

チリとの経済連携協定

附属書八（第八章関係） 資金の移転

（資金の移転に係るチリの留保につき省略）

附属書八  
（第八章  
関係）  
資金の移  
転

七一六

Annex 8  
referred to in Chapter 8

Transfers

1. Chile reserves the right of the Central Bank of Chile (*Banco Central de Chile*) to maintain or adopt measures in conformity with Law 18.840, Constitutional Organic Law of the Central Bank of Chile (*Ley 18.840, Ley Orgánica Constitucional del Banco Central de Chile*) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, *inter alia*, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (*encaje*).
2. Notwithstanding paragraph 1, the reserve requirement that the Central Bank of Chile can apply pursuant to Article 49 N° 2 of Law 18.840, shall not exceed 30 percent of the amount transferred and shall not be imposed for a period which exceeds two years.
3. When applying measures under this Annex, Chile, as established in its legislation, shall not discriminate between Japan and any third country with respect to transactions of the same nature.

両締約国は、第八十二条1の規定が次の二の事態を取り扱っているとの理解を共有していることを確認する。

- (a) 第一の事態は、直接的な収用である。直接的な収用とは、投資財産が正式な権原の移転又は明白な差押えを通じて国有化され、又はその他の方法により直接的に収用される場合をいう。
- (b) 第二の事態は、間接的な収用である。間接的な収用とは、締約国による一又は一連の行為が正式な権原の移転又は明白な差押えなしに直接的な収用と同等の効果を有する場合をいう。当該締約国による一又は一連の行為が特定の事実関係において間接的な収用を構成するか否かを決定するに当たっては、特に次の事項を考慮し、事案ごとに、事実に基づいて調査するものとする。
  - (i) 政府の行為の経済的な影響（ただし、当該行為が投資財産の経済的価値に悪影響を及ぼすという事実のみをもって間接的な収用が行われたことが確定するものではない。）
  - (ii) 政府の行為が投資財産から生ずる明確な及び合理的な期待を害する程度
  - (iii) 政府の行為の性質（当該行為が無差別なものであるか否かを含む。）
  - (iv) 政府の行為の目的（当該行為が正当な公の目的のために行われるか否かを含む。）

Annex 9  
referred to in Chapter 8  
Expropriation  
The Parties confirm their shared understanding that paragraph 1 of Article 82 addresses the following two situations:

- (a) the first situation is direct expropriation, where an investment is nationalized or otherwise directly expropriated through formal transfer of title or outright seizure; and
- (b) the second situation is indirect expropriation, where an action or a series of actions by a Party has an effect equivalent to direct expropriation without formal transfer of title or outright seizure. The determination of whether an action or a series of actions by a Party, in a specific fact situation, constitutes an indirect expropriation requires a case-by-case, fact-based inquiry that considers, among other factors:
  - (i) the economic impact of the government action, although the fact that such action has an adverse effect on the economic value of an investment, standing alone, does not establish that an indirect expropriation has occurred;
  - (ii) the extent to which the government action interferes with distinct, reasonable expectations arising out of investment;
  - (iii) the character of the government action, including whether such action is non-discriminatory; and
  - (iv) the objectives of the government action, including whether such action is taken for legitimate public objectives.

附屬書十（第十章關係） 第一百八條及び第一百九條に關する表

日本国の表

注釈

1 第一百八条及び第一百九条の規定による表への記載は、適用される範囲内で、特定の約束に係る表への記載のための指針（二千一年三月二十八日付けの世界貿易機関文書S/L/第九十二号）に従ったものである。ただし、当該指針は、法的拘束力を有するものと解してはならない。

2 日本国は、第二百二十三条の文脈における信用秩序の維持を理由として、業務上の拠点の法的な形態に対する差別的でない制限等の措置をとることを妨げられない。日本国は、同様の理由により、新たな金融サービスの市場への進出に対する差別的でない制限（このような信用秩序の維持の目的を達成するための規制の枠組みに合致するもの）を課することを妨げられない。このこととの関連において、証券会社は、日本国の関係法に定義する有価証券を取り扱うことを認められ、及び銀行は、当該関係法に従つて認められる場合を除くほか、当該有価証券を取り扱うことを認められない。

分野又は小分野	市場アクセスに係る制限	内国民待遇に係る制限
A 保険及び保険関連のサービス	制限しない(注)。 注 保険仲介サービスは、日本国において提供が認められている保険契約についてのみ提供することができる。	制限しない。
B 銀行サービスその他の金融サービス(保険及び保険関連のサービスを除く。)	制限しない。	預金保険制度は、外国銀行の支店が扱う預金を対象としない。

(チリの表は省略)

Annex 10  
referred to in Chapter 10

Schedule in relation to Articles 118 and 119

### Schedule of Japan

## Introductory Note

1. The scheduling under Articles 118 and 119 follows the Guidelines for the Scheduling of Specific Commitments (WTO Document S/L/92, March 28, 2001), as applicable. The Guidelines shall not, however, be construed as being legally binding.

2. For prudential reasons within the context of Article 123, Japan shall not be prevented from taking measures such as non-discriminatory limitations on juridical forms of a commercial presence. For the same reasons, Japan shall not be prevented from applying non-discriminatory limitations concerning admission to the market of new financial services which shall be consistent with regulatory framework aimed at achieving such prudential objectives. In this context, securities firms are allowed to deal in securities defined in the relevant Japanese law, and banks are not allowed to deal in those securities unless allowed in accordance with the said law.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
A. Insurance and Insurance-Related Services	None <sup>1</sup>	None
B. Banking and Other Financial Services (excluding Insurance and Insurance-Related Services)	None	None except that the deposit insurance system does not cover deposits taken by branches of foreign banks.

