigation of the same product from the same State Party resulted in a negative final determination within 1 (one) year prior to the filing of the application. If an investigation is initiated in such a case, the State Parties shall, in the notice of initiation, explain the change in circumstances which warrants initiation.

SECTION C

GENERAL PROVISIONS

ARTICLE 5.11

Special agricultural safeguards

The State Parties shall exempt bilateral trade subject to preferential treatment from the application of Article 5 (Special Safeguard Provisions) of the Agreement on Agriculture.

ARTICLE 5.12

Rules of origin




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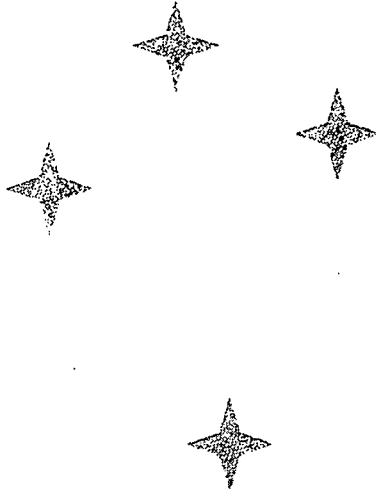
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The preferential rules of origin under this Agreement shall not apply to this Chapter.

ARTICLE 5.13

Non-application of dispute settlement

The Parties shall not have recourse to dispute settlement under Chapter 18 (Dispute Settlement) for any matter arising under this Chapter.



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CHAPTER 6

BILATERAL SAFEGUARD MEASURES

SECTION A

DEFINITIONS

ARTICLE 6.1

For the purposes of this Chapter:

(a) "competent investigating authority" means:

- (i) in the case of Singapore, the competent investigating authority, which will be appointed in the event of a bilateral safeguard investigation; and
- (ii) in the case of Signatory MERCOSUR States, the Ministerio de Economía or its successor in Argentina; Ministério do Desenvolvimento, Indústria, Comércio e Serviço or its successor in Brazil; Ministerio de Industria y Comercio or its successor in Paraguay; and Política Comercial del Ministerio de Economía y Finanzas or its successor in Uruguay;

(b) "domestic industry" means the producers as a whole of the like or directly competitive products operating within the territory of the State Party, or those whose collective output of the like or directly competitive products constitutes a major proportion of the total domestic production of those products;



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(c) "interested parties" shall include:

- (i) exporters or foreign producers or importers of a product subject to investigation, or a trade or business association, a majority of the members of which are producers, exporters or importers of such product;
- (ii) the government of the exporting State Party; and
- (iii) producers of the like or directly competitive product in the importing State Party or a trade and business association, a majority of the members of which produces the like or directly competitive product in the territory of the importing State Party.

(d) "serious injury" means a significant overall impairment in the position of a domestic industry;

(e) "threat of serious injury" means serious injury that is clearly imminent, based on facts and not merely on allegation, conjecture or remote possibility; and

(f) "transition period" means:

- (i) the total period of the Tariff Liberalisation Schedule plus an additional five-year period for goods for which the Tariff Liberalisation Schedule of the State Party applying the measure provides for tariff elimination in less than 8 (eight) years; and
- (ii) the total period of the Tariff Liberalisation Schedule plus an additional three-year period for goods for which the Tariff Liberalisation Schedule of the State Party applying the measure provides for tariff elimination in 8 (eight) or more years.

SECTION B

CONDITIONS FOR THE APPLICATION OF BILATERAL SAFEGUARD MEASURES



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ARTICLE 6.2

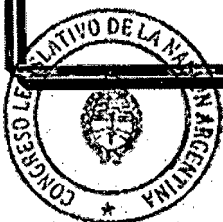
1. Considering the reduction or elimination of a customs duty after the entry into force of this Agreement, a State Party may, in exceptional circumstances, apply bilateral safeguard measures against another State Party under the conditions established in this Section, when the imports of a product under preferential terms originating in such State Party have increased in such quantities, absolute or relative to domestic production of the importing State Party, and under such conditions as to cause or threaten to cause serious injury to the domestic industry of the importing State Party.
2. The bilateral safeguard measure shall be applied only to the extent necessary to prevent or remedy serious injury or threat thereof.
3. Bilateral safeguard measures shall only be applied following an investigation by the competent investigating authorities of the importing State Party under the procedures established in this Chapter.
4. A State Party shall not apply, with respect to the same good, at the same time:
 - (a) a safeguard measure in accordance with paragraph 1; and
 - (b) a measure under Article XIX (Emergency Action on Imports of Particular Products) of GATT 1994 and the Safeguards Agreement or a measure with equivalent effect.

ARTICLE 6.3

A State Party shall not apply, extend or keep in force a bilateral safeguard measure beyond the expiration of the transition period.

ARTICLE 6.4

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Bilateral safeguard measures shall only be applied between Singapore on the one side and individual Signatory MERCOSUR States on the other. Singapore may conduct bilateral safeguard investigations on exports of the same good originating in more than one Signatory MERCOSUR States simultaneously, provided that the conditions established in this Section are considered for each one of them separately.

ARTICLE 6.5

Bilateral safeguard measures adopted under this Chapter shall consist of:

- (a) a temporary suspension of the schedule of tariff reduction of the good concerned provided for under this Agreement; or
- (b) a reduction of the tariff preference of the product concerned so that the rate of customs duty does not exceed the lesser of:
 - (i) the most-favoured-nation applied rate of customs duty on the product in effect at the time the measure is taken; or
 - (ii) the base rate of customs duty referred to in the Tariff Schedules under Appendices 2-A-1 and 2-A-2 of Annex 2-A (Elimination of Customs Duties).

ARTICLE 6.6

1. Bilateral safeguard measures shall be applied only for the period necessary to prevent or remedy the serious injury and to facilitate adjustment of the domestic industry. This period shall not exceed 2 (two) years, including the period of application of any provisional measure.

2. Upon termination of the bilateral safeguard measure, the margin of preference shall be the one that would be applied to the product in the absence of the measure, according to the Tariff Elimination Schedule.



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ARTICLE 6.7

1. The bilateral safeguard measure may be extended only once and for a maximum period identical to the initial period of application, provided that it has been determined, in accordance with the procedures set out in this Chapter, that the measure continues to be necessary to prevent or remedy serious injury and that the domestic industry provides evidence that it is adjusting. The measure extended shall not be more restrictive than it was at the end of the initial period. In order to facilitate adjustment in a situation where the expected duration of a bilateral safeguard measure is over 1 (one) year, the State Party that applies the measure shall progressively liberalise it at regular intervals during the period of application.

2. No safeguard measure shall be applied again to the same product imported under the Tariff Elimination Schedule, unless a period equal to the half of the total duration of the previous measures has elapsed.

ARTICLE 6.8

1. The investigation to determine serious injury or threat thereof as a result of increased imports of a product under preferential terms shall take into consideration all relevant factors of an objective and quantifiable nature having a bearing on the situation of the domestic industry affected, particularly the following:

- (a) the amount and rate of the increase in preferential imports of the product concerned in absolute and relative terms;
- (b) the share of the internal market taken by increased preferential imports;
- (c) the price of the preferential imports;



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- (d) the consequent impact on the domestic industry of the like or directly competitive products, based on factors, including: production, productivity, capacity utilisation, inventories, sales, market share, prices, profits and losses, return on investment, cash flow and employment;
 - (e) the relationship between the preferential and non-preferential imports, as well as between the increase of one and the other;
 - (f) the existence of a causal link between the increased imports of the product under preferential terms and the serious injury or threat thereof to the domestic industry; and
 - (g) other factors that, although not related to the evolution of preferential imports, may have a causal relationship with the injury or the threat of injury to the domestic industry in question.
2. The investigation to determine serious injury or threat thereof shall demonstrate the existence of a causal link between the increased imports of the product under preferential terms and the serious injury or threat thereof to the domestic industry.
3. When factors other than increased preferential imports are causing injury to the domestic industry at the same time, such injury shall not be attributed to the increased preferential imports.
4. The period of data collection for the investigation to determine serious injury or threat thereof should normally be of at least the last 36 (thirty-six) months, unless otherwise duly justified and in exceptional circumstances, and shall end as close to the date of the submission of the request as is practicable.

SECTION C

INVESTIGATION AND TRANSPARENCY PROCEDURES

ARTICLE 6.9

A State Party may only initiate an investigation for a bilateral safeguard measure upon request of

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the domestic industry or of a trade and business association of domestic producers of the like or directly competitive products in the importing State Party.

ARTICLE 6.10

The request to initiate an investigation shall contain at least the following information:

- (a) a description of the product: the name and description of the imported product concerned, its tariff heading and the tariff treatment in force, as well as the name and description of the like or directly competitive product;
- (b) the names and addresses of the producers or association that submit the request;
- (c) a list of all other known producers of the like or directly competitive product; and
- (d) evidence that the conditions for imposing the safeguard measure set out in Article 2(1) are met. In this respect, the request shall generally contain the following information:
 - (i) the production volume of producers submitting or represented in the application, and an estimation of the production of other known producers of the like or directly competitive product;
 - (ii) the rate and amount of the increase in total and bilateral imports of the product concerned in absolute and relative terms, including at least the last 36 (thirty-six) months prior to the date of the lodging of the application, for which information is available;
 - (iii) the level of import prices during the same period; and
 - (iv) where information is available, objective and quantifiable data regarding the like or directly competitive product, on the volume of total production and of total sales on the internal market, inventories, prices for the internal market, productivity, capacity



utilisation, employment, profits and losses, market share, of the requesting firms or of those represented in the request, including at least the last 36 (thirty-six) months previous to the presentation of the request, for which information is available.

ARTICLE 6.11

1. Any information which is by nature confidential or which is provided on a confidential basis shall, upon cause being shown, be treated as such by the competent investigating authorities. Such information shall not be disclosed without permission of the party submitting it. Parties providing confidential information may be requested to furnish non-confidential summaries thereof or, if such parties indicate that such information cannot be summarised, the reasons why a summary cannot be provided. However, if the competent authorities find that a request for confidentiality is not warranted and if the party concerned is either unwilling to make the information public or to authorise its disclosure in generalised or summary form, the authorities may disregard such information unless it can be demonstrated to their satisfaction from appropriate sources that the information is correct.

2. Request for confidentiality will not be granted for information regarding basic uses and characteristics of the product concerned.

3. If information regarding production, production capacity, employment, wages, volume and value of domestic sales, average price is presented on a confidential basis, the competent investigating authorities shall ensure that the petitioner or the domestic industry provides meaningful non-confidential summaries disclosing at least aggregated data or, in cases in which the disclosure of aggregated data would endanger the confidentiality of the company's data, indexes for each 12 (twelve) month period under investigation are submitted, so as to ensure the appropriate right of defense of the interested parties. In this regard, confidentiality requests should be considered in situations in which particular market or domestic industry structures so justify it. This provision does not prevent the presentation of more detailed non-confidential summaries.

ARTICLE 6.12



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The period between the date of publication of the decision to initiate the investigation and the publication of the final decision shall not exceed 1 (one) year. No bilateral safeguard measures shall be applied in case the timeframe is not observed by the competent investigating authorities.

ARTICLE 6.13

Each State Party shall establish or maintain transparent, effective and equitable procedures for the impartial and reasonable application of bilateral safeguard measures, in compliance with this Chapter.

SECTION D

PROVISIONAL BILATERAL SAFEGUARDS

ARTICLE 6.14

In critical circumstances, where delay may cause damage which would be difficult to repair, a State Party, after due notification, may apply a provisional safeguard measure pursuant to a preliminary determination that there is clear evidence that increased preferential imports have caused or are threatening to cause serious injury. The duration of the provisional measure shall not exceed 200 (two hundred) days, during which period the requirements of this Chapter shall be met. If the final determination concludes that there was no serious injury or threat thereof to the domestic industry caused by imports under preferential terms, the increased tariff or provisional guarantee, if collected or imposed under provisional measures, shall be promptly refunded, according to the laws and regulations of the relevant State Party.




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SECTION E

PUBLIC NOTICE

ARTICLE 6.15

The public notice of the initiation of an investigation for bilateral safeguard measures shall include the following information:

- (a) the name of the petitioner;
- (b) the complete description of the imported product under investigation, and its classification under the Harmonized System;
- (c) the deadline for the request for hearings and the venue where hearings shall be held;
- (d) the deadline to register as an interested party and for the submission of information, statements and other documents;
- (e) the address where the request or other documents related to the investigation can be examined;
- (f) the name, address and e-mail address or telephone number of the institution which can provide further information; and
- (g) a summary of the facts upon which the initiation of the investigation was based, including data on imports that have supposedly increased in absolute or relative terms to total production and analysis of the domestic industry situation based on all the elements conveyed in the request.

ARTICLE 6.16



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1. The public notice of the decision to apply a provisional bilateral safeguard measure, to apply or not or to extend a definitive bilateral safeguard measure shall include the following information:

- (a) the complete description of the product subject to the preferential safeguard measure, and its tariff classification under the Harmonized System;
- (b) information and evidence leading to the decision,
 - (i) the increasing or increased preferential imports, if it is the case;
 - (ii) the situation of the domestic industry, including, in the case of an extension of the bilateral safeguard measure, evidence that the domestic industry concerned is adjusting;
 - (iii) the existence of a causal link between the increased preferential imports of the goods concerned and the serious injury or threat thereof to the domestic industry, if it is the case; and
 - (iv) in the case of preliminary determination, the existence of critical circumstances.;
- (c) other reasoned findings and conclusions on all relevant issues of fact and law;
- (d) a precise description of the measure to be adopted, if it is the case; and
- (e) the date of entry into force of the measure and its duration and, if applicable, a timetable for progressive liberalisation of the measure, if it is the case.

SECTION F

NOTIFICATIONS AND CONSULTATIONS

ARTICLE 6.17



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1. The importing State Party shall notify the exporting State Party of:
 - (a) the decision to initiate the investigation under this Chapter;
 - (b) the decision to apply a provisional bilateral safeguard measure;
 - (c) the decision to apply or not or to extend a definitive bilateral safeguard measure; and
 - (d) the decision to modify a bilateral safeguard measure previously undertaken.
2. The decision shall be notified by the importing State Party as soon as possible and shall be accompanied by the appropriate public notice. In the case of a decision to initiate an investigation, a copy of the request to initiate the investigation shall be included in the notification.

ARTICLE 6.18

1. When a State Party has determined that the conditions to impose definitive measures are met, it should notify and at the same time invite the other State Party for consultations.
2. The notification and invitation for consultations referred to in paragraph 1 shall be made at least 30 (thirty) days before definitive measures are expected to come into force. No definitive measures shall be applied in the absence of notification.
3. The notification provided in paragraph 1 shall include:
 - (a) the data and objective information demonstrating the existence of serious injury or threat of serious injury to the domestic industry caused by the increased preferential imports;
 - (b) complete description of the imported product subject to the measure, and its classification under the Harmonized System;



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- (c) description of the measure proposed;
- (d) the date of entry into force of the measure and its duration; and
- (e) the period for consultations.

3. The objective of the consultations referred to in paragraph 1 shall be a mutual knowledge of the public facts and the exchange of opinions, aimed at reaching a mutually satisfactory solution. If no satisfactory solution is reached within 30 (thirty) days of the notification under paragraph 1, a State Party may apply the measure at the end of the thirty-day period. Should this be the case, the State Parties shall discuss adequate means of trade compensation for the adverse effects of the measure on their trade.

4. At any stage of the investigation, the notified State Party may request consultations with the other State Party, or any additional information that it considers necessary.




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CHAPTER 7

SANITARY AND PHYTOSANITARY MEASURES

ARTICLE 7.1

Scope

This Chapter applies to all sanitary and phytosanitary measures of the State Parties, that may, directly or indirectly, affect trade between the Parties.

ARTICLE 7.2

General provisions

1. Unless otherwise provided for in this Chapter, the SPS Agreement applies between the State Parties and is incorporated into and form part of this Agreement, *mutatis mutandis*.
2. In implementing this Chapter, each State Party shall take into account the relevant guidance of the WTO Committee on Sanitary and Phytosanitary Measures (hereinafter referred to as "WTO SPS Committee") and base its SPS measures on international standards, guidelines, and recommendations adopted by the international organisations identified in the SPS Agreement.

ARTICLE 7.3

Objectives

The objectives of this Chapter are to:



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- (a) facilitate trade between the Parties within the scope of sanitary and phytosanitary measures while protecting human, animal or plant life or health in the territories of the State Parties;
- (b) reinforce and build on the SPS Agreement and cooperate on the further implementation of the SPS Agreement;
- (c) strengthen communication, consultation and cooperation between the Parties, and particularly between the State Parties' competent authorities and contact point;
- (d) ensure that sanitary or phytosanitary measures implemented by a State Party are science-based, taking into account risk analysis principles;
- (e) ensure that sanitary or phytosanitary measures implemented by a State Party do not create unjustified obstacles to trade;
- (f) enhance transparency in and understanding of the application of each State Party's sanitary and phytosanitary measures;
- (g) encourage the development and adoption of international standards, guidelines and recommendations, by the international organisations identified in the SPS Agreement and promote their implementation by the State Parties; and
- (h) provide effective means to resolve any sanitary and phytosanitary concerns that may affect trade between the Parties.

ARTICLE 7.4

Definitions

1. For the purposes of this Chapter, the following apply:

- (a) the definitions contained in Annex A of the SPS Agreement;



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- (b) the definitions adopted by the Codex Alimentarius Commission (hereinafter referred to as the "Codex");
- (c) the definitions adopted by the World Organisation for Animal Health (hereinafter referred to as the "WOAH");
- (d) the definitions adopted by the International Plant Protection Convention (hereinafter referred to as the "IPPC");
- (e) "import check" means an inspection, examination, sampling, review of documentation, test or procedure, including laboratory, organoleptic or identity, carried out at the border by an importing State Party or its representative to determine if a consignment complies with the sanitary and phytosanitary requirements of the importing State Party; and
- (f) "international standards, guidelines and recommendations" means documents adopted by the relevant international organisations identified in the SPS Agreement.

2. In the event of an inconsistency between the definitions of the SPS Agreement and the definitions agreed by both Parties or the definitions adopted by Codex, WOAHA and IPPC, the definitions set out in the SPS Agreement shall prevail.

ARTICLE 7.5

Adaptation to regional conditions, including pest- or disease-free areas and areas of low pest or disease prevalence

1. The State Parties shall act in accordance with Article 6 (Adaption to Regional Conditions, Including Pest-or Disease- Free Areas and Areas of Low Pest or Disease Prevalence) of the SPS Agreement, guidelines adopted by the WTO SPS Committee by Decision G/SPS/48 and the standards, guidelines and recommendations of the IPPC and WOAHA, to facilitate the recognition of the pest- or disease-free areas and areas of low pest or disease prevalence.




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2. The State Parties shall accept their respective disease-free areas, zones or compartments recognised by the WOA, expeditiously and without undue delay.
3. The exporting State Party shall provide appropriate science-based and technical information to objectively demonstrate to the importing State Party that its territory, or any region or regions of its territory, are pest or disease-free areas or areas of low pest or disease prevalence and that such condition is likely to remain.
4. When an importing State Party receives a request for the recognition of a pest- or disease-free area or an area of low pest or disease prevalence from the exporting State Party, it shall initiate an assessment and present a timeframe for the recognition process.
5. If the assessment results in recognition, the importing State Party shall communicate this recognition to the exporting State Party in writing without undue delay, and shall apply these conditions to trade within a reasonable period of time.
6. If the assessment does not result in recognition, the importing State Party shall provide the exporting State Party with the rationale for its decision including any scientific and technical reasons in writing without undue delay. The importing State Party will allow the exporting State Party to provide more information or clarifications with the purpose of reviewing the decision.
7. The State Parties shall promote cooperation of their competent authorities in order to facilitate the implementation of this Article.

ARTICLE 7.6

Equivalence

1. The State Parties recognise equivalence as an important means to facilitate trade.



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2. The determination of equivalence between the State Parties shall be established in accordance with the Decisions adopted by the WTO SPS Committee and based on the standards, guidelines and recommendations adopted by the relevant international organisations of the SPS Agreement.
3. The State Parties may recognise the equivalence of a measure, a group of measures, or a system for a product or group of products.
4. The importing State Party shall recognise the equivalence of a sanitary or phytosanitary measure if the exporting State Party objectively demonstrates to the importing State Party that the exporting State Party's measure:
 - (a) achieves the same level of protection as the importing State Party's measure; or
 - (b) has the same effect in achieving the objective as the importing State Party's measure.
5. On request of the exporting State Party, the importing State Party shall explain the objective and rationale of its sanitary or phytosanitary measure and clearly identify the risk the sanitary or phytosanitary measure is intended to address.
6. The exporting State Party shall communicate its interest in an equivalence determination and provide appropriate science-based and technical information with a view to objectively demonstrating the equivalence.
7. When an importing State Party receives a request for an equivalence assessment and determines that the information provided by the exporting State Party is sufficient, it shall initiate the equivalence assessment according to a timeframe established between the importing and exporting parties.
8. When an importing State Party commences an equivalence assessment, that State Party shall promptly, on request of the exporting State Party, explain its equivalence process and timetable for making the equivalence determination and, if the determination results in recognition, for enabling trade.



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9. In determining the equivalence of a sanitary or phytosanitary measure, an importing State Party shall take into account available knowledge, information and relevant experience, as well as the regulatory competence of the exporting State Party.
10. Upon request of the exporting State Party, the importing State Party shall inform the exporting State Party of the status of the equivalence assessment.
11. If the importing State Party requires an "on-site" inspection to verify the equivalence, and this request is duly justified, the exporting State Party shall organise such inspections.
12. When an importing State Party recognises the equivalence of an exporting State Party's specific sanitary or phytosanitary measure, group of measures or a system for a product or group of products, the importing State Party shall communicate this to the exporting State Party in writing without undue delay and shall apply this recognition within a reasonable period of time.
13. If an equivalence determination does not result in recognition by the importing State Party, the importing State Party shall provide the exporting State Party with the rationale for its decision including any scientific and technical reasons for the decision, in writing and without undue delay.

ARTICLE 7.7

Risk analysis

1. The State Parties recognise the importance of ensuring that their respective sanitary and phytosanitary measures are based on scientific principles.
2. Each State Party shall base its sanitary and phytosanitary measures on international standards, guidelines, and recommendations unless no applicable international standards, guidelines and recommendations exist, or if a State Party has established a higher-level of sanitary or phytosanitary protection. In such cases, the State Party shall ensure that its sanitary or phytosanitary measure is based on an assessment, as appropriate to the circumstances, of the risk to human, animal or plant life or health.



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3. Recognising the State Parties' rights and obligations under the relevant provisions of the SPS Agreement, nothing in this Chapter shall be construed to prevent a State Party from:

- (a) establishing the level of protection it determines to be appropriate;
- (b) establishing or maintaining an approval procedure that requires a risk analysis to be carried out before the State Party grants a product access to its market; or
- (c) adopting or maintaining a sanitary or phytosanitary measure on a provisional basis.

4. When conducting its risk analysis, each State Party shall:

- (a) take into account relevant guidance of the WTO SPS Committee and international standards, guidelines and recommendations;
- (b) ensure that its sanitary and phytosanitary measures do not arbitrarily or unjustifiably discriminate between State Parties where identical or similar conditions prevail, including between its own territory and that of other State Parties;
- (c) ensure that each risk assessment it conducts is appropriate to the circumstances of the risk at issue and takes into account reasonably available and relevant scientific information; and
- (d) ensure that it is documented.

5. Each State Party shall consider and select risk management options that are not more trade restrictive¹ than required to achieve the level of protection that the State Party has determined to be appropriate, including taking no measure if that would achieve the State Party's appropriate level of protection.

¹ For greater certainty, a risk management option is not more trade restrictive than required unless there is another option that is reasonably available, taking into account technical and economic feasibility, that achieves the appropriate level of sanitary or phytosanitary protection and is significantly less restrictive to trade.

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6. When the importing State Party makes a risk analysis for a new product, if there are similarities with other products and associated risk from the same exporting State Party or the other State Parties, the importing State Party shall be able to take into account previous risk assessments where applicable, in order to simplify the process.

7. If an importing State Party requires a risk analysis to evaluate a request from an exporting State Party to authorise importation of a good of that exporting State Party, the importing State Party shall provide, on request of the exporting State Party, an explanation of the information required for the risk assessment. On receipt of the required information from the exporting State Party, the importing State Party shall endeavour to facilitate the evaluation without undue delay.

8. On request of the exporting State Party, the importing State Party shall inform the progress of a specific risk analysis request, and of any delay that may occur during the process.

9. If the importing State Party, as a result of a risk analysis, adopts a sanitary or phytosanitary measure that allows trade to commence or resume, the importing State Party shall implement the measure within a reasonable period of time.

10. If a State Party adopts or maintains a provisional sanitary or phytosanitary measure, in case where relevant scientific evidence is insufficient, the State Party shall without undue delay and in any case no longer than 6 (six) months:

- (a) seek to obtain the additional information necessary for a more objective risk assessment;
- (b) take into consideration any information provided by the other State Party in response to the provisional measure;
- (c) complete the risk assessment after obtaining the requisite information; and
- (d) review and, if appropriate, revise the provisional measure in light of the risk assessment.

11. Without prejudice to Article 7.12 (Emergency measures), a State Party shall not stop the importation of a good of another State Party solely for the reason that the importing State Party is



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undertaking a review of its sanitary or phytosanitary measure, if the importing State Party permitted the importation of that good of the other State Party when the review was initiated.

ARTICLE 7.8

Audits²

1. To determine an exporting State Party's ability to provide required assurances and meet the sanitary and phytosanitary measures of the importing State Party, the importing State Party shall have the right, subject to this Article, to audit the exporting State Party's competent authorities and associated or designated inspection systems. That audit may include an assessment of the control systems and programmes including, if appropriate, reviews of the inspection and audit programmes; and on-site inspections of facilities or establishments.
2. In undertaking an audit, a State Party shall take into account relevant guidance of the WTO SPS Committee and international standards, guidelines and recommendations.
3. An audit shall be systems-based and designed to check the effectiveness of the regulatory controls of the competent authorities of the exporting State Party.
4. When an exporting State Party receives a request for an audit to verify compliance with sanitary or phytosanitary requirements by an importing State Party, the importing State Party shall provide the rationale for the said audit.
5. In the case of an on-site inspection, it shall be limited exclusively to the verification of what is technically necessary, without causing undue delays and unnecessary costs.
6. Prior to the commencement of an audit, the importing State Party and exporting State Party involved shall discuss the rationale and decide: the objectives and scope of the audit; the criteria or

For greater certainty, nothing in this Article prevents an importing State Party from performing an inspection of a facility for the purposes of determining if the facility conforms with: (i) the importing State Party's sanitary or phytosanitary requirements; or (ii) sanitary or phytosanitary measures that the importing State Party has determined to be equivalent.



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requirements against which the exporting State Party will be assessed; and the itinerary and procedures for conducting the audit. The exporting State Party shall facilitate the organisation and the itinerary to the audit.

7. The importing State Party shall provide a report setting out its conclusions in writing to the exporting State Party within 90 (ninety) working days. The report shall clearly document any corrective actions, timeframes, and follow-up procedures. The importing State Party shall take into consideration, without undue delay, any information provided by the exporting State Party. Comments made by the exporting State Party shall be attached to and, where appropriate, included in the report, without undue delay.