1 Insurance intermediation services may be supplied only for insurance contracts allowed to be supplied in Japan.

## Schedule of Chile

Terms and conditions affecting market access and national treatment  
in the specific commitments of Chile in financial services

1. The non-conforming measures listed in Schedules of Chile in Annexes 6 and 7 shall apply, as applicable, to the commitments specified in this Schedule, *mutatis mutandis*.
2. Chile may take measures for prudential reasons through regulatory or administrative authorities, in addition to those who have regulatory responsibilities with respect to financial institutions, such as the Ministry of Labor.
3. The Chilean financial services sector is partially compartmentalized, that is to say the institutions, domestic and foreign, authorized to operate as banks may not participate directly in the insurance and securities business and vice versa. However, subject to authorization from the Superintendency of Banks and Financial Institutions (*Superintendencia de Bancos e Instituciones Financieras*) (hereinafter referred to as "SBIF"), domestic and foreign banks operating in Chile may set up subsidiaries, with their own and separate capital, to supply other financial services in addition to their main line of business. The main business of banks is accepting or receiving money from the public on a regular basis and granting money credits represented by securities or commercial paper or any other credit instrument.
4. The sub-sectors and services included in this Schedule are defined in accordance with the relevant Chilean legislation.
5. Chile reserves the right of the Central Bank of Chile (*Banco Central de Chile*) to maintain or adopt measures in conformity with Law 18.840, Constitutional Organic Law of the Central Bank of Chile (*Ley 18.840, Ley Orgánica Constitucional del Banco Central de Chile*) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, *inter alia*, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (*encaje*). Notwithstanding the above, the reserve requirement that the Central Bank of Chile can apply pursuant to Article 49 N° 2 of Law 18.840, shall not exceed 30 percent of the amount transferred and shall not be imposed for a period which exceeds two years. When applying measures under this Annex, Chile, as established in its legislation, shall not discriminate between Japan and any third country with respect to transactions of the same nature.

6. Chile may restrict or prescribe on a non-discriminatory basis a specific type of legal entity, including subsidiaries, branches, representative offices or any other form of commercial presence that must be adopted by entities operating in all financial services sub-sectors.
7. The introduction to the market of new financial services or products could be subject to the existence of, and consistency with, a regulatory framework designed to achieve the objectives set out in Article 121.
8. None of Chile's commitments applies to the social security system, including the Institute for Pension Normalization (*Instituto de Normalización Previsional*) (INP) under Law 18.689, the pension funds under Decree Law 3.500, the Social Security Health Institutions (*Instituciones de Salud Previsional*) (ISAPRES) under Law 18.933, the National Health Care Fund (*Fondo Nacional de Salud*) (FONASA) under Law 18.469, the Non Profit Social Security Benefits Administrators (*Cajas de Compensación*) under Law 18.833, Law 16.744 on work accidents, unemployment insurance under Law 19.728, and amendments to those laws, and whether those services are provided by the institutions created by law for those purposes or other financial institutions through which financial services related to the social security system are provided or could be provided.
9. The term "CPC" means the Provisional Central Product Classification (Statistical paper Series M, No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).

Sector or sub-sector	Limitations on market access	Limitations on national treatment
a) <u>Banking services:</u>  a.1) Core banking services and bank operations:  Acceptance of deposits (Includes only current bank accounts ( <i>cuentas corrientes bancarias</i> ), sight deposits, time deposits, savings accounts, financial instruments with repurchase agreements, and warranty deposits or surety bonds.)	Foreign banking institutions must be banking companies ( <i>sociedades bancarias</i> ) legally constituted in their country of origin and must put up the capital required by Chilean law.  Foreign banking institutions may only operate:  (i) through shareholdings in Chilean banks constituted as corporations in Chile;  (ii) by becoming constituted as a corporation in Chile; or	None

<p>Credit granting (Includes only ordinary loans, consumer credit, loans in letters of credit, mortgage loans, mortgage loans in letters of credit, purchase of financial instruments with resale agreements, credit for issue of bank surety bonds or other types of financing, issue and negotiation of letters of credit for imports and exports, issue and confirmation of stand-by letters of credit)</p> <p>Purchase of publicly-offered securities (Includes only purchase of bonds, purchase of letters of credit, subscription and placement as agents of shares, bonds and letters of credit (underwriting))</p> <p>Issue and operation of credit cards (CPC 81133) (Includes only credit cards issued in Chile)</p> <p>Issue and operation of debit cards</p> <p>Travelers' checks</p> <p>Transfer of funds (bank drafts)</p> <p>Discounting or acquisition of bills of exchange and promissory notes</p> <p>Endorsement and guarantee of third party liabilities in Chilean currency and foreign currency</p> <p>Securities custody</p>	<p>(iii) as branches of foreign corporations, in which case the legal personality in the country of origin is recognized. For the purposes of foreign bank branch operations in Chile, the capital effectively invested in Chile is considered, and not that of the main office.</p> <p>No Chilean or foreign, natural or legal, person may acquire directly or through third parties shares in a bank which, alone or added to the shares such a person already possesses, represent more than 10 percent of the bank's capital without having first obtained the authorization of the SBIF. In addition, the partners or shareholders of a financial institution may not transfer a percentage of rights or shares in their company in excess of 10 percent without having obtained authorization from the SBIF.</p>	
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<p>Exchange market operations carried out according to the regulations issued or to be issued by the Central Bank of Chile</p> <p>Operations with derivatives authorized or to be authorized by the Central Bank of Chile (Includes only forwards and swaps of currency and interest rate)</p> <p>Acceptance and execution of fiduciary operations</p>		
<p>Voluntary pension savings plans (Planes de Ahorro Previsional Voluntario)</p>	<p>Unbound with regard to subparagraph 2(e) of Article 119. Voluntary savings plans may only be offered by banks constituted in Chile under one of the arrangements previously mentioned. These plans require prior authorization by the SBIF.</p>	None
<p>a.2) Complementary banking services:</p>	<p>The supply of financial services that complement core banking services may be provided directly by these institutions, with prior authorization from the SBIF, or through subsidiaries which the SBIF shall determine.</p>	
<p>Financial leasing (CPC 81120) (Includes only leasing contracts for goods acquired at the client's request, i.e. financial institutions cannot acquire goods in order to stock them and offer them for leasing)</p>	<p>Financial leasing services are regarded as complementary banking services and, consequently, the SBIF is empowered to extend or restrict the operation of the financial leasing services which these institutions may offer, and these institutions may only offer the services expressly authorized by the SBIF.</p>	None

Advisory and other auxiliary financial services (CPC 8133) (Includes only services indicated in the banking sub-sector in this Schedule)	None	None
Factoring	Unbound with regard to subparagraph 2(e) of Article 119. Factoring services are regarded as complementary banking services and, consequently, the SBIF is empowered to extend or restrict the operation of the financial factoring services which these institutions may offer, and these institutions may only offer the services expressly authorized by the SBIF.	None
Management of funds of third parties performed by: (In no circumstances does this include management of pension funds and voluntary pension savings plans ( <i>Planes de Ahorro Previsional Voluntario</i> ))  i) Mutual funds management companies;  ii) Investment funds management companies;  iii) Foreign capital investment funds management companies; or  iv) General funds management companies	The management of funds of third parties is regarded as a complementary banking service and, therefore, in the case of banks can only be offered through subsidiaries as constituted in the General Banking Act and with prior authorization of both the SBIF and the Securities and Insurance Supervisor ( <i>Superintendencia de Valores y Seguros</i> ) (hereinafter referred to as "SVS").	None, except for foreign capital investment funds referred to in Law 18.657 in which the capital contributed may not be remitted abroad until five years from the date in which the contribution was made.