8. A decision or action taken by the importing State Party as a result of the audit shall be supported by objective evidence and data that can be verified, taking into account the importing State Party's knowledge of, relevant experience with, and confidence in, the exporting State Party. This objective evidence and data shall be provided to the exporting State Party on request.

9. The costs incurred by the importing State Party shall be borne by the importing State Party, unless both parties agree otherwise.

10. The importing State Party and the exporting State Party shall each ensure that procedures are in place to prevent the disclosure of confidential information that is acquired during the audit process.

11. For animal products, animal by-products, live animals and genetic materials, when the result of the audit of the official control system of the competent authority of the exporting State Party is favourable, the importing State Party shall notify to the exporting State Party, without undue delay, the specific category or categories of products, facilities and establishments, which the importing State Party has authorised. The import of such products shall be based on one of the following approval procedures of facilities or establishments, along with the rationale for its choice:

- (a) individual facilities or establishments are approved without prior inspection. The exporting State Party shall inform the list of facilities or establishments to be approved. The competent authority of the exporting State Party shall guarantee that the facilities or establishments from


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authority of the exporting State Party shall guarantee that the facilities or establishments from the list meet the sanitary requirements of the importing State Party. The importing State Party shall notify the exporting State Party of its acceptance or rejection of any facility or establishment without undue delay. The exporting State Party shall suspend or withdraw the export approval of those facilities or establishments that do not comply with the sanitary requirements of the importing State Party and shall promptly notify it to the importing State Party; or

- (b) only specific facilities or establishments are approved to export to the importing State Party upon compliance with its sanitary import requirements. For additional facilities or establishments to be considered for approval, the exporting State Party shall provide the relevant information as required by the importing State Party for further assessment. The importing State Party may conduct on-site inspections where necessary. The evaluation procedure shall be done in a reasonable period of time, and the exchange of information between the State Parties including the outcome of the evaluation shall be done without undue delay.

12. After a reasonable period of time, as it gains more confidence in the exporting State Party's system, the importing State Party may unilaterally change the approval procedure from subparagraph (b) to subparagraph (a) of paragraph 11. Alternatively, the exporting State Party may request this reassessment from the importing State Party and provide any relevant information to support its request. In this reassessment, the rationale used for the original decision, the existing risks, the number of establishments already approved and notifications that have occurred since the original assessment and the additional information provided by the exporting State Party should be considered.

13. In accordance with international standards, guidelines and recommendations, when the result of the audit of the official phytosanitary system of the competent authority of the exporting State Party is favourable, the exporting State Party may provide the list of places of production registered for export, whenever available.

14. When the result of the audit of the official control system of the competent authority of the exporting State Party is unfavourable, the importing State Party shall inform without undue delay



the exporting State Party of any denial of approval of places of production facilities or establishments, providing the scientific justification and indicating the corrective actions and timeframe for implementation, which the exporting State Party should implement for the re-evaluation of the importing State Party.

ARTICLE 7.9

Import checks³

1. The application of import checks by the importing State Party shall not become disguised restrictions on trade between the Parties and shall be carried out in accordance with the SPS Agreement and the international standards, guidelines and recommendations.
2. Each State Party shall ensure that its import programmes are based on the risks associated with importations, and that import checks are carried out without undue delay⁴.
3. A State Party shall make available to another State Party, upon request, information on its import procedures.
4. An importing State Party shall provide to another State Party, upon request, information regarding the analytical methods, quality controls, sampling procedures and facilities that the importing State Party has used to test a good. The importing State Party shall ensure that any testing is carried out using appropriate and validated methods in a facility that operates under a quality assurance programme that is consistent with international laboratory standards. The importing State Party shall maintain physical or electronic documentation regarding the identification, collection, sampling, transportation and storage of the test sample, and the analytical methods used on the test sample.

³ For greater certainty, the State Parties recognise that import checks are one of many tools available to assess compliance with an importing Party's sanitary and phytosanitary measures.

⁴ For greater certainty, nothing in this Article prohibits a State Party from performing import checks to obtain information to assess risk or to determine the need for, develop or periodically review a risk-based import programme.



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5. In the event that import checks demonstrate that products do not conform with the relevant import requirements of the importing State Party, any action taken by the importing State Party should be proportionate to the sanitary and phytosanitary risk associated with the import of the non-compliant product.

6. Unless otherwise provided for in this Chapter, an importing State Party normally shall not suspend trade with another State Party on the basis that one consignment has failed to conform to its SPS requirements.

7. If an importing State Party takes an action regarding the importation of a good of another State Party on the basis of an adverse result of an import check, the importing State Party shall provide a notification, where practicable by electronic means, about the adverse result to at least one of the following: the importer or its agent; the exporter; the manufacturer; or the exporting State Party.

8. If an importing State Party determines that there is a significant non-conformity with a sanitary or phytosanitary measure; or a sustained, or a recurring pattern of non-conformity with a sanitary or phytosanitary measure, the importing State Party shall notify the exporting State Party of the non-conformity.

9. When the importing State Party provides a notification pursuant to paragraph 8, it shall:

(a) include:

(i) the reason for the non-conformity and the action taken;

(ii) the legal basis or authorisation for the action; and

(iii) information on the status of the affected goods and, if appropriate, on their disposition; and

(b) transmit the notification by electronic means, if practicable and not already been provided through another channel.



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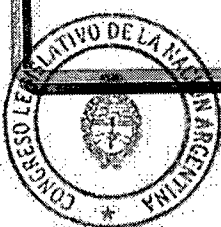
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10. Upon request, an importing State Party shall provide to the exporting State Party available information on goods from the exporting State Party that were found not to conform to a sanitary or phytosanitary measure of the importing State Party.

ARTICLE 7.10

Certification

1. The State Parties recognise that assurances with respect to sanitary or phytosanitary requirements may be provided through means other than certificates.
2. In applying certification requirements, an importing State Party shall take into account relevant guidance of the WTO SPS Committee and international standards, guidelines and recommendations.
3. If an importing State Party requires certification for trade in a good, that State Party shall ensure that the certification requirement is applied only to the extent necessary to protect human, animal or plant life or health. The importing State Party shall limit the attestations and information it requires on the certificates to what is essential to provide assurances to the importing State Party that its sanitary or phytosanitary requirements have been met.
4. An importing State Party should provide to another State Party, upon request, the rationale for any attestations or information that it requires to be included on a certificate.
5. The State Parties may agree to work cooperatively to develop model certificates to accompany specific goods traded between the Parties, taking into account relevant guidance of the WTO SPS Committee and international standards, guidelines and recommendations.
6. The State Parties shall promote the implementation of electronic certification and other technologies to facilitate trade, taking into account the international standards, guidelines and recommendations, when applicable.




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ARTICLE 7.11

Transparency⁵

1. The State Parties recognise the value of sharing information about their sanitary and phytosanitary measures on an on-going basis. The State Parties shall exchange information on issues related to the development and application of sanitary and phytosanitary measures affecting trade between them as well as on scientific evidence or new scientific information available that is relevant to this Chapter, upon request.
2. Each State Party shall observe the notification provisions of the SPS Agreement and the relevant guidance of the WTO SPS Committee and international standards, guidelines and recommendations. A State Party shall be deemed to have fulfilled their notification obligations pursuant to this Article if it has met their WTO notification obligations.
3. A State Party shall notify a proposed sanitary or phytosanitary measure that may have an effect on the trade of another State Party, including any that conforms to international standards, guidelines or recommendations, by using the WTO SPS notification submission system as a means of notifying the other State Parties.
4. Unless urgent problems of human, animal or plant life or health protection arise or threaten to arise, or the measure is of a trade-facilitating nature, a State Party shall normally allow at least 60 (sixty) days for interested persons and other Parties to provide written comments on the proposed measure after it makes the notification pursuant to paragraph 3. If feasible and appropriate, the State Party should allow more than 60 (sixty) days.

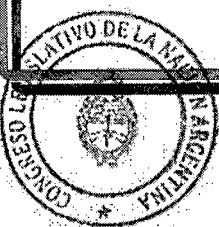
⁵ For greater certainty, this Article applies only to a sanitary or phytosanitary measure that constitutes a sanitary or phytosanitary regulation for the purposes of Annex B of the SPS Agreement.



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5. The State Party, in accordance with its own internal procedures, shall make available to the public, by electronic means in an official journal or on websites, the proposed sanitary or phytosanitary measure notified pursuant to paragraph 3, as well as the adopted measures.
6. If a State Party proposes a sanitary or phytosanitary measure which does not conform to an international standard, guideline or recommendation, the State Party shall provide to another State Party, upon request, and to the extent permitted by the confidentiality and privacy requirements of the State Party's laws and regulations, the relevant information that the State Party considered in developing the proposed measure.
7. A State Party that proposes to adopt a sanitary or phytosanitary measure shall discuss with another State Party, upon request and if appropriate and feasible, any scientific or trade concerns that the other State Party may raise regarding the proposed measure and the availability of alternative, less trade-restrictive approaches for achieving the objective of the measure.
8. An exporting State Party shall notify the importing State Party through the contact points referred to in Article 7.16 (Competent authorities and contact points) or the already established communication channels with the competent authority of the importing State Party without undue delay:
 - (a) if it has knowledge of a significant sanitary or phytosanitary risk related to the export of a good from its territory;
 - (b) of urgent situations where a change in animal or plant health status in the territory of the exporting State Party may affect current trade;
 - (c) of significant changes in the status of a regionalised pest or disease;
 - (d) of new scientific findings of importance which affect the regulatory response with respect to food safety, pests or diseases; and
 - (e) of significant changes in food safety, pest or disease management, control or eradication policies or practices that may affect current trade.



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9. If feasible and appropriate, a State Party should provide an interval of more than 6 (six) months between the date it publishes a final sanitary or phytosanitary measure and the date on which the measure takes effect, unless the measure is intended to address an urgent problem of human, animal or plant life or health protection or the measure is of a trade-facilitating nature.

10. A State Party shall provide to another State Party without undue delay, upon request, all sanitary or phytosanitary measures related to the importation of a good into that State Party's territory.

ARTICLE 7.12

Emergency measures

1. If a State Party adopts an emergency measure that is necessary to address an urgent problem of human, animal or plant life or health protection that arises or threatens to arise, the State Party shall promptly notify the affected State Party of that measure through the relevant contact point referred to in Article 7.16 (Competent authorities and contact points) or the already established communication channels with the competent authority of the affected State Party. The State Party that adopts the emergency measure shall take into consideration any information provided by other State Parties in response to the notification.

2. If a State Party adopts an emergency measure, it shall review the scientific basis of that measure within 6 (six) months and make available the results of the review to any State Party upon request.

ARTICLE 7.13

Cooperation



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1. The Parties shall explore opportunities for further cooperation, collaboration and information exchange between the State Parties on sanitary and phytosanitary matters of mutual interest, consistent with this Chapter. Those opportunities may include trade facilitation initiatives and technical assistance. The State Parties shall cooperate to facilitate the implementation of this Chapter. Such cooperation shall be based on mutually agreed terms and conditions.
2. The State Parties shall cooperate and may jointly identify work on sanitary and phytosanitary matters with the goal of eliminating unnecessary obstacles to trade between the Parties.

ARTICLE 7.14

Information exchange

A State Party may request relevant and reasonable information from another State Party on any matter arising under this Chapter. A State Party that receives a request pursuant to this paragraph shall provide that information, within a mutually agreed timeframe, in English and preferably by electronic means.

ARTICLE 7.15

Technical consultations

1. Where a State Party has serious concerns regarding a risk to human, animal or plant life or health, affecting commodities for which trade takes place, consultations regarding the situation shall, upon request, take place as soon as possible. In this case, each State Party shall endeavour to provide in due time all necessary information to avoid disruption in trade.
2. Consultations referred to in paragraph 1 may be held by e-mail, video or telephone conference, or any means agreed between the State Parties. The requesting State Party shall ensure the preparation of the minutes of the consultation.



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ARTICLE 7.16

Competent authorities and contact points

1. Competent authority means a government body of each State Party responsible for the implementation of the provisions included in this Chapter.
2. Each State Party shall designate a contact point which shall have the responsibility for coordinating the operation of this Chapter.
3. Within 60 (sixty) days after the date of entry into force of this Agreement for each State Party, that State Party shall notify to the other State Parties:
 - (a) the contact points for information exchange in accordance with this Chapter; and
 - (b) their designated competent authorities and the areas of responsibility of such competent authorities.
4. The State Parties shall inform each other of any change to their contact points or any significant change in the structure or competence of their competent authorities.
5. The functions of the competent authorities and the designated contact points shall include:
 - (a) monitoring the implementation and administration of this Chapter;
 - (b) when necessary, reviewing this Chapter and recommending any potential amendments;
 - (c) addressing any issue that any State Party raises on matters covered by this Chapter in a timely manner;
 - (d) encouraging cooperation among the State Parties on matters covered by this Chapter;




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- (e) exchanging information on matters covered by this Chapter;
- (f) facilitating technical discussions on matters covered by this Chapter and trade-facilitating initiatives; and
- (g) exchanging information in the field of private standards in order to facilitate the understanding of private standards between the State Parties.



CHAPTER 8

TECHNICAL BARRIERS TO TRADE

ARTICLE 8.1

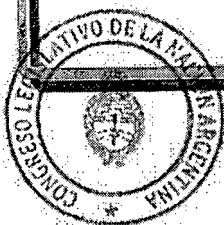
Objective

The objective of this Chapter is to facilitate trade in goods between the Parties by, among others, eliminating unnecessary technical barriers to trade, enhancing transparency, and promoting greater cooperation and good regulatory practices.

ARTICLE 8.2

Scope of application and definitions

1. This Chapter shall apply to the preparation, adoption and application of standards, technical regulations, and conformity assessment procedures of the Parties, that may affect trade in goods between the Parties.
2. For the purposes of this Chapter, the definitions under Annex 1 of the TBT Agreement shall apply.
3. This Chapter shall not apply to technical specifications prepared by a governmental entity for its production or consumption requirements.
4. This Chapter shall not apply to sanitary and phytosanitary measures.