Intermediation of publicly offered securities (CPC 81321)	Banks can provide the services of intermediation of publicly offered securities through subsidiaries as constituted in the General Banking Act, either as securities agents and/or as stockbrokers. The description of agents and stockbrokers in horizontal note 1 of the securities services section of this Schedule apply in this case. Except for the requirement to enroll in the relevant register of the SVS, in order to provide these services bank subsidiaries must comply with the securities laws and the norms issued by the SVS. Prior authorization from both the SVS and the SBIF is required.	None
b) Insurance and insurance-related services:  1. In Chile, the insurance business is divided into two groups: the first group comprises companies that insure property or patrimony ( <i>patrimonio</i> ) against the risk of loss or damage, while the second comprises those that cover personal risks or guarantee, within or at the end of a certain term, a capital sum, a paid-up policy or an income for the insured or his or her beneficiaries. The same insurance company may not be constituted in such a way as to cover both categories of risk.  2. Credit insurance companies, even though classified in the first group, must be constituted as legal entities with the sole purpose of covering this type of risk, i.e. loss of or damage to the patrimony of the insured as a result of the non-payment of a money debt or loan, being also permitted to cover guarantee and fidelity risks.  3. This Schedule does not include insurance related to the social security system.		

<p>Insurance:</p> <p>Sale of direct life insurance (Does not include insurance related to the social security system) (CPC 81211)</p> <p>Sale of direct general insurance (CPC 8129, except for CPC 81299) (Does not include the Social Security Health Institutions (<i>Instituciones de Salud Previsional</i>)(ISAPRES) i.e. legal persons set up for the purpose of providing health benefits to persons who opt to become members and financed through the statutory contribution of a percentage of taxable income fixed by law or a higher amount, as the case may be. Also, it does not include the National Health Fund (<i>Fondo Nacional de Salud</i>)(FONASA), a public agency financed by the government and the statutory contribution of a percentage of taxable income fixed by law, which is jointly responsible for paying benefits under the optional health scheme which persons not members of an ISAPRE may join. Does not include sale of insurance for international maritime transport, international commercial aviation and goods in international transit)</p>	<p>Direct insurance services can be provided only by insurance companies constituted in Chile as corporations or as branches of foreign corporations with the sole purpose of developing this line of business, either direct life insurance or direct general insurance. In the case of general credit insurance (CPC 81296), they must be constituted as corporations or branches with the sole purpose of covering this type of risk.</p> <p>Insurance corporations can be legally constituted only in accordance with the provisions of the law on corporations.</p> <p>For the purposes of foreign insurance branch operations in Chile, the patrimony (<i>patrimonio</i>) effectively invested in Chile is considered, and not that of the main office. Such patrimony must be effectively transferred and converted into domestic currency in conformity with any of the systems authorized by law or by the Central Bank of Chile (<i>Banco Central de Chile</i>). The increases in capital that do not come from the capitalization of reserves will have the same treatment as the initial capital. In transactions between a branch and its main office or other related companies abroad will be considered as independent entities. No foreign insurance company will be able to invoke rights derived from its nationality regarding transactions that its branch may carry out in Chile.</p>	None
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	Insurance may be issued directly or through insurance brokers who, to engage in that activity, must be enrolled in the Register maintained by the SVS, and must satisfy the requirements of the law.	
Sale of insurance for international maritime transport, international commercial aviation and goods in international transit (Includes goods transported, the vehicle transporting the goods and any civil responsibility deriving therefrom. Does not include national transport (cabotage))	Insurance services for international maritime transport, international commercial aviation and goods in international transit may be offered by insurance corporations constituted in Chile and which have the sole purpose of developing the business of direct general insurance.	None
Insurance brokers (Does not include insurance for international maritime transport, international commercial aviation and goods in international transit)	Insurance brokers must be enrolled in the Register maintained by the SVS and fulfill the requirements established by the SVS. Only legal persons legally constituted in Chile for this specific purpose may provide this service.	None
Brokers of insurance for international maritime transport, international commercial aviation and goods in international transit (Includes goods transported, the vehicle transporting the goods and any civil responsibility deriving therefrom. Does not include national transport (cabotage))	Brokers of insurance for international maritime transport, international commercial aviation and goods in international transit must be enrolled in the Register maintained by the SVS and fulfill the requirements established by the SVS. Only legal persons legally constituted in Chile for this specific purpose may provide this service.	None

Administration of voluntary pension savings plans ( <i>Planes de Ahorro Previsional Voluntario</i> ) through life insurance	Unbound with respect to subparagraph 2(e) of Article 119. The voluntary pension savings plans may only be offered by life insurance companies constituted in Chile in accordance with the terms and conditions set out above regarding establishment for the provision of direct insurance services. Those plans and associated policies must have prior authorization from the SVS.	None
Reinsurance and retrocession (Includes reinsurance brokers)	Reinsurance and retrocession services are provided by reinsurance corporations and branches constituted in Chile in accordance with the provisions of the law on corporations and authorized by the SVS. Insurance corporations may also provide reinsurance and retrocession services as a complement to their insurance business if their articles of association so allow.  Reinsurance and retrocession services may also be provided by foreign reinsurers and foreign reinsurance brokers enrolled in the Register maintained by the SVS.	None
Claim settlement services	Claim settlement services may be offered directly by insurance companies constituted in Chile or by legal persons constituted in Chile and registered with the SVS.	None
Auxiliary insurance services (Includes only consultancy, actuarial services and risk assessment)	Auxiliary insurance services may only be provided by legal persons constituted in Chile and registered with the SVS.	None

## c) Securities services:

1. Publicly offered securities may be traded by legal persons whose sole purpose is securities brokerage, either as members of a stock exchange (stockbrokers) or outside the stock exchange (securities agents), and they must be registered with the SVS. However, only stockbrokers may trade shares or their derivatives (subscription options) on the stock exchange. Non-share securities may be traded by stockbrokers or securities agents registered with the SVS.
2. The purpose of financial portfolio management is to diversify investments, on behalf of third parties, over a range of instruments and may be provided by securities intermediaries (stockbrokers and securities agents) as a complementary activity for their clients.
3. Publicly offered securities risk rating services are provided by rating agencies constituted for the sole purpose of rating publicly offered securities, and they must be enrolled in the Register of Risk Rating Agencies (*Registro de Entidades Clasificadoras de Riesgo*) maintained by the SVS. They are inspected and controlled by the SVS. On the other hand, the inspection of rating agencies with respect to the rating of securities issued by banks and financial companies is the responsibility of the SBIF.
4. Securities custody consists of the physical safe-keeping of securities' certificates and may be undertaken by securities intermediaries (stockbrokers and securities agents) as an activity complementary to their sole purpose which is securities brokerage. It may also be undertaken by entities that provide depository and custodial services for securities which should be constituted as special corporations with the sole purpose of receiving in deposit publicly offered securities from entities authorized by law and to facilitate operations for the transfer of such securities (centralized securities depositories (*depósitos centralizados de valores*)).
5. Financial advisory services, which involve giving financial advice on financing alternatives, investment appraisal, investment possibilities, and debt rescheduling strategies may be undertaken by securities intermediaries (stockbrokers and securities agents) as an activity complementary to their sole purpose which is securities brokerage.
6. Securities services that may be provided by banking institutions either directly or through subsidiaries are listed in the banking services sub-sector of this Schedule and are excluded from the securities services section of this Schedule.
7. The service of managing third parties' funds may be undertaken by the following:
  - (a) mutual funds management companies, those corporations whose sole purpose is the management of mutual funds;



<p>(b) investment funds management companies, those corporations whose sole purpose is the management of investment funds. Without prejudice to the above, those corporations may also manage foreign capital investment funds;</p> <p>(c) foreign capital investment funds management companies, those corporations whose sole purpose is the management of foreign capital investment funds. The capital brought into those funds may be remitted abroad only after five years from the date on which the capital contribution was made; or</p> <p>(d) general funds management companies, those corporations created for the purpose of managing mutual funds, investment funds, foreign capital investment funds, housing funds or any other fund supervised by the SVS.</p> <p>8. The service of clearing houses for stock exchange derivative products may be undertaken by corporations constituted in Chile with that sole purpose. They have the purpose of being the counterpart for all purchases and sales of contracts for futures, securities options and others of similar nature authorized by the SVS.</p>		
Intermediation of publicly offered securities, except shares of corporations (CPC 81321) (Includes subscription and placement as agents (underwriting))	Brokerage activities must be supplied through a legal person constituted in Chile and require prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS. In addition to the legal requirement concerning patrimony, the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply.	None

Intermediation of publicly offered shares of corporations (CPC 81321) (Includes subscription and placement as agents (underwriting))	In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as a legal person in Chile. They must acquire a share in the respective stock exchange and be accepted as members of this exchange. Prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS is required for brokerage activities. In addition to the legal requirement concerning patrimony, the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply.	None
Operations in stock exchange derivatives authorized by the SVS (Includes only dollar and interest rate futures, and options on shares. Shares must fulfill the requirements established by the respective clearing house (Cámara de compensación))	In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as legal persons in Chile. They must acquire a share in their respective stock exchange and be accepted as members of this exchange. Prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS is required for brokerage activities. In addition to the legal requirement concerning patrimony, the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply.	None

Trading in metals on the stock exchange (Includes only gold and silver)	Trading in gold and silver may be carried out by stockbrokers on their own account and for third parties in the stock exchange in accordance with stock exchange regulations. In order to trade on the stock exchange, intermediaries (stockbrokers) must be constituted as legal persons in Chile. They must acquire a share in their respective stock exchange and be accepted as members of this exchange. Prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS is required for brokerage activities. In addition to the legal requirement concerning patrimony, the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply.	None
Securities risk rating (Relates solely to rating or giving an opinion on publicly offered securities)	In order to offer the service of securities risk rating, providers must be constituted in Chile as a partnership ( <i>sociedad de personas</i> ). One of the specific requirements to be fulfilled is that not less than 60 percent of the partnership's capital must be held by the principal partners (natural or legal persons in this line of business holding a minimum of 5 percent of the membership rights in the partnership). They must enroll in the register of risk rating agents maintained by the SVS.	None

Securities custody undertaken by securities intermediaries (CPC 81319) (Does not include the services offered by suppliers who combine custody, securities clearance and settlement (securities depositories ( <i>Depósitos de Valores</i> )))	For securities custody, intermediaries (stockbrokers and agents) must be constituted in Chile as a legal person. In addition to the legal requirement concerning patrimony, the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply.	None
Custody undertaken by entities for the deposit and custody of securities	Entities for the deposit and custody of securities must be constituted in Chile as corporations set up for that sole purpose and require authorization from the SVS.	None
Financial advisory services supplied by securities intermediaries (CPC 81332) (Financial advice refers only to the securities services included in this Schedule)	Financial advisory services supplied by securities intermediaries constituted as legal persons in Chile, require prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS. In addition to the legal requirement concerning patrimony, the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply.	None

Financial portfolio management supplied by security intermediaries (Does not under any circumstances include management of mutual funds, foreign capital investment funds, investment funds and pension funds.)	Financial portfolio management services supplied by securities intermediaries constituted as legal persons in Chile, require prior enrolment in the Register of stockbrokers and securities agents maintained by the SVS. In addition to the legal requirement concerning patrimony, the SVS may impose more stringent non-discriminatory requirements regarding economic solvency on intermediaries, taking into account the nature of their operations, the amounts involved, the type of instrument negotiated, and the category of intermediaries to which they apply.	None
<p>Management of funds of third parties performed by: (Does not under any circumstances include management of pension funds and voluntary pension savings plans (<i>Planes de Ahorro Previsional Voluntario</i>))</p> <ul style="list-style-type: none"> <li>i) mutual funds management companies;</li> <li>ii) investment funds management companies;</li> <li>iii) foreign capital investment funds management companies; or</li> <li>iv) general funds management companies</li> </ul>	The fund management service may be carried out by corporations set up for that sole purpose or by a general funds management companies, constituted in Chile, with authorization from the SVS. Foreign capital investment funds may also be managed by investment funds management companies.	None, except for foreign capital investment funds referred to in Law 18.657 in which the capital contributed may not be remitted abroad until five years from the date in which the contribution was made.