ARTICLE 8.3

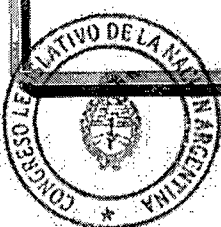
Incorporation of the TBT Agreement

The State Parties affirm their existing rights and obligations with respect to each other under the TBT Agreement, which is incorporated into and made part of this Agreement, *mutatis mutandis*.

ARTICLE 8.4

Cooperation on trade facilitating initiatives

1. The Parties recognise the importance of intensifying cooperation in the field of standards, technical regulations and conformity assessment procedures with a view to increasing mutual understanding of their respective systems and eliminating unnecessary technical barriers to trade and facilitating access to their respective markets. In this regard, the Parties shall work towards the identification, promotion, development and implementation, as appropriate, of trade facilitating initiatives, on a case-by-case basis.
2. A Party may propose to another Party such joint trade facilitating initiatives on products or sectors in areas covered by this Chapter. These proposals, which shall be transmitted through the contact points designated under Article 8.12 (Contact points), may include amongst others:
 - (a) information exchanges on regulatory approaches and practices;
 - (b) facilitating greater alignment or harmonisation with international standards through the greater use of relevant international standards, guides and recommendations as the bases for technical regulations and conformity assessment procedures;
 - (c) promoting the use of accreditation to assess the competence of conformity assessment bodies;



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- (d) mutually or unilaterally recognising and accepting results of conformity assessment procedures; or
- (e) promoting equivalence of technical regulations.

3. A Party shall, on request of another Party, consider any trade facilitating initiative proposal under this Article and reply to the request within a reasonable period of time. As part of the process, a preliminary joint analysis of the trade facilitating initiative proposal may be undertaken in order to identify any elements, data or evidence that may support the negotiation of a trade facilitating initiative. Proposals for a trade facilitating initiative shall be made in writing. If the requested Party rejects a proposal, it shall explain the reasons for its decision to the requesting Party.

4. When mutually agreed and necessary for the implementation of the initiatives under this Article, the Parties shall facilitate the access of technical teams of another Party to demonstrate their conformity assessment schemes and system in order to increase mutual understanding.

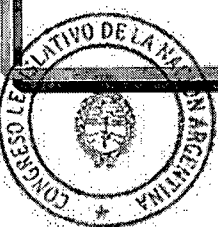
5. The Parties shall encourage the participation of competent regulatory and governmental authorities, at the national or regional level.

6. The terms of the work envisaged in this Article will be defined by the Parties engaged in such work, when needed. This may include establishing ad hoc working groups. In order to benefit from non-governmental perspectives on matters related to this Article, each Party may, as appropriate and in accordance with its rules and procedures, consult with stakeholders and other interested persons.

7. The results of the understandings reached under this Article should be incorporated into an appropriate instrument, depending on the subject matter and the agreed tool.

8. Further to paragraph 7, if the Parties decide that an Annex to this Chapter is the appropriate instrument to incorporate the results of a trade facilitating initiative, the Annex shall constitute an integral part of this Agreement.

ARTICLE 8.5



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Standards

1. The Parties recognise the important role that international standards, guides and recommendations can play in supporting greater regulatory alignment, good regulatory practice and reducing unnecessary barriers to trade.
2. In this respect, and further to Article 2 (2.4) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies), Article 5 (5.4) (Procedures for Assessment of Conformity) and Annex 3 (Code of Good Practice for the Preparation, Adoption and Application of Standards) of the TBT Agreement, to determine whether an international standard, guide or recommendation within the meaning of Article 2 (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies), Article 5 Procedures for Assessment of Conformity) and Annex 3 (Code of Good Practice for the Preparation, Adoption and Application of Standards) of the TBT Agreement exists, each Party shall apply the Decisions and Recommendations adopted by the WTO Committee on Technical Barriers to Trade Since 1 January 1995 (G/TBT/1/Rev.14), as may be revised, issued by the WTO Committee on Technical Barriers to Trade.
3. Recognising their responsibility under Article 4 (4.1) (Preparation, Adoption and Application of Standards) of the TBT Agreement, the Parties shall ensure, in cases where their standardising bodies are governmental, that they accept and comply with the Code of Good Practice for the Preparation, Adoption and Application of Standards in Annex 3 (Code of Good Practice for the Preparation, Adoption and Application of Standards) of the TBT Agreement. For non-governmental bodies, the Parties shall take all reasonable measures to ensure similar acceptance and compliance.
4. Whenever a Party's standardising bodies, including its regional standardising bodies, develop national or regional standards, for which modifications of contents of the relevant international standards were necessary, upon request of another Party, Parties shall encourage their standardising bodies, as well as regional standardising bodies, to provide what the differences in the contents are, and reason(s) for those differences.



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5. The Parties shall encourage the standardising bodies in their territories, as well as the regional standardising bodies of which the Parties or their standardising bodies within their territories are Members, to:

- (a) use relevant international standards as a basis for the standards they develop, except where such international standards would be ineffective or inappropriate, for instance because of an insufficient level of protection or fundamental climatic or geographical factors or fundamental technological problems;
- (b) participate in the preparation of international standards by relevant international standardising bodies; and
- (c) avoid duplication of or overlap with the work of international standardising bodies.

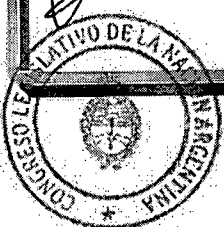
6. The Parties undertake to promote the exchange of information on:

- (a) their use of standards or the relevant parts of them as a basis for their technical regulations;
- (b) each other's standardisation processes and the use of international or regional standards as a basis for their national standards; and
- (c) cooperation agreements implemented by a Party on standardisation, provided such information can be made available to the public.

ARTICLE 8.6

Technical regulations

1. The Parties agree to make best use of good regulatory practices with regard to the preparation, adoption and application of technical regulations, as provided for in the TBT Agreement, and agree to:



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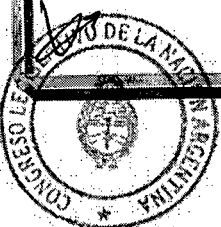
- (a) use relevant international standards or the relevant parts of them to the extent provided in Article 2(2.4) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies) of the TBT Agreement as a basis for their technical regulations. Where a Party does not use such international standards, or their relevant parts, as a basis for its technical regulations which may have a significant effect on trade, it shall, upon request of another Party, explain the reasons for its decision.
- (b) in implementing Article 2(2.2) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies) of the TBT Agreement, in accordance with their respective rules and procedures, endeavour to carry out the regulatory impact analysis of planned technical regulations and consider available alternatives and the potential impacts on micro, small and medium-sized enterprises, in order to ensure that the proposed technical regulations to be adopted are not more trade-restrictive than necessary to fulfil a legitimate objective.

2. For the purposes of applying Article 2(2.12) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies) of the TBT Agreement, the term "reasonable interval" means normally a period of not less than 6 (six) months, except when this would be ineffective in fulfilling the legitimate objectives pursued by the technical regulation.

3. For greater certainty, a Party may decide to set an interval of less than 6 (six) months between the publication of a measure and its entry into force in certain circumstances, including those where the measure is trade facilitative or is addressing an urgent problem of safety, health, environmental protection, or national security.

4. Each State Party shall ensure that goods, once placed on the market and fully compliant with the relevant technical regulations and its conformity assessment procedures, may freely move within its territory without any further technical requirement related to this Chapter.

5. When a State Party detains at the point of entry a good originating in the territory of another State Party, due to non-fulfilment of a technical regulation, it must notify the importer, or, where applicable, its agent, as soon as possible of the reasons for the detention.



ARTICLE 8.7

Conformity assessment procedures

1. The Parties recognise that a broad range of mechanisms exist to facilitate the acceptance of results of the conformity assessments carried out in the territory of another State Party, including:
 - (a) agreements on the mutual recognition of the results of conformity assessment procedures, with respect to specific technical regulations, performed by bodies located in the territory of the State Parties concerned;
 - (b) use of accreditation to qualify conformity assessment bodies;
 - (c) government approval or designation of conformity assessment bodies;
 - (d) unilateral recognition of the results of conformity assessment procedures performed in another State Party's territory;
 - (e) voluntary arrangements between the conformity assessment bodies in the territory of the State Parties;
 - (f) acceptance by the importing State Party of a supplier's declaration of conformity; or
 - (g) the use of regional or international multilateral recognition agreements and arrangements of which the Parties concerned are parties.
2. With respect to the mechanisms listed in paragraph 1, the Parties recognise that the choice of the appropriate mechanisms in a given regulatory context depends on the legal framework of each State Party and a variety of factors, such as the product and sector involved, the volume and direction of trade, the legitimate objectives pursued, and the risks of non-fulfilment of those objectives.



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3. Upon request by a State Party, the Parties concerned may decide to engage in consultations with a view to defining sectoral initiatives regarding the use of conformity assessment procedures or the facilitation of acceptance of conformity assessment results that are appropriate for the respective sectors, pursuant to Article 8.4 (Cooperation on trade facilitating initiatives).

4. When a State Party allows the participation of conformity assessment bodies located in the territory of another State Party in its conformity assessment procedures, such State Party shall apply the same or equivalent criteria and other conditions to accredit, approve, license, or otherwise recognise such conformity assessment bodies, on terms no less favourable than those it accords to conformity assessment bodies in its own territory.

5. Paragraphs 3 and 4 shall not preclude a State Party from undertaking conformity assessment in relation to a specific product solely within specified government bodies located in its own territory or in another State Party's territory, in a manner consistent with its obligations under the TBT Agreement.

6. If a State Party requires non-governmental third party conformity assessment body or bodies to carry out a conformity assessment procedure, the State Party shall:

- (a) use international standards for accreditation and conformity assessment, as well as international agreements involving the Parties' accreditation bodies;
- (b) where applicable, consider joining, or encourage the State Party's testing, inspection and certification bodies to join the relevant international agreements or arrangements;
- (c) ensure that, insofar as two or more conformity assessment bodies are authorised by a State Party to carry out conformity assessment procedures required for placing the product on the market, economic operators may choose among them;
- (d) ensure that conformity assessment bodies operate objectively and independently of manufacturers, importers and distributors in the sense that they carry out their activities with objectivity and independence of judgment;



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- (e) ensure that there are no conflicts of interest between the conformity assessment bodies and accreditation bodies as well as market surveillance authorities; and
- (f) make publicly available the bodies that it has recognised to perform such conformity assessment and relevant information on the scope of each body's designation.

7. For the purposes of applying Article 5 (5.9) (Procedures for Assessment of Conformity) of the TBT Agreement, the term "reasonable interval" means normally a period of not less than 6 (six) months, except when this would be ineffective in fulfilling the legitimate objectives pursued by the requirements concerning the conformity assessment procedure.

8. Further to subparagraph 5.2.5 of Article 5 (5.2) (Procedures for Assessment of Conformity) the TBT Agreement, each State Party shall endeavour to establish any conformity assessment fee imposed by government authorities of the State Party, in accordance with the approximate cost of the services rendered.

ARTICLE 8.8

Marking and labelling

1. The Parties affirm that their technical regulations that include or deal exclusively with marking or labelling requirements shall comply with Article 2 of the TBT Agreement.
2. For the purposes of this Agreement, where a Party requires mandatory marking or labelling of products:
 - (a) the Party shall restrict its requirements only to those which are relevant for consumers, users of the product, regulatory authorities or to indicate the product's conformity with the mandatory requirements;
 - (b) where a Party requires, as a precondition for placing on the market, any prior approval, registration or certification of the markings or labels of products which otherwise comply with



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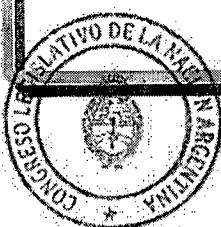
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its technical regulations, it shall ensure that the requests submitted by the economic operators of another Party are decided without undue delay and on a non-discriminatory basis;

- (c) where the Party requires the use of a unique identification number by economic operators, the Party shall ensure that such numbers are issued to the relevant economic operators without undue delay and on a non-discriminatory basis;
- (d) provided that it is not misleading, contradictory or confusing in relation to the importing State Party's regulatory requirements, and the legitimate objectives under the TBT Agreement are not compromised, the Party shall permit, in addition to such requirements:
 - (i) information in other languages in addition to the language required in the importing State Party of the goods; and
 - (ii) internationally-accepted nomenclatures, pictograms, symbols, or graphics; and
- (e) the Party, in cases where it considers that legitimate objectives under the TBT Agreement are not compromised and where applicable:
 - (i) shall accept that supplementary labelling, and corrections to labelling, take place, where relevant, in authorised premises (for example in customs warehouses at the point of import) in the importing State Party prior to the distribution and sale of the product as an alternative to labelling in the place of origin; and
 - (ii) shall endeavour to accept alternative forms of labelling, such as electronic labels, non-permanent or detachable labels, or marking or labelling in the accompanying materials packaged with the product.