Management of voluntary pension savings plans ( <i>Planes de Ahorro Previsional Voluntario</i> )	Unbound with respect to subparagraph 2(e) of Article 119. The voluntary savings plans may only be offered by mutual funds, investment funds managers and general funds managers constituted in Chile in accordance with the terms and conditions set out above regarding establishment for the provision of fund management service. Those plans must have prior authorization from the SVS.	None
Service of clearing houses for derivatives (contracts for futures and options on securities)	Clearing houses for futures contracts and options on securities must be constituted in Chile as corporations for that sole purpose and with an authorization from the SVS. They may only be constituted by stock exchanges and their stockbrokers.	None
General deposit warehouses (warrants) (Corresponds to merchandise warehousing services accompanied by the issue of a deposit certificate and a chattel mortgage receipt ( <i>Vale de Prenda</i> ).)	Provision of warrant services may be carried out only by legal persons duly constituted in Chile who have the supply of warrant services as their sole purpose.	None
d) Other financial services		
Provision and transfer of financial information and financial data processing and related software by suppliers of other financial services	None	None

附属書十一(第十章関係) 第二百二十条1に関する表

日本国の表

注釈

1 第二百二十条1の規定による表への記載は、適用される範囲内で、特定の約束に係る表への記載のための指針(二千一年三月二十八日付けの世界貿易機関文書S/L/第九十二号)に従ったものである。ただし、当該指針は、法的拘束力を有するものと解してはならない。

2 日本国は、第二百二十八条(b)(i)に定義する国境を越える金融サービスの貿易に関してのみ、第二百二十条1の規定による約束を行う。

分野又は小分野	制限及び条件
A 保険及び保険関連のサービス	次に掲げるもの及びこれらのものから生ずる責任に係る保険契約については、原則として業務上の拠点が必要である。 (i) 海上運送、商業航空並びに宇宙空間への打上げ及び運送貨物(衛星を含む)。当該保険は、運送される貨物及び貨物を運送する手段並びにこれらのものから生ずる責任のいずれか又はすべてを対象とする。 (ii) 国際間の運送中の貨物 再保険及び再々保険並びに第二百二十八条(e)(i)(D)に規定する保険の補助的なサービス

Annex 11  
referred to in Chapter 10

Schedule in relation to paragraph 1 of Article 120

Schedule of Japan

Introductory Note

1. The scheduling under paragraph 1 of Article 120 follows the Guidelines for the Scheduling of Specific Commitments (WTO Document S/L/92, March 28, 2001), as applicable. The Guidelines shall not, however, be construed as being legally binding.

2. Japan undertakes commitments under paragraph 1 of Article 120 only with respect to the cross-border trade in financial services as defined in subparagraph (b)(i) of Article 128.

Sector or sub-sector	Terms and conditions
A. Insurance and Insurance-Related Services	
Insurance of risks relating to:  (i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and  (ii) goods in international transit  Reinsurance and retrocession and the services auxiliary to insurance as referred to in subparagraph (e)(i)(D) of Article 128	None except that:  commercial presence is in principle required for insurance contracts on the following items and any liability arising therefrom:  (a) goods being transported within Japan; and  (b) ships of Japanese registration which are not used for international maritime transport; and  commercial presence is required for insurance intermediation services in Japan.

チリとの経済連携協定

<p>B 銀行サービスその他の金融サービス（保険及び保険関連のサービスを除く。）</p> <p>第二百二十八条(e)(ii)(K)に規定する金融情報の提供及び移転並びに金融データの処理並びに第二百二十八条(e)(ii)(L)に規定する銀行サービスその他の金融サービスについての助言その他の補助的な金融サービス（仲介を除く。）</p>	<p>投資一任契約に係るサービスについては、業務上の拠点が必要である。</p>
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（チリの表は省略）

B. Banking and Other Financial Services (excluding Insurance and Insurance-Related Services)	
<p>Provision and transfer of financial information and financial data processing as referred to in subparagraph (e) (ii) (K) of Article 128 and advisory and other auxiliary services, excluding intermediation, relating to banking and other financial services as referred to in subparagraph (e) (ii) (L) of Article 128</p>	<p>None except that commercial presence is required for discretionary investment management services.</p>

## Schedule of Chile

## Introductory Note

1. Chile's specific commitments in this Schedule are taken in accordance with paragraph 1 of Article 120 and subparagraph (b) (i) of Article 128.
2. For purposes of national treatment, Chile shall accord to cross-border financial service suppliers of Japan treatment no less favorable than that it accords to its own financial service suppliers, in like circumstances, with respect to the supply of the relevant service.
3. Chile reserves the right of the Central Bank of Chile (*Banco Central de Chile*) to maintain or adopt measures in conformity with Law 18.840, Constitutional Organic Law of the Central Bank of Chile (*Ley 18.840, Ley Orgánica Constitucional del Banco Central de Chile*) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, *inter alia*, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (*encaje*). Notwithstanding the above, the reserve requirement that the Central Bank of Chile can apply pursuant to Article 49 N° 2 of Law 18.840, shall not exceed 30 percent of the amount transferred and shall not be imposed for a period which exceeds two years. When applying measures under this Annex, Chile, as established in its legislation, shall not discriminate between Japan and any third country with respect to transactions of the same nature.

Sector or sub-sector	Terms and conditions
Insurance and insurance-related services	
a) Insurance of risk relating to:	The sale of such insurance may only be offered by insurance companies which include this category of risks in their business and are supervised in their country of origin as such.

(i) international maritime transport and international commercial aviation, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods, and any liability deriving therefrom; and.	
(ii) goods in international transit	
b) Brokerage of insurance of risks relating to subparagraphs a) (i) and a) (ii)	To intermediate these types of insurance, brokers must be legal persons supervised in their country of origin.
c) Reinsurance and retrocession; reinsurance brokerage	Foreign reinsurance companies and foreign reinsurance brokers must be enrolled in the register of foreign insurers maintained by the SVS and fulfill the requirements established by the SVS. Foreign reinsurance brokers shall designate a representative in Chile to represent them with broad powers. The representative may be subject to summons and must have residence in Chile. Premiums ceded under this heading are subject to a 6 percent tax. In the case of the types of insurance covered in Decree Law 3.500 ( <i>Decreto Ley 3.500</i> ), involving the cession of reinsurance to foreign reinsurers, the deduction for reinsurance cannot exceed 40 percent of the total of the technical reserves associated with those types of insurance or a higher percentage if set by the SVS.
d) Consultancy, actuarial and risk assessment services	None

Banking and other financial services (excluding insurance )	
a) Provision and transfer of financial information as described in subparagraph (e) (ii) (K) of Article 128	None
b) Financial data processing as described in subparagraph (e) (ii) (K) of Article 128	Financial data processing is allowed subject to prior authorization from the relevant regulator, as required. Where the financial information or financial data processing involves personal data, the treatment of such personal data shall be in accordance with Chilean law regulating the protection of such data.
c) Advisory and other auxiliary financial services, excluding intermediation and credit reference and analysis, relating to banking and other financial services as described in subparagraph (e) (ii) (L) of Article 128	Chile's commitments on cross-border investment advisory services shall not, in and of themselves, be construed to require Chile to permit the public offering of securities, as defined under its relevant law, in Chile by cross-border suppliers of Japan who supply or seek to supply such investment advisory services. Chile may subject the cross-border suppliers of investment advisory services to regulatory and registration requirements.