ARTICLE 8.9

Transparency



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1. Each Party shall publish preferably by electronic means, in a single official journal or website, all proposals for new technical regulations and conformity assessment procedures and proposals for amendments to existing technical regulations and conformity assessment procedures, and all new final technical regulations and conformity assessment procedures and final amendments to existing technical regulations and conformity assessment procedures, that a Party is required to notify or publish under the TBT Agreement or this Chapter, and that may have a significant effect on trade.¹
2. Each Party shall ensure that its proposals contain sufficient detail about the likely content of the proposed technical regulations and conformity assessment procedures to enable interested persons and another Party to assess how their trade interests might be affected.
3. Each Party shall notify proposed technical regulations and conformity assessment procedures that may have a significant effect on the trade of another State Party according to the procedures established under Article 2(2.9) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies) or Article 5(5.6) (Procedures for Assessment of Conformity) or, if appropriate, Article 2(2.10) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies) or Article 5(5.7) (Procedures for Assessment of Conformity) of the TBT Agreement, even when they are in accordance with the technical content of relevant international standards, guides, or recommendations.
4. For the purposes of determining whether a proposed technical regulation or conformity assessment procedure may have a significant effect on trade and should be notified in accordance with Article 2(2.9) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies), 2(2.10) (Preparation, Adoption and Application of Technical Regulations by Central Government Bodies), 3(3.2) (Preparation, Adoption and Application of Technical Regulations by Local Government Bodies and Non-Governmental Bodies), 5(5.6) (Procedures for Assessment of Conformity), 5(5.7) (Procedures for Assessment of Conformity) or 7(7.2) (Procedures for Assessment of Conformity by Local Government Bodies) of the TBT Agreement or this Chapter, a Party shall consider, among other things, the relevant Decisions and

¹ For greater certainty, a Party may comply with this obligation by ensuring that the proposed and final measures in this paragraph are published on, or otherwise accessible through, the WTO's official website.



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Recommendations Adopted by the WTO Committee on Technical Barriers to Trade Since 1 January 1995 (G/TBT/1/Rev. 14), as may be revised.

5. Each Party shall allow normally 60 (sixty) days, from the date it submits a notification under paragraph 3, in order to enable another Party or interested persons from another Party to make written comments on the proposals, except when urgent problems of safety, health, environmental protection or national security, arise or threaten to arise. Each Party shall consider reasonable requests of the other Parties to extend the comment period.
6. Each Party shall endeavour to notify final versions of a technical regulation or conformity assessment procedure as an addendum to the original notification at the same time it is adopted and made available to the public on a government website.
7. Each Party shall respond in writing to the comments received from another Party during the consultation period stipulated in the notification, and, whenever possible, no later than the date of publication of the final version of the technical regulation or conformity assessment procedure.
8. Each Party shall allow, in accordance with its own internal procedures, interested persons of another Party a reasonable opportunity to provide comments on the development of technical regulations and conformity assessment procedures on terms no less favourable than those that it accords its own persons.
9. Each Party is encouraged to consider methods to provide additional transparency in the development of technical regulations, standards, and conformity assessment procedures, including through the use of electronic tools and public outreach or consultations.
10. If a Party has a central government standardising body, the Party shall ensure that the body's work program, containing the standards it is preparing and the standards it has adopted, is available:
 - (a) on the central government standardising body's website; or
 - (b) in the Party's official gazette.



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11. A Party may request relevant and reasonable information or explanation from another Party on any matter arising under this Chapter. A Party that receives a request under this paragraph shall endeavour to provide that information and explanation, within a mutually agreed timeframe, in English and preferably by electronic means.

ARTICLE 8.10

Technical cooperation

1. The Parties recognise the importance of technical cooperation in the fields of standards, technical regulations, conformity assessment procedures and metrology, with a view to facilitate the implementation of this Chapter. To this end, when mutually agreed, the Parties may undertake technical cooperation which may include but are not limited to:

- (a) promoting cooperation between the Parties' respective bodies, whether governmental or non-governmental, with a view to building trust between the these bodies;
- (b) promoting regulatory cooperation through the exchange of information, experiences and best practices;
- (c) exchanging views on market surveillance;
- (d) promoting the exchange of information on different technical regulations and conformity assessment procedures in force;
- (e) promoting and facilitating the Parties' participation in international organisations and other fora related to the fields covered by this Article; and
- (f) promoting and supporting the use and implementation of relevant international standards.

2. Upon request, a Party shall give appropriate consideration to proposals for cooperation presented under the terms of this Chapter.



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ARTICLE 8.11

Technical discussions

1. A Party which considers that a technical regulation or conformity assessment procedure of another Party might have a significant and adverse effect on trade between the State Parties may request that another Party engage in technical discussions regarding the matter.
2. Upon request of a Party, technical discussions shall be held with the objective of finding a mutually acceptable solution. The Parties concerned shall discuss the matter identified within 60 (sixty) days, unless otherwise mutually agreed, from the receipt of the request by the contact point of the requested Party. The technical discussions may be conducted by any method agreed by the Parties involved in the technical discussions.
3. Following the technical discussions, the Parties may conclude that the issue could be better addressed through a trade facilitating initiative, in accordance with the provisions of Article 8.4 (Cooperation on trade facilitating initiatives).
4. Unless the Parties that participate in the technical discussions agree otherwise, the discussions and any information exchanged in the course of the discussions shall be confidential. For greater certainty, this Article is without prejudice to a Party's rights and obligations under Chapter 18 (Dispute Settlement).

ARTICLE 8.12

Contact points

1. Each Party shall designate a contact point and notify it to the other Parties for matters arising under this Chapter. A Party shall promptly notify the other Parties of any change of its contact point or the details of the relevant officials.




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2. The functions of the designated contact points shall include:
- (a) monitoring the implementation and administration of this Chapter;
 - (b) when necessary, reviewing this Chapter and recommending any potential amendments;
 - (c) addressing any issue that any Party raises on matters covered by this Chapter in a timely manner;
 - (d) encouraging cooperation among the Parties on matters covered by this Chapter;
 - (e) exchanging information on matters covered by this Chapter;
 - (f) facilitating technical discussions pursuant to Article 8.11 (Technical discussions) and trade facilitating initiatives pursuant to Article 8.4 (Cooperation on trade facilitating initiatives), as appropriate;
 - (g) exchanging information in the field of private standards in order to facilitate the understanding of private standards between the Parties; and
 - (h) carrying out any additional function specified by the Joint Committee.




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CHAPTER 9

INVESTMENT

ARTICLE 9.1

Definitions

For the purposes of this Chapter:

- (a) "commercial presence" means any type of business establishment within the territory of a State Party, for the purpose of performing an economic activity, including through:
- (i) the constitution, acquisition or maintenance¹ of a juridical person; or
 - (ii) the creation or maintenance² of a branch or a representative office.
- (b) "juridical person of a State Party" means a juridical person constituted or otherwise organised under the laws and regulations of a State Party and engaged in substantive business operations in the territory of that State Party;
- (c) "juridical person" means any legal entity duly constituted or otherwise organised under applicable laws and regulations, whether for profit or otherwise, and whether privately owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association;
- (d) "freely usable currency" means "freely usable currency" as determined by the IMF under its Articles of Agreement;

¹ For greater certainty, maintenance includes management, conduct and operation.

² For greater certainty, maintenance includes management, conduct and operation.



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- (e) "natural person of a State Party" means a person who, under the laws and regulations of that State Party, is a national of that State Party.

ARTICLE 9.2

Scope and coverage³

1. This Chapter applies to measures by a State Party affecting:
 - (a) juridical persons or natural persons of another State Party in respect of their constitution, acquisition, maintenance⁴ or expansion of a commercial presence within the territory of the first-mentioned State Party; and
 - (b) commercial presence of such juridical or natural persons of another State Party within the territory of the first-mentioned State Party,

such commercial presence being in all sectors, with the exception of services sectors under the scope of Chapter 10 (Trade in Services).⁵

2. Notwithstanding paragraph 1, the provisions Article 9.5 (Access to Justice and Due Process of Law), Article 9.13 (Subcommittee on Investment), Article 9.14 (Focal Points or Ombudspersons) and Article 9.15 (Dispute Prevention and Mediation) apply also to measures affecting commercial presence within the territory of a State Party of juridical persons or

³ For greater certainty, this Chapter shall not apply to measures affecting natural persons seeking access to the employment market of a State Party, nor shall it apply to measures regarding citizenship, residence or employment on a permanent basis. This Chapter shall not prevent a State Party from applying measures to regulate the entry of natural persons into, or their temporary stay in, its territory.

⁴ For greater certainty, maintenance includes management, conduct and operation. It is understood that services excluded from the scope of Chapter 10 (Trade in Services) under paragraph 3 of Article 10.1 (Scope and Coverage) of Chapter 10 (Trade in Services) shall not fall within the scope of this Chapter.



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natural persons of another State Party in services sectors under the scope of Chapter 10 (Trade in Services).

3. Nothing in any other international agreements relating to investment to which Singapore and one or more Signatory MERCOSUR States are parties shall be interpreted or applied so as to invalidate, extend or otherwise affect the rights and obligations of the State Parties arising out of this Chapter.

4. This Chapter shall not apply to:

- (a) government procurement, which shall be subject to Chapter 13 (Government Procurement);
- (b) any taxation measure; and
- (c) subsidies or grants provided by a State Party, including government-supported loans, guarantees, and insurance. For greater certainty, the State Parties understand that this includes conditions attached to the receipt or continued receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to its own juridical persons or natural persons and to the commercial presence of such persons.

5. For greater certainty, this Chapter does not impose any obligation on a State Party in relation to any act or fact that took place or any situation that ceased to exist before the date of entry into force of this Agreement.

ARTICLE 9.3

National Treatment

1. Where a State Party schedules commitments in accordance with Article 9.8 (Schedules of Specific Commitments) in the sectors inscribed in its Schedule of Specific Commitments in Annex I (Schedules of Specific Commitments for Investment), and subject to any



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conditions and qualifications set out therein, it shall accord to the juridical persons or natural persons of another State Party, and to the commercial presence of such persons, treatment no less favourable than that it accords, in like circumstances, to its own juridical persons or natural persons, and to the commercial presence of such persons, with respect to the constitution, acquisition, maintenance⁶ and expansion of a commercial presence.

2. For a State Party making commitments in accordance with Article 9.9 (Schedules of Non-Conforming Measures), it shall accord to the juridical persons or natural persons of another State Party, and to the commercial presence of such persons treatment no less favourable than that it accords, in like circumstances, to its own juridical persons or natural persons, and to the commercial presence of such persons, with respect to the constitution, acquisition, maintenance⁷ and expansion of a commercial presence.

3. For greater certainty, whether treatment is accorded in "like circumstances" pursuant to this Article depends on the totality of the circumstances, including whether the treatment distinguishes between juridical persons, natural persons, or commercial presence on the basis of legitimate public welfare objectives.

ARTICLE 9.4

Special Formalities and Information Requirements

1. Nothing in Article 9.3 (National Treatment) shall be construed to prevent a State Party from adopting or maintaining any measure that prescribes special formalities in connection with a commercial presence within its territory of a juridical person or a natural person of the another State Party, such as a residency requirement for registration or a requirement that such commercial presence be legally constituted under the laws or regulations of the State Party, provided that such formalities do not materially impair the protections afforded by a

⁶ For greater certainty, maintenance includes management, conduct and operation.

⁷ For greater certainty, maintenance includes management, conduct and operation.




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State Party to natural persons and juridical persons of the another State Party and to the commercial presence of such persons pursuant to this Chapter.

2. Notwithstanding Article 9.3 (National Treatment), a State Party may require a natural person or juridical person of another State Party or the commercial presence within its territory of such persons to provide information concerning that commercial presence solely for informational or statistical purposes. The State Party shall protect such information that is confidential from any disclosure that would prejudice the competitive position of the natural person or juridical person of another State Party or the commercial presence of such persons. Nothing in this paragraph shall be construed to prevent a State Party from otherwise obtaining or disclosing information in connection with the equitable and good faith application of its laws and regulations.

ARTICLE 9.5

Access to Justice and Due Process of Law

- 
1. A State Party shall not deny to a commercial presence within its territory of a juridical person or a natural person of another State Party access to justice, including in criminal, civil or administrative proceedings conducted in accordance with the laws and regulations of the first-mentioned State Party.
 2. Each State Party shall grant to a commercial presence within its territory of a juridical person or a natural person of another State Party treatment in accordance with due process of law, including in criminal, civil or administrative proceedings.

ARTICLE 9.6

Senior Management and Boards of Directors



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1. Where a State Party schedules commitments in accordance with Article 9.8 (Schedules of Specific Commitments), in the sectors inscribed in its Schedule of Specific Commitments in Annex I (Schedules of Specific Commitments for Investment), and subject to any conditions and qualifications set out therein, it shall not require that a commercial presence within its territory of a juridical person or a natural person of another State Party appoint to senior management positions natural persons of any particular nationality.
2. For a State Party making commitments in accordance with Article 9.9 (Schedules of Non-Conforming Measures), it shall not require that a commercial presence within its territory of a juridical person or a natural person of another State Party appoint to senior management positions natural persons of any particular nationality.
3. A State Party may require that a majority of the board of directors, or any committee thereof, of a commercial presence within its territory of a juridical person or a natural person of another State Party, be of a particular nationality, or resident in the territory of the State Party, provided that the requirement does not materially impair the ability of the natural person or juridical person of another State Party to exercise control over that commercial presence.

ARTICLE 9.7

Schedules of Specific Commitments for Investment and Schedules of Reservations and Non-Conforming Measures for Services and Investment

Schedules of Specific Commitments for Investment are annexed to this Agreement as Annex I (Schedules of Specific Commitments for Investment), in the case of Argentina, Paraguay and Uruguay (Positive Listing Approach). Schedules of Reservations and Non-Conforming Measures for Services and Investment are annexed to this Agreement as Annex III (Schedules of Reservations and Non-Conforming Measures for Services and Investment), in the case of Brazil and Singapore (Negative Listing Approach).



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ARTICLE 9.8

Schedules of Specific Commitments

1. A State Party making commitments in accordance with this Article shall set out in Annex I (Schedules of Specific Commitments for Investment) the specific commitments it undertakes under Article 9.3 (National Treatment) and Article 9.6 (Senior Management and Boards of Directors). With respect to sectors where such commitments are undertaken, each list shall specify:

- (a) conditions and qualifications on National Treatment; and
- (b) conditions and qualifications on Senior Management and Boards of Directors.