附屬書十二(第十章程関係) 第二百二十条2に関する表

日本国の表

注釈

第二百二十条2の規定による表への記載は、適用される範囲内で、特定の約束に係る表への記載のための指針(二千一年三月二十八日付けの世界貿易機関文書S/L/第九十二号)に従ったものである。ただし、当該指針は、法的拘束力を有するものと解してはならない。

分野又は小分野	制限及び条件
<p>A 保険及び保険関連のサービス</p> <p>次の事項に関連する危険に対する保険</p> <p>(i) 海上運送、商業航空並びに宇宙空間への打上げ及び運送貨物(衛星を含む)。当該保険は、運送される貨物及び貨物を運送する手段並びにこれらのものから生ずる責任のいずれか又はすべてを対象とする。</p> <p>(ii) 国際間の運送中の貨物</p> <p>再保険及び再々保険並びに第二百二十八条(e)(i)(D)に規定する保険の補助的なサービス</p> <p>B 銀行サービスその他の金融サービス(保険及び保険関連のサービスを除く。)</p> <p>第二百二十八条(e)(ii)(A)から(L)までに規定する金融サービス</p>	<p>次に掲げるもの及びこれらのものから生ずる責任に係る保険契約については、原則として業務上の提点が必要である。</p> <p>(a) 日本国内で運送される貨物</p> <p>(b) 国際海上運送に使用されない日本国の船舶の船舶</p> <p>日本国において保険仲介サービスを行う場合には、業務上の提点が必要である。</p> <p>制限しない。</p>

(チリの表は省略)

チリとの経済連携協定

Annex 12  
 referred to in Chapter 10

Schedule in relation to paragraph 2 of Article 120

Schedule of Japan

Introductory Note

The scheduling under paragraph 2 of Article 120 follows the Guidelines for the Scheduling of Specific Commitments (WTO Document S/L/92, March 28, 2001), as applicable. The Guidelines shall not, however, be construed as being legally binding.

Sector or sub-sector	Terms and conditions
A. Insurance and Insurance-Related Services	
<p>Insurance of risks relating to:</p> <p>(i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and</p> <p>(ii) goods in international transit</p> <p>Reinsurance and retrocession and the services auxiliary to insurance as referred to in subparagraph (e) (i) (D) of Article 128</p>	<p>None except that:</p> <p>commercial presence is in principle required for insurance contracts on the following items and any liability arising therefrom:</p> <p>(a) goods being transported within Japan; and</p> <p>(b) ships of Japanese registration which are not used for international maritime transport; and</p> <p>commercial presence is required for insurance intermediation services in Japan.</p>
B. Banking and Other Financial Services (excluding Insurance and Insurance-Related Services)	
Financial services as referred to in subparagraphs (e) (ii) (A) through (L) of Article 128	None



Schedule of Chile

Introductory Note

Chile reserves the right of the Central Bank of Chile (Banco Central de Chile) to maintain or adopt measures in conformity with Law 18.840, Constitutional Organic Law of the Central Bank of Chile (*Ley 18.840, Ley Orgánica Constitucional del Banco Central de Chile*) or other legislation, in order to ensure currency stability and the normal operation of domestic and foreign payments. For this purpose, the Central Bank of Chile is empowered to regulate the supply of money and credit in circulation and international credit and foreign exchange operations. The Central Bank of Chile is empowered as well to issue regulations governing monetary, credit, financial, and foreign exchange matters. Such measures include, *inter alia*, the establishment of restrictions or limitations on current payments and transfers (capital movements) to or from Chile, as well as transactions related to them, such as requiring that deposits, investments or credits from or to a foreign country, be subject to a reserve requirement (*encaje*). Notwithstanding the above, the reserve requirement that the Central Bank of Chile can apply pursuant to Article 49 N° 2 of Law 18.840, shall not exceed 30 percent of the amount transferred and shall not be imposed for a period which exceeds two years. When applying measures under this Annex, Chile, as established in its legislation, shall not discriminate between Japan and any third country with respect to transactions of the same nature.

Sector or sub-sector	Terms and conditions
Insurance and insurance-related services	
a) Insurance of risk relating to:	The sale of such insurance may only be offered by insurance companies which include this category of risks in their business and are supervised in their country of origin as such.
(i) international maritime transport and international commercial aviation, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods, and any liability deriving therefrom; and	
(ii) goods in international transit	
b) Brokerage of insurance of risks relating to subparagraphs a) (i) and a) (ii)	To intermediate these types of insurance, brokers must be legal persons supervised in their country of origin.

c) Reinsurance and retrocession; reinsurance brokerage	Foreign reinsurance companies and foreign reinsurance brokers must be enrolled in the register of foreign insurers maintained by the SVS and fulfill the requirements established by the SVS. Foreign reinsurance brokers shall designate a representative in Chile to represent them with broad powers. The representative may be subject to summons and must have residence in Chile. Premiums ceded under this heading are subject to a 6 percent tax. In the case of the types of insurance covered in Decree Law 3.500 ( <i>Decreto Ley 3.500</i> ), involving the cession of reinsurance to foreign reinsurers, the deduction for reinsurance can not exceed 40 percent of the total of the technical reserves associated with those types of insurance or a higher percentage if set by the SVS.
d) Consultancy, actuarial and risk assessment services	None
Banking and other financial services (excluding insurance)	
a) Provision and transfer of financial information as described in subparagraph (e) (ii) (K) of Article 128	None
b) Financial data processing as described in subparagraph (e) (ii) (K) of Article 128	Financial data processing is allowed subject to prior authorization from the relevant regulator, as required. Where the financial information or financial data processing involves personal data, the treatment of such personal data shall be in accordance with Chilean law regulating the protection of such data.

c) Advisory and other auxiliary financial services, excluding intermediation and credit reference and analysis, relating to banking and other financial services as described in subparagraph (e)(ii)(L) of Article 128	Chile's commitments on cross-border investment advisory services shall not, in and of themselves, be construed to require Chile to permit the public offering of securities, as defined under its relevant law, in Chile by cross-border suppliers of Japan who supply or seek to supply such investment advisory services. Chile may subject the cross-border suppliers of investment advisory services to regulatory and registration requirements.
d) Services described in subparagraphs (e)(ii)(A) through (J) of Article 128	The purchase of financial services, by persons located in Chile from financial services suppliers of Japan shall be subject to the exchange rate regulations adopted or maintained by the Central Bank of Chile ( <i>Banco Central de Chile</i> ) in accordance with Law 18.840.

チリとの経済連携協定

附属書十三（第十一章関係） 商用目的での国民の入国及び一時的な滞在に関する区分

三（第十  
一章関係）

商用目的  
の国民的  
入国の及  
び滞在の  
ための関  
分する区

第一節 商用訪問者

1 業務連絡（物品又はサービスの販売のための交渉を含む。）その他これに類似する活動（一方の締約国において投資財産を設立するための準備活動を含む。）に参加するため、一方の締約国内から報酬を得ることなく、かつ、一般公衆に対する直接の販売に従事せず、又は自らサービスの提供に従事することなく一方の締約国に滞在する他方の締約国の国民については、付録二の規定に従い、入国及び一時的な滞在が許可される。

2 1に規定する入国及び一時的な滞在については、次のものを含む入国審査のために必要な文書が提示された場合には、一方の締約国の国民に対し、労働の許可の取得を要求することなく、許可する。ただし、当該国民が、入国及び一時的な滞在について適用される他方の締約国の出入国管理に関する法令であつて、第十一章の規定に反しないものに従うことを条件とする。

- (a) 当該一方の締約国の国籍を有していることを証明するもの
- (b) 当該国民が1にいう業務活動に従事することを証明する文書
- (c) 当該国民が国内の雇用市場への参入を求めないことを証明する証拠
- 3 一方の締約国は、他方の締約国の国民が次の(a)及び(b)の事項を証明することにより2(c)の要件を満たすことを認める。
  - (a) 予定されている業務活動の報酬の源泉が、当該一方の締約国の国外にあること。
  - (b) 業務を行う主たる場所及び利得が実際に帰属する場所が、主として当該一方の締約国の国外にあること。

Annex 13  
referred to in Chapter 11

Categories of Entry and Temporary Stay of Nationals  
for Business Purposes

Section 1  
Business Visitors

1. In accordance with the provisions of Appendix 1, entry and temporary stay shall be granted to nationals of a Party who will stay in the other Party, without acquiring remuneration from within the other Party and without engaging in making direct sales to the general public or in supplying services themselves, for the purposes of participating in business contacts including negotiations for the sale of goods or services, or other similar activities including those to prepare for establishing investments in the other Party.

2. Entry and temporary stay referred to in paragraph 1 shall be granted to nationals of a Party, without requiring the nationals to obtain an authorization to work, provided that the nationals comply with the immigration laws and regulations of the other Party applicable to entry and temporary stay which are not inconsistent with the provisions of Chapter 11, on presentation of necessary documents for immigration examination including:

- (a) proof of nationality of the former Party;
- (b) documentation demonstrating that the nationals will be engaged in the business activities specified in paragraph 1; and
- (c) evidence demonstrating that the nationals are not seeking to enter in the domestic employment market.
- 3. A Party shall provide that nationals of the other Party may satisfy the requirements of subparagraph 2 (c) by demonstrating that:
  - (a) the source of remuneration for the proposed business activity is outside the former Party; and
  - (b) the principal place of business and the actual place of accrual of profits, predominantly, remain outside the former Party.

4 締約国は、業務を行う主たる場所及び利得が実際に帰属する場所について、口頭による申告を受理することが出来る。締約国は、更なる証明を要求する場合には、原則として、これらの事項を証明する雇用者からの書簡を十分な証拠であると認める。

5 いずれの締約国も、次の事項を行ってはならない。

(a) 1の規定に基づく入国及び一時的な滞在の条件として、事前承認の手続又は同様の効果を有する他の手続を要求すること。

(b) 1の規定に基づく入国及び一時的な滞在に関して数量制限を課し、又は維持すること。

6 一方の締約国は、5の規定にかかわらず、1の規定に基づく入国及び一時的な滞在を求める他方の締約国の国民に対し、入国前に査証又はこれに相当するものを取得することを要求することがある。

## 第二節 企業内転勤者

1 一方の締約国の国民（他方の締約国への入国及び当該他方の締約国における一時的な滞在に係る申請を行った日の直前の一年以上の期間にわたり、当該他方の締約国においてサービスを提供する企業又は当該他方の締約国において投資を行う企業によって雇用されているものに限る。）であつて、当該他方の締約国における当該企業の支店若しくは代表事務所に移転するもの又は当該企業が所有し、若しくは支配し、若しくは当該企業と関連し、かつ、当該他方の締約国において設立され、若しくは組織される企業に移転するものは、付録1の規定に従い、入国及び一時的な滞在が許可される。ただし、当該国民が、次のいずれかの活動に従事することを条件とする。

(a) 長として支店又は代表事務所を管理する活動

(b) 役員又は監査役として企業を管理する活動

(c) 企業の一又は二以上の部門を管理する活動

(d) 物理学、工学その他の自然科学に関する高度の水準の技術又は知識を必要とする活動

4. A Party may accept an oral declaration as to the principal place of business and the actual place of accrual of profits. Where the Party requires further proof, it shall normally consider a letter from the employer attesting to these matters as sufficient proof.

5. Neither Party shall:

(a) as a condition for entry and temporary stay under paragraph 1, require prior approval procedures or other procedures of similar effect; or

(b) impose or maintain any quantitative restriction relating to entry and temporary stay under paragraph 1.

6. Notwithstanding paragraph 5, a Party may require nationals of the other Party seeking entry and temporary stay under paragraph 1 to obtain a visa or its equivalent prior to entry.