ARTICLE 9.9

Schedules of Non-Conforming Measures

1. For a State Party making commitments in accordance with this Article, Article 9.3 (National Treatment) and Article 9.6 (Senior Management and Boards of Directors) shall not apply to:

- (a) any existing non-conforming measure that is maintained by that State Party at:
 - (i) the central level of government as set out by that State Party in List A of its Schedule in Annex III (Schedules of Reservations and Non-conforming Measures for Services and Investment);
 - (ii) a regional level of government; or
 - (iii) local level of government;



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- (b) the continuation or prompt renewal of any non-conforming measure referred to in subparagraph (a); or
- (c) an amendment to any non-conforming measure referred to in subparagraph (a) to the extent that the amendment does not decrease the conformity of the measure, as it existed at the date of entry into force of the Agreement, with Article 9.3 (National Treatment), or Article 9.6 (Senior Management and Boards of Directors).

2. Article 9.3 (National Treatment) and Article 9.6 (Senior Management and Boards of Directors) shall not apply to any measure that a State Party adopts or maintains with respect to sectors, sub-sectors or activities set out in List B of its Schedule in Annex III (Schedules of Reservations and Non-conforming Measures for Services and Investment).

3. Articles 9.3 (National Treatment) shall not apply to any measure that is an exception to, or derogation from, a State Party's obligations under Chapter 15 (Intellectual Property Rights) and the TRIPS Agreement, as specifically provided for in that Agreement.

ARTICLE 9.10

Payments and Transfers

1. Except under the circumstances envisaged in Article 19.10 (Temporary Safeguard Measures) of Chapter 19 (Institutional, General and Final Provisions), each State Party shall permit all transfers relating to a commercial presence of a juridical person or natural person of another State Party within its territory, to be made freely and without undue delay into and out of its territory. Such transfers include:

- (a) contributions to capital, including the initial contribution;



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- (b) profits, dividends, capital gains, and proceeds from the sale of all or any part of the commercial presence or from the partial or complete liquidation of the commercial presence;
 - (c) interest, royalty payments, management fees, and technical assistance and other fees; and
 - (d) payments made under a contract, including a loan agreement.
2. Each State Party shall permit such transfers to be made in a freely usable currency at the market rate of exchange prevailing at the time of transfer.
3. Notwithstanding paragraphs 1 and 2, a State Party may delay or prevent a transfer through the equitable, non-discriminatory, and good faith application of its laws and regulations relating to:
- (a) bankruptcy, insolvency, or the protection of the rights of creditors;
 - (b) issuing, trading, or dealing in securities, futures, options, or derivatives;
 - (c) financial reporting or record keeping of transfers when necessary to assist law enforcement or financial regulatory authorities;
 - (d) criminal or penal offences;
 - (e) ensuring compliance with orders or judgments in judicial or administrative proceedings; or
 - (f) social security, public retirement or compulsory savings schemes.
4. Nothing in this Chapter shall affect the rights and obligations of the State Parties under the Articles of Agreement of the IMF, including the use of exchange actions, which are in



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conformity with the Articles of Agreement of the IMF, provided that a State Party shall not impose restrictions on capital transactions inconsistent with its commitments under this Chapter regarding such transactions, except under Article 19.10 (Temporary Safeguard Measures) of Chapter 19 (Institutional, General and Final Provisions Chapter) or on request of the IMF.

ARTICLE 9.11

Right to Regulate

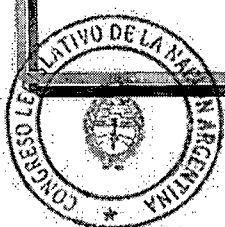
1. The State Parties reaffirm their inherent right to regulate within their territories to achieve legitimate public welfare objectives, such as the protection of public health, safety, the environment or public morals, social or consumer protection, the conservation of living or non-living exhaustible natural resources, or the promotion and protection of cultural diversity.
2. The State Parties recognize that it is inappropriate to encourage the constitution, acquisition or maintenance⁸ of a commercial presence in its territory by relaxing or reducing the protections set out in paragraph 1.

ARTICLE 9.12

Responsible Business Conduct

1. Each State Party shall encourage juridical and natural persons of another State Party and their commercial presence within its territory to voluntarily incorporate into their business practices and internal policies internationally recognized principles, standards and

⁸ For greater certainty, maintenance includes management, conduct and operation.



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guidelines of responsible business conduct that have been endorsed or are supported by that State Party.

2. In accordance with its laws and regulations, each State Party should encourage juridical and natural persons of another State Party and their commercial presence within its territory to undertake and maintain meaningful engagement and dialogue, in accordance with international Responsible Business Conduct principles, standards and guidelines that have been endorsed or are supported by that State Party, with Indigenous peoples, traditional communities and local communities.

3. Each State Party recognises the importance of juridical and natural persons of another State Party and their commercial presence within its territory implementing due diligence in order to identify and address adverse impacts, such as on the environment and labour conditions, in their operations, their supply chains and other business relationships.

4. Within the framework of the Subcommittee on Investment, the State Parties shall exchange information and best practices on issues covered by paragraphs 1 and 2, including on possible ways to facilitate the uptake of Responsible Business Conduct practices by juridical and natural persons of another State Party and their commercial presence within its territory.

ARTICLE 9.13

Subcommittee on Investment

1. This Chapter shall be administered by the Subcommittee on Investment, under the Joint Committee established on Article 19.1 of the Chapter 19 (Institutional, General and Final Provisions Chapter).

2. The Subcommittee shall meet within 1 (one) year of the date of entry into force of this Agreement. Thereafter, it shall meet whenever necessary but at least every 2 (two) years. Its




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meetings shall be chaired jointly by Singapore and one of the Signatory MERCOSUR States, and occur in such places and through such means as agreed by the State Parties.

3. The Subcommittee shall have the following functions and responsibilities:
- (a) oversee the implementation and operation of this Chapter and, if necessary, recommend amendments to this Chapter;
 - (b) discuss relevant subjects for commercial presence covered by this Chapter and share opportunities for the expansion of commercial presence, in consultations with private sector and civil society when appropriate;
 - (c) identify opportunities for cooperation and further investment facilitation, with a view to developing and coordinating, as appropriate, the implementation of cooperation and facilitation programmes which have been mutually agreed by the interested State Parties;
 - (d) endeavour to resolve and prevent disputes that may arise regarding the interpretation or application of this Chapter; and
 - (e) to the extent possible provide information on measures to promote and facilitate investments.
4. The Subcommittee shall establish its rules of procedure.

ARTICLE 9.14

Focal Points or Ombudspersons

1. Subject to its laws and regulations, the State Parties shall establish, designate, or maintain focal points or Ombudspersons in order to facilitate communication, information



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flow and respond to inquiries from another State Party regarding measures affecting matters covered by this Chapter.

2. The focal points or Ombudspersons shall:
 - (a) interact and cooperate with the focal points or Ombudspersons of other State Parties;
 - (b) interact with natural persons or juridical persons of another State Party, including in the event of inquiries brought by such persons or facilitate their interaction, when deemed appropriate, with its own competent governmental authorities or agencies; and
 - (c) facilitate access for another State Party to the information referred to in Article 17.3 (Notification and provision of information) of Chapter 17 (Transparency).
3. The focal points or Ombudspersons referred to in paragraph 1 are set out in Annex 9-B (Focal Points or Ombudspersons).

ARTICLE 9.15

Dispute Prevention and Mediation

1. Without prejudice to a State Party's rights and obligations under Chapter 18 (Dispute Settlement), the State Parties shall endeavour to settle any differences arising out of this Chapter in an amicable manner and on the basis of mutually satisfactory solutions in particular through the Subcommittee on Investment.
2. A State Party and the natural persons or juridical persons of another State Party may agree at any time to resolve differences arising out of this Chapter through the use of voluntary procedures, such as mediation, which shall be without prejudice to their legal position or rights under this Agreement.




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ARTICLE 9.16

Annexes

The following Annexes form an integral part of this Chapter:

- (a) Annex 9-A (Additional Investment Provisions for Brazil, Paraguay, Uruguay and Singapore);
- (b) Annex 9-B (Focal Points or Ombudspersons);
- (c) Annex I (Schedules of Specific Commitments for Investment); and
- (d) Annex III (Schedules of Reservations and Non-conforming Measures for Services and Investment).

ARTICLE 9.17

Savings Clause

1. For 2 (two) years from the date of termination of this Agreement, this Chapter (including the relevant Annexes) and other provisions in the Agreement as may be necessary for the application or interpretation of this Chapter shall continue to apply to a commercial presence which is in existence at the date of termination.
2. For the avoidance of doubt, paragraph 1 shall not apply to the constitution, acquisition or expansion of such commercial presence after the date of termination.



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ANNEX 9-AADDITIONAL INVESTMENT PROVISIONS FOR BRAZIL, PARAGUAY,
URUGUAY AND SINGAPORE¹

ARTICLE 9-A.1

Definitions

For the purposes of this Annex:

"covered investment" means with respect to a State Party, a commercial presence of the juridical persons or natural persons of another State Party within the territory of the first-mentioned State Party; "covered investment" also means such commercial presence's assets² that it owns or controls, directly or indirectly, or over which it exerts a significant degree of influence. These assets include:

¹ The rights and obligations of this Annex shall not apply to Argentina.

Except as otherwise provided in this Annex:

(a) this Annex applies only to Brazil, Paraguay and Uruguay, on the one part, and Singapore on the other part;

(b) treatment accorded under the Articles in this Annex shall apply only: (i) as regards Singapore, to the covered investments of juridical persons or natural persons of Brazil, Paraguay and Uruguay in Singapore; and (ii) as regards Brazil, Paraguay and Uruguay, to the covered investments of juridical persons or natural persons of Singapore in the respective territories of Brazil, Paraguay and Uruguay; and

(c) "another State Party" means (i) for Singapore: Brazil, Paraguay or Uruguay; and (ii) for Brazil, Paraguay and Uruguay: Singapore.

For greater certainty, the assets of such commercial presence are covered under this Annex only to the extent that they have the characteristics of an investment, including the commitment of capital, the objective of establishing a lasting interest, the expectation of gain or profit and the assumption of risk.



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- (a) shares, stocks and other forms of equity instruments of that commercial presence and those held in another commercial presence within the territory of the first-mentioned State Party;
- (b) debt instruments or securities held in another commercial presence within the territory of the first-mentioned State Party;
- (c) licences, authorisations, permits, concessions or similar rights conferred in accordance with the laws and regulations of a State Party;³
- (d) loans to another commercial presence within the territory of the first-mentioned State Party;
- (e) intellectual property rights as defined or referenced to in the TRIPS Agreement; and
- (f) movable or immovable property and related rights.

but do not include:

- (i) an order or judgment issued as a result of a lawsuit or an administrative process;
- (ii) sovereign debt, regardless of original maturity, of a State Party or state-enterprise debt;

³ Whether a type of licence, authorization, permit or similar instrument (including a concession, to the extent that it is of the same nature as this type of instrument) has the characteristics of an investment depends on factors such as the nature and scope of the rights of the holder, pursuant to the laws and regulations of the State Party conferring such licence, authorization, permit or similar instrument. Licences, authorizations, permits or similar instruments that lack the characteristics of an investment include those that do not give rise to protected rights under the laws and regulations of the State Party conferring such licence, authorization, permit or similar instrument.



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- (iii) portfolio investments, i.e. those that do not allow that commercial presence to exert a significant degree of influence in the management of another commercial presence within the territory of the first-mentioned State Party; and
- (iv) claims to money that arise solely from commercial contracts for the sale of goods or services, or the extension of credit in connection with such commercial contracts, or any other claims to money that do not involve the kind of interests set out in subparagraphs (a) to (f) above.

ARTICLE 9-A.2

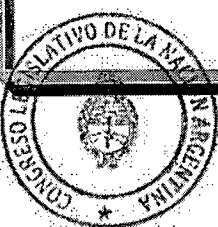
Scope and coverage

In addition to Article 9.2 (Scope and coverage) of Chapter 9 (Investment):

1. Article 9-A.3 (Treatment of Investments), Article 9-A.5 (Direct Expropriation) and Article 9-A.6 (Compensation for Losses) apply to measures by a State Party affecting covered investments in all sectors, including services sectors under the scope of Chapter 10 (Trade in Services).⁴
2. Article 9-A.4 (Most-Favoured-Nation Treatment) applies to measures by a State Party affecting covered investments in all sectors, with the exception of services sectors under the scope of Chapter 10 (Trade in Services).⁵

ARTICLE 9-A.3

- ⁴ It is understood that services excluded from the scope of Chapter 10 (Trade in Services) under paragraph 3 of Article 10.1 (Scope and Coverage) of Chapter 10 (Trade in Services) shall not fall within the scope of this Chapter.
- ⁵ It is understood that services excluded from the scope of Chapter 10 (Trade in Services) under paragraph 3 of Article 10.1 (Scope and Coverage) of Chapter 10 (Trade in Services) shall not fall within the scope of this Chapter.



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Treatment of Investments⁶

Based on the applicable rules and customs of international law as recognised by each of the State Parties and their respective laws and regulations, no State Party shall subject covered investments of another State Party to measures which constitute:

- (a) manifestly abusive treatment, such as coercion, duress and harassment; or
- (b) discrimination in matters of law enforcement, including the provision of physical security.

ARTICLE 9-A.4

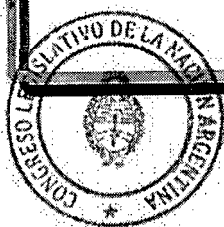
Most-Favoured-Nation Treatment⁷

1. A State Party shall accord to covered investments of juridical persons or natural persons of another State Party, treatment no less favourable than that it accords, in like circumstances, to investments in its territory of juridical persons or natural persons of a non-State Party with respect to the constitution, acquisition, maintenance⁸, expansion, and sale or other disposition of investments.
2. For greater certainty, paragraph 1 shall not be construed as granting to such juridical persons or natural persons of another State Party options or procedures for the settlement of disputes.

⁶ This Article shall not apply to Paraguay. The treatment under this Article shall not be accorded to covered investments of juridical persons or natural persons of Paraguay. For the purposes of this Article, "another State Party" means (a) for Singapore: Brazil or Uruguay; and (b) for Brazil and Uruguay: Singapore.

⁷ This Article shall not apply to Uruguay and Paraguay. The treatment under this Article shall not be accorded to covered investments of juridical persons or natural persons of Uruguay and Paraguay. For the purposes of this Article, "another State Party" means (a) for Singapore; Brazil; and (b) for Brazil: Singapore.

⁸ For greater certainty, maintenance includes management, conduct and operation.



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3. For greater certainty, whether treatment is accorded in "like circumstances" depends on the totality of the circumstances, including whether the relevant treatment distinguishes between juridical persons, natural persons or investments on the basis of legitimate public welfare objectives.

ARTICLE 9-A.5

Direct Expropriation⁹

1. A State Party shall not expropriate a covered investment of a juridical person or natural person of another State Party, except:

- (a) for a public purpose;
- (b) in a non-discriminatory manner;
- (c) in accordance with due process of law; and
- (d) on payment of adequate and effective compensation, according to the laws and regulations of the expropriating State Party and paragraphs 2 to 3.

2. The compensation shall:

- (a) be paid without undue delay in convertible currency at the market rate of the exchange prevailing at the time of transfer;

⁹ This Article shall not apply to Paraguay in respect of covered investments in services sectors. The protection under this Article shall not be accorded to covered investments of juridical persons or natural persons of Paraguay in respect of investments in services sectors. For the purposes of this Article, "another State Party" means (a) for Singapore: Brazil, Paraguay or Uruguay; and (b) for Brazil, Paraguay and Uruguay: Singapore.



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- (b) be equivalent to the fair market value of the expropriated asset, immediately before the expropriating measure has taken place ("expropriation date");
- (c) not reflect any change in the market value due to the knowledge of the intention to expropriate, before the expropriation date; and
- (d) be completely payable and transferable, in accordance with Article 9.10 (Payments and Transfers) of Chapter 9 (Investment).

3. The compensation to be paid shall not be inferior to the fair market value on the expropriation date, plus interests at a rate determined according to market criteria accrued since the expropriation date until the date of payment, according to the laws and regulations of the expropriating State Party.

4. For greater certainty, this Article only provides for direct expropriation, where a covered investment is nationalized or otherwise directly expropriated through formal transfer of title or ownership rights, and does not cover indirect expropriation.

5. Juridical persons or natural persons of a State Party whose covered investment is affected by the expropriation carried out by another State Party shall have the right to review of their case, including the valuation of its covered investment and the payment of compensation in accordance with this Article, by a judicial authority or another competent authority of the latter State Party.

6. This Article shall not apply to the issuance of compulsory licenses in compliance with the provisions of the TRIPS Agreement.

7. For Singapore, notwithstanding paragraphs 1, 2, 3 and 5, any measure of expropriation relating to land, which shall be as defined in its existing laws and regulations on the date of entry into force of this Agreement, shall be for a purpose and upon payment of compensation in accordance with the aforesaid laws and regulations.

ARTICLE 9-A.6



Compensation for Losses¹⁰

Juridical persons or natural persons of a State Party whose covered investments in the territory of another State Party suffers losses due to war or other armed conflict, revolution, state of emergency, insurrection, riot or any other similar events, shall enjoy, with regard to restitution, indemnity or other form of compensation, the same treatment that the latter State Party accords to its own juridical persons or natural persons or the treatment accorded to juridical persons or natural persons of a non-State Party. For greater certainty, Article 9.10 (Payments and Transfers) of Chapter 9 (Investment) shall apply to such compensation.

ARTICLE 9-A.7

Schedules of Non-Conforming Measures¹¹

1. Article 9-A.4 (Most-Favoured-Nation Treatment) shall not apply to:
 - (a) any existing non-conforming measure that is maintained by a State Party at:
 - (i) the central level of government as set out by that State Party in List A of its Schedule in Annex III (Schedule of Reservations and Non-Conforming Measures for Services and Investment);
 - (ii) a regional level of government; or

¹⁰ This Article shall not apply to Paraguay in respect of covered investments in services sectors. The protection under this Article shall not be accorded to covered investments of juridical persons or natural persons of Paraguay in services sectors. For the purposes of this Article, "another State Party" means (a) for Singapore: Brazil, Paraguay or Uruguay; and (b) for Brazil, Paraguay and Uruguay: Singapore.

¹¹ For greater certainty, this Article applies only to Brazil and Singapore. For the purposes of this Article, reference to "State Party" means Brazil or Singapore.



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- (iii) local level of government;
- (b) the continuation or prompt renewal of any non-conforming measure referred to in subparagraph (a); or
- (c) an amendment to any non-conforming measure referred to in subparagraph (a) to the extent that the amendment does not decrease the conformity of the measure, as it existed at the date of entry into force of the Agreement with Article 9-A.4 (Most-Favoured-Nation Treatment).

2. Article 9-A.4 (Most-Favoured-Nation Treatment) shall not apply to any measure that a State Party adopts or maintains with respect to sectors, sub-sectors or activities set out in List B of its Schedule in Annex III (Schedule of Reservations and Non-Conforming Measures for Services and Investment).

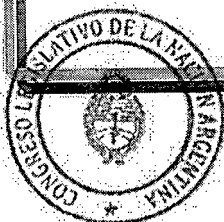
3. Article 9-A.4 (Most-Favoured-Nation Treatment) shall not apply to any measure that is an exception to, or derogation from, a State Party's obligations under Chapter 15 (Intellectual Property Rights) and the TRIPS Agreement, as specifically provided for in that Agreement.



ANNEX 9-B**FOCAL POINTS OR OMBUDSPERSONS**

As referred to in Article 9.14 (Focal Points or Ombudspersons) of Chapter 9 (Investment), the focal points or Ombudspersons of the State Parties are:

- (a) For Argentina, Dirección Nacional de la Promoción de Inversiones (DNPRI) (National Directorate for Investment Promotion of the Ministry of Foreign Affairs, International Trade and Worship);
- (b) For Brazil, Ombudsman de Investimentos Diretos (OID) da Câmara de Comércio Exterior (CAMEX) (Ombudsman of Direct Foreign Investment (DIO) of the Foreign Trade Board);
- (c) For Paraguay, Subsecretaría de Estado de Industria del Ministerio de Industria y Comercio (Sub-secretariat of Industry of the Ministry of Industry and Commerce);
- (d) For Uruguay, Asesoría de Política Comercial del Ministerio de Economía y Finanzas (Trade Policy Advisory of the Ministry of Economy and Finance); and
- (e) For Singapore, the Americas Division of the Ministry of Trade and Industry, or its successor.



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ANNEX I

SCHEDULE OF SPECIFIC COMMITMENTS FOR INVESTMENT FOR ARGENTINA

Explanatory Notes

The classification of sectors in this Schedule is based on the International Standard Industrial Classification of All Economic Activities, Rev.3 (ISIC).

For greater certainty, where no reference is made to a specific sector or subsector, it should be interpreted that Argentina is not taking any commitments for that specific sector or sub-sector.

I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
HORIZONTAL COMMITMENTS		
ALL SECTORS	The acquisition, possession, transference, and assignment of rights of possession of rural lands by foreign natural or legal persons, as well as those properties that contain or are riparian of large and permanent water bodies, or that are located in border "security areas" are limited by law. Security zones: With the exceptions provided under domestic legislation, property located in "security zones" shall be owned by Argentine citizens. Any form of real property rights or personal rights under which possession or tenancy of a real estate must be granted; the transfer of shares and changes of	



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	ownership of companies whose capital stocks involve one or more real properties in security zones are also subject to prior authorisation from the competent authority.	
ALL SECTORS	The absolute majority of the board of directors of an Argentine juridical person must have real domicile in Argentina (Article 256, Law 19.550). At least one of the legal representatives of a branch/permanent representation must have real domicile in Argentina (Articles 118, 121 & 256, Law 19.550). At least one of the legal representatives of an international company that wants to participate in an Argentine company must have real domicile in Argentina (Article 123, Law 19550, Particular Resolution IGJ 93/2022).	The absolute majority of the board of directors of an Argentine juridical person must have real domicile in Argentina (Article 256, Law 19.550). At least one of the legal representatives of a branch/permanent representation must have real domicile in Argentina (Articles 118, 121 & 256, Law 19.550). At least one of the legal representatives of an international company that wants to participate in an Argentine company must have real domicile in Argentina (Article 123, Law 19550, Particular Resolution IGJ 93/2022).
ALL SECTORS	In cases of state enterprises subject to privatisation, Argentina reserves the right to establish special share arrangements (such as the retention of "golden shares") and/or to grant	



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	preferences in the purchase of shares to the employees of such state enterprise subject to privatisation.	
ALL SECTORS	Argentina reserves the right to adopt or maintain any measure aimed at stimulating the development of its least developed regions, borders areas or at reducing regional inequalities, as well as those necessary to ensure social inclusion and industrial development.	
ALL SECTORS	Argentina reserves the right to adopt or maintain any measure affecting or relating to nuclear energy, including products produced by nuclear energy, nuclear fuel production and supply, nuclear materials, treatment and disposal of radioactive waste, and radioisotope and radiation generating facilities.	
II. SECTOR SPECIFIC COMMITMENTS		
A. AGRICULTURE, HUNTING AND FORESTRY		
01. Agriculture, hunting	None	None
02. Forestry, logging	None	None



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
B. FISHING		
05. Fishing, operation of fish hatcheries and fish farms	None, except as stated below. Argentina reserves the right to adopt or maintain measures related to fishing, aquaculture and related activities, regarding domicile, residence or nationality requirements for natural or juridical persons, in connection with the exploitation of living resources in Argentine internal waters and maritime areas under its jurisdiction and its continental shelf. Argentina also reserves the right to adopt or maintain regulations, including sanctions, with regard to navigation in maritime areas subject to its jurisdiction, and composition of the crew and content (fish caught, equipment and fishing gear) of vessels used in the fishing industry. In particular, Argentina maintains the following measures: (a) exploitation of live maritime resources is only granted to natural persons with residence in Argentina or to	None



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	juridical persons established according to domestic laws and regulations. (b) foreign flag vessels activity must comply with the terms of Law No. 24.922. Foreign flag vessels are only admitted jointly with one or more companies locally registered, as determined by Law No. 19.550. (c) vessels employed in the fishing industry must be enrolled in the corresponding Argentine registry and raise the Argentine flag. (d) crew members of all fishing vessels must comply with the following requirements: (i) captains and officers must be Argentine nationals, either by birth, option or naturalisation; (ii) 75 % of the rest of crew members aboard fishing.	



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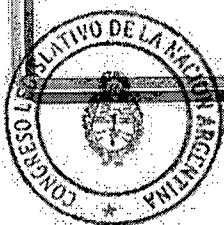
I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	vessels must be either Argentine nationals or foreigners with more than ten years of permanent residence in Argentina effectively accredited; and (iii) in case the percentage established in sub-paragraph (ii) is not possible due to lack of personnel, foreign personnel may provisionally board until such percentage is re-established, subject to compliance with all current legal requirements. When Argentine crew members are available, the crew must be completed with them. (e) In case of violation of domestic laws or regulations foreign vessels may, in addition to paying the corresponding penalty, be retained at an Argentine port until payment of fines is complied with or satisfactory guarantees are constituted thereof.	



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
D. MANUFACTURING		
15. Manufacture of food products and beverages	None	None
16. Manufacture of tobacco products	None	None
17. Manufacture of textiles	None	None
18. Manufacture of wearing apparel; dressing and dyeing of fur	None	None
19. Tanning and dressing of leather; manufacture of luggage, handbags, harness and footwear	None	None
20. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials	None	None
21. Manufacture of paper and paper products	None	None
24. Manufacture of chemicals and chemical products	None, except that Law No. 26.334 establishes that, in order to enjoy the benefits listed in Chapters I and II of Law No. 26.093, controlling shareholders of juridical persons producing bioethanol must be	None



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	Argentine nationals or juridical persons controlled by Argentine nationals.	
25. Manufacture of rubber and plastics products	None	None
26. Manufacture of other non-metallic mineral products	None	None
27. Manufacture of basic metals	None	None
28. Manufacture of fabricated metal products, except machinery and equipment	None	None
29. Manufacture of machinery and equipment n.e.c., except for manufacture of weapons and ammunition (ISIC 2927)	None. For the purposes of transparency, investment in the manufacture of engines and turbines, except aircraft, vehicle and cycle engines (ISIC 2911) and the manufacture of special purpose machinery (ISIC 292) might be subject to measures aimed at fostering the local value chain of these sectors.	None
30. Manufacture of office, accounting and computing machinery	None	None



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
31. Manufacture of electrical machinery and apparatus n.e.c.	None. For the purposes of transparency, investment in the manufacture of electric motors, generators and transformers (ISIC 3110) and the manufacture of electricity distribution and control apparatus (ISIC 3120) might be subject to measures aimed at fostering the local value chain of these sectors.	None
32. Manufacture of radio, television and communication equipment and apparatus	None	None
33. Manufacture of medical, precision and optical instruments, watches and clocks	None. For the purposes of transparency, investment in the manufacture of medical and surgical equipment and orthopaedic appliances (ISIC 3311) might be subject to measures aimed at fostering the local value chain of this sector.	None
34. Manufacture of motor vehicles, trailers and semi-trailers	None. For the purposes of transparency, investment in the manufacture of motor vehicles, trailers and semi-trailers (ISIC 34) might be subject to measures aimed at fostering the local value chain of this sector.	None
35. Manufacture of other transport equipment, except	None. For the purposes of transparency, investment in the manufacture of motorcycles (ISIC 3591)	None



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
for building and repairing of ships and boats (ISIC 351)	might be subject to measures aimed at fostering the local value chain of this sector.	
36. Manufacture of furniture; manufacturing n.e.c.	None	None
37. Recycling	None	None
E. PRODUCTION OF ELECTRICITY, GAS, STEAM AND HOT WATER (EXCLUDING RELATED SERVICES)	For the purposes of transparency, investment in this sector is subject to the terms and conditions specified in the permits, concessions or other rights granted by the relevant authority.	
4010. Production, transmission and distribution of electricity	None, except electricity generated by nuclear energy.	None
4020. Manufacture of gas except petroleum gases and derivatives	None	None

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ANNEX I

SCHEDULE OF SPECIFIC COMMITMENTS FOR INVESTMENT FOR PARAGUAY

Explanatory Notes

The classification of sectors in this Schedule is based on the International Standard Industrial Classification of All Economic Activities, Rev.3 (ISIC).

I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
HORIZONTAL COMMITMENTS		
ALL SECTORS INCLUDED IN THIS SCHEDULE	Paraguay reserves the right to establish special share arrangements (such as the retention of "golden shares") and to grant preferences in the purchase of shares to the employees of state company subject to privatisation. For the acquisition of land, residence requirements apply to foreign investors; unbound in border areas (50 (fifty) km in land frontiers). Paraguay reserves the right to maintain or adopt any measure or disposition with the purpose of statistical controls of foreign investment registration and its transferences, after the	

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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	date of entry into force of this agreement. Paraguay reserves the right to adopt or maintain any measure aimed at developing less privileged regions or at reducing regional inequalities, as well as those necessary to ensure social inclusion and rural development.	
II. SECTOR SPECIFIC COMMITMENTS		
A. AGRICULTURE, HUNTING AND FORESTRY		
01. Agriculture, hunting	None	None
02. Forestry, logging	None	None
B. FISHING	None	None
C. MINING AND QUARRYING	None	None
D. MANUFACTURING		
15. Manufacture of food products and beverages	None	None
16. Manufacture of tobacco products	None	None
17. Manufacture of textiles	None	None



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MERCOSUL

I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
18. Manufacture of wearing apparel; dressing and dyeing of fur	None	None
19. Tanning and dressing of leather; manufacture of luggage, handbags, harness and footwear.	None	None
20. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials	None	None
21. Manufacture of paper and paper products	None	None
23. Manufacture of coke, refined petroleum products and nuclear fuel	None.	None.
24. Manufacture of chemicals and chemical products	None	None
25. Manufacture of rubber and plastics products	None	None
26. Manufacture of other non-metallic mineral products	None	None
27. Manufacture of basic metals	None	None

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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
28. Manufacture of fabricated metal products, except machinery and equipment	None	None
29. Manufacture of machinery and equipment n.e.c.	None	None
30. Manufacture of office, accounting and computing machinery	None	None
31. Manufacture of electrical machinery and apparatus n.e.c	None	None
32. Manufacture of radio, television and communication equipment and apparatus	None	None
33. Manufacture of medical, precision and optical instruments, watches and clocks	None	None
34. Manufacture of motor vehicles, trailers and semi-trailers	None	None
35. Manufacture of other transport equipment	None	None

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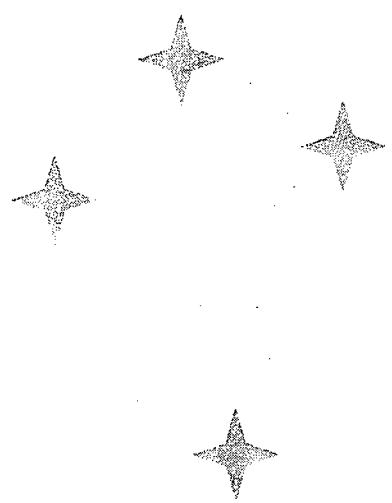


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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
36. Manufacture of furniture; manufacturing n.e.c.	None	None
37. Recycling	None	None



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ANNEX I

SCHEDULE OF SPECIFIC COMMITMENTS FOR INVESTMENT FOR URUGUAY

Explanatory Notes

The classification of sectors in this Schedule is based on the International Standard Industrial Classification of All Economic Activities, Rev.3 (ISIC).

I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
HORIZONTAL COMMITMENTS		
ALL SECTORS INCLUDED IN THIS SCHEDULE	Uruguay reserves the right to maintain or adopt any measure or disposition with the purpose of statistical controls of foreign investment registration and its transferences, after the date of entry into force of this agreement. The purchase and ownership of rural properties and agricultural exploitations to enterprises that are owned by, or which directly or indirectly involves a foreign State property or sovereign funds thereof is regulated in Law N° 19.283. Uruguay reserves the right to adopt or maintain any measure tending towards the establishment of a Border Security Zone along land and river boundaries of the national territory. Uruguay reserves the right to adopt or maintain any	

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Congreso de la Nación
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MERCOSUL

I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	measure that accords rights or preferences to minorities due to social or economic reasons. Uruguay reserves the right to adopt or maintain any measure that limits the transfer or disposal of any interest held in an existing State Enterprise, such that only an Uruguayan national may obtain such interest. The limitation in the preceding paragraph above, however, pertains only to the initial transfer or disposal of such interest, and not to subsequent transfers or disposals. Uruguay reserves the right to adopt or maintain any measure that limits control of, or imposes requirements on, any new enterprise created by the transfer or disposal of any interest as described in the preceding paragraph, such as through measures relating to the structure of the board of directors, but not through limitations on the ownership of the interest transferred. Uruguay also reserves the right to adopt or maintain any measure related to the nationality of senior management and members	

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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	of the board of directors in such new enterprise. A "State Enterprise" means any enterprise owned or controlled through participation in its property by the Uruguayan State, and shall include any enterprise established after the date of entry into force of this Agreement. Uruguay reserves the right to adopt or maintain any measure with respect to the public concessions as well as the renewal or re-negotiation of existing concessions. Uruguay reserves the right to adopt or maintain any measure that restricts the acquisition, sale, or other disposition of bonds, treasury bills or other debt instrument issued by the Central Bank or by the Government of Uruguay.	
II. SECTOR SPECIFIC COMMITMENTS		
A. AGRICULTURE, HUNTING AND FORESTRY		
01. Agriculture, hunting	None	None



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MERCOSUL

I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
02. Forestry, logging ¹	None	None
B. FISHING	None	None
05. Fishing, operation of fish hatcheries and fish farms	None, except as stated below. Commercial fishing and marine hunting activities performed in internal waters and in the territorial sea within a 12 (twelve) miles area, measured from the base lines, are reserved exclusively to duly licensed Uruguayan-flagged vessels. Such vessels must be commanded by captains, merchant marine officials, or fishing masters that are Uruguayan nationals and at least 90 (ninety) percent of the crew of such vessels must be Uruguayan nationals. The crew of fishing vessels licensed in Uruguay that operate exclusively in international waters, must have a minimum of 70 (seventy) percent of Uruguayan nationals. Commercial foreign-flagged vessels shall only be allowed to exploit living resources between the 12 (twelve) mile area referred to in the preceding	

¹ The related services activities are included in the Schedules of Specific Commitments for Services under Chapter 10 (Trade in Services).

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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	paragraph and 200 (two hundred) nautical miles, subject to authorisation of the Executive Branch, granted in accordance with Law N° 13.833, and as recorded in the register maintained by the "Dirección Nacional de Recursos Acuáticos". The processing and marketing of fish is authorized by the Executive Branch, and may be subject to a requirement that the fish be totally or partially processed in Uruguay.	
C. MINING	None, except as stated below. Mining licenses or titles are given by the Mining Authority depending from the National Government. Requirements for individual exploitations are also regulated for the Mining Authority. Prospecting and exploration of mineral deposits and mining shall only be done: (a) by the State or State Entities; or (b) under a mining title. The enjoyment of mining rights attributed by the respective title is regulated by specific provisions and	None



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
	the provisions of the specific contract. The holder of a concession to operate that is in a position to export metal ores shall provide the domestic market 15 (fifteen) percent of the value of each export operation at "free on board" price.	
10. Mining of coal and lignite; extraction of peat	None, except as indicated above.	None
12. Mining of uranium and thorium ores	None, except as indicated above.	None
13. Mining of metal ores	None, except as indicated above.	None
14. Other mining and quarrying	None, except as indicated above.	None
D. MANUFACTURING		
15. Manufacture of food products and beverages	None	None
17. Manufacture of textiles	None	None
18. Manufacture of wearing apparel; dressing and dyeing of fur	None	None
19. Tanning and dressing of leather; manufacture of	None	None

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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
luggage, handbags, harness and footwear		
20. Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials	None	None
21. Manufacture of paper and ² paper products	None	None
22. Publishing, printing and reproduction of recorded media	None, except that the responsible editor, director or manager, of a newspaper, magazine, or periodical, shall be Uruguayan nationals.	None, except that only Uruguayan nationals may be the redactor o gerente responsable (the responsible editor or manager) of a newspaper, magazine, or periodical in Uruguay. The redactor o gerente responsable (the responsible director or manager) of a television subscriber enterprise (cable, satellite, MMDS and UHF coded) shall be Uruguayan national. The redactor o gerente responsable (the responsible editor or manager) is the person liable under civil and criminal law for the content of a particular newspaper, magazine, or periodical publications.

² The related services activities are included in the Schedules of Specific Commitments for Services under Chapter 10 (Trade in Services).



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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
24. Manufacture of chemicals and chemical products	None	None
25. Manufacture of rubber and plastics products	None	None
26. Manufacture of other non-metallic mineral products	None	None
27. Manufacture of basic metals	None	None
28. Manufacture of fabricated metal products, except machinery and equipment	None	None
29. Manufacture of machinery and equipment n.e.c: 291. Manufacture of general purpose machinery 293 - Manufacture of domestic appliances n.e.c.	None	None
30. Manufacture of office, accounting and computing machinery	None	None
31. Manufacture of electrical machinery and apparatus n.e.c.	None	None

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I. SECTORS OR SUBSECTORS	LIMITATIONS ON NATIONAL TREATMENT	LIMITATIONS ON SENIOR MANAGEMENT AND BOARDS OF DIRECTORS
32. Manufacture of radio, television and communication equipment and apparatus	None	None
33. Manufacture of medical, precision and optical instruments, watches and clocks	None	None
34. Manufacture of motor vehicles, trailers and semi-trailers	None	None
35. Manufacture of other transport equipment	None	None
36. Manufacture of furniture; manufacturing n.e.c.	None	None
37. Recycling	None	None



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CHAPTER 10

TRADE IN SERVICES

SECTION A

ARTICLE 10.1

Scope and coverage

1. This Chapter applies to measures by the State Parties affecting trade in services taken by central, regional or local governments and authorities as well as by non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities.
2. Nothing in this Chapter shall be construed to impose any obligation on the State Parties regarding government procurement.
3. This Chapter applies to measures of the State Parties affecting trade in services, with the exception of:
 - (a) national maritime cabotage¹;
 - (b) air services, including domestic and international air transport services, whether scheduled or non-scheduled, and related services in support of air services, other than:

¹ Without prejudice to the scope of activities which may be considered as cabotage under the relevant laws and regulations of a State Party, national maritime cabotage under this Chapter covers transportation of passengers or goods between a port or point located in a Signatory MERCOSUR State and another port or point located in the same Signatory MERCOSUR State, including on its continental shelf (as provided in UNCLOS) and traffic originating and terminating in the same port or point located in the Signatory MERCOSUR State.





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- (i) aircraft repair and maintenance services during which an aircraft is withdrawn from service;
 - (ii) the selling and marketing of air transport services; and
 - (iii) computer reservation system (CRS) services;
- (c) inland navigation.
4. The provisions of this Chapter shall not apply to subsidies granted or grants provided by a State Party, including government-supported loans, guarantees, and insurance.²
5. This Chapter shall not apply to measures affecting natural persons seeking access to the employment market of a State Party, nor shall it apply to measures regarding nationality, citizenship, residence or employment on a permanent basis.
6. The State Parties shall negotiate an Annex on Telecommunications Services, in a period not exceeding 3 (three) years after the date of entry into force of this Agreement, or as otherwise agreed by the State Parties.
7. This chapter shall not apply to any taxation measures.

ARTICLE 10.2

Definitions

For the purposes of this Chapter:

- (a) "trade in services" means the supply of a service:

² For greater certainty, this paragraph includes any conditions attached to the receipt or continued receipt of such subsidies or grants, whether or not such subsidies or grants are offered exclusively to domestic services, service consumers, or service suppliers.



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- (i) from the territory of a State Party into the territory of another State Party;
- (ii) in the territory of a State Party to the service consumer of another State Party;
- (iii) by a service supplier of a State Party, through commercial presence in the territory of another State Party;
- (iv) by a service supplier of a State Party, through presence of natural persons of a State Party in the territory of another State Party;
- (b) "services" means any service in any sector, except services supplied in the exercise of governmental authority;
- (c) "a service supplied in the exercise of governmental authority" means any service which is supplied neither on a commercial basis nor in competition with one or more service suppliers;
- (d) "service supplier" means any person that supplies, or seeks to supply, a service;³
- (e) "natural person of a State Party" means a person having the nationality of one of the State Parties according to their respective laws and regulations;
- (f) "juridical person of a State Party" means a juridical person which is either:
 - (i) constituted or otherwise organised under the law of that State Party, and is engaged in substantive business operations in the territory of a State Party; or

³ Where the service is not supplied or sought to be supplied directly by a juridical person but through other forms of commercial presence such as a branch or a representative office, the service supplier shall, nonetheless, through such commercial presence be accorded the treatment provided for service suppliers under this Chapter. Such treatment shall be extended to the commercial presence through which the service is supplied or sought to be supplied and need not be extended to any other parts of the service supplier located outside the territory where the service is supplied or sought to be supplied.





República Argentina - Poder Ejecutivo Nacional
Año de la Grandeza Argentina

Hoja Adicional de Firmas
Documentación de Convenios de Obra

Número:

Referencia: Anexos

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