## Section 2

### Intra-corporate Transferees

1. In accordance with the provisions of Appendix 1, entry and temporary stay shall be granted to nationals of a Party who have been employed by an enterprise that supplies services or invests in the other Party, for a period not less than one year immediately preceding the date of their application for the entry and temporary stay in the other Party, and who are being transferred to its branch or representative office in the other Party, or another enterprise constituted or organized in the other Party owned or controlled by or affiliated with the former enterprise, provided that the nationals will be engaged in activities:

(a) to direct the branch or representative office as its head;

(b) to direct the latter enterprise as its board member or auditor;

(c) to direct one or more departments of the latter enterprise;

(d) which require technology or knowledge at an advanced level pertinent to physical sciences, engineering or other natural sciences; or

チリとの経済連携協定

(e) 法律学、経済学、経営学、会計学その他の人文科学に関する高度の水準の知識を必要とする活動又は当該他方の締約国以外の国の文化に基盤を有する思考若しくは感受性を必要とする活動

注釈 1 この 1 の規定の適用上、企業が他の企業と「関連」するとは、当該他の企業が、当該企業の財務及び営業又は事業の方針の決定に対して重要な影響を与えることができる場合をいう。

注釈 2 この 1 (d) 又は (e) に規定する自然科学又は人文科学に関する高度の水準の技術又は知識を必要とする活動とは、この 1 に規定する国民が、原則として大学教育（学士）又はそれ以上の教育を修了することによって得た自然科学又は人文科学の専門的な技術又は知識を用いることなく従事することができない活動をいう。

2 1 に規定する入国及び一時的な滞在については、一方の締約国の国民に対し、許可する。ただし、当該国民が、入国及び一時的な滞在について適用される他方の締約国の出入国管理に関する法令であつて、第十一章の規定に反しないものに従うことを条件とする。

3 いずれの締約国も、1 の規定に基づく入国及び一時的な滞在に関して数量制限を課し、又は維持してはならない。

4 一方の締約国は、1 の規定に基づく入国及び一時的な滞在を求める他方の締約国の国民に対し、入国前に査証又はこれに相当するものを取得することを要求することができる。

第三節 投資家

1 次のいずれかの活動に従事する一方の締約国の国民については、付録 1 の規定に従い、入国及び一時的な滞在が許可される。

(a) 他方の締約国における事業に投資して、その経営を行う活動

(b) 他方の締約国の者以外の者であつて、当該他方の締約国における事業に投資しているものに代わつて、その経営を行う活動

(e) which require knowledge at an advanced level pertinent to human science including jurisprudence, economics, business management and accounting, or which require ideas and sensitivity based on culture of a country other than the other Party.

Note 1: For the purposes of paragraph 1, an enterprise is "affiliated" with another enterprise if the latter can significantly affect the decision making of the former on finance and business policy.

Note 2: Activities which require technology or knowledge at an advanced level pertinent to natural or human sciences referred to in subparagraph (d) or (e) mean activities in which the nationals may not be able to be engaged without the application of specialized technology or knowledge of natural or human sciences acquired by them, in principle, by completing college education (i.e. bachelor's degree) or higher education.

2. Entry and temporary stay referred to in paragraph 1 shall be granted to nationals of a Party, provided that the nationals comply with the immigration laws and regulations of the other Party applicable to entry and temporary stay which are not inconsistent with the provisions of Chapter 11.

3. Neither Party shall impose or maintain any quantitative restriction relating to entry and temporary stay under paragraph 1.

4. A Party may require nationals of the other Party seeking entry and temporary stay under paragraph 1 to obtain a visa or its equivalent prior to entry.

Section 3  
Investors

1. In accordance with the provisions of Appendix 1, entry and temporary stay shall be granted to nationals of a Party who will be engaged in the following activities:

(a) activities to invest in business in the other Party and manage such business;

(b) activities to manage business in the other Party on behalf of a person other than that of the other Party who has invested in such business; or

- (c) 他方の締約国における事業であつて、当該他方の締約国の者以外の者が投資しているものの管理
- 2 1に規定する入国及び一時的な滞在については、一方の締約国の国民に対し、許可する。ただし、当該国民が、入国及び一時的な滞在について適用される他方の締約国の出入国管理に関する法令であつて、第十一章の規定に反しないものに従うことを条件とする。
  - 3 いずれの締約国も、1の規定に基づく入国及び一時的な滞在に関して数量制限を課し、又は維持してはならない。
  - 4 一方の締約国は、1の規定に基づく入国及び一時的な滞在を求める他方の締約国の国民に対し、入国前に査証又はこれに相当するものを取得すること并要求することができる。

第四節 一方の締約国の国民であつて、他方の締約国にある公私の機関との間の個人的な契約に基づいて専門的な業務活動に従事するもの

- 1 付録二に定める一方の締約国の国民は、付録一の規定に従い、入国及び一時的な滞在が許可される。ただし、当該国民が、入国及び一時的な滞在について適用される他方の締約国の出入国管理に関する法令であつて、第十一章の規定に反しないものに従うことを条件とする。
- 2 いずれの締約国も、1の規定に基づく入国及び一時的な滞在に関して数量制限を課し、又は維持してはならない。
- 3 一方の締約国は、1の規定に基づく入国及び一時的な滞在を求める他方の締約国の国民に対し、入国前に査証又はこれに相当するものを取得すること并要求することができる。

- (c) conduct of business in the other Party in which a person other than that of the other Party has invested.

2. Entry and temporary stay referred to in paragraph 1 shall be granted to nationals of a Party, provided that the nationals comply with the immigration laws and regulations of the other Party applicable to entry and temporary stay which are not inconsistent with the provisions of Chapter 11.
3. Neither Party shall impose or maintain any quantitative restriction relating to entry and temporary stay under paragraph 1.
4. A Party may require nationals of the other Party seeking entry and temporary stay under paragraph 1 to obtain a visa or its equivalent prior to entry.

Section 4  
Nationals of a Party who Engage  
in Professional Business Activities  
on the Basis of a Personal Contract with a Public  
or Private Organization in the Other Party

1. In accordance with the provisions of Appendix 1, entry and temporary stay shall be granted to nationals of a Party specified in Appendix 2, provided that the nationals comply with the immigration laws and regulations of the other Party applicable to entry and temporary stay which are not inconsistent with the provisions of Chapter 11.
2. Neither Party shall impose or maintain any quantitative restriction relating to entry and temporary stay under paragraph 1.
3. A Party may require nationals of the other Party seeking entry and temporary stay under paragraph 1 to obtain a visa or its equivalent prior to entry.

付録一

Appendix 1

- 1 日本国については、次のとおりとする。
  - (a) 第一節に規定する入国及び一時的な滞在については、チリの国民は、九十日間（この期間は、更新することができる。）の滞在が許可される。
  - (b) 第二節から第四節までに規定する入国及び一時的な滞在については、チリの国民は、一年間又は三年間（この期間は、更新することができる。）の滞在が許可される。
- 2 チリについては、次のとおりとする。
  - (a) この附属書に規定するいずれの区分においてチリに入国する日本国の国民についても、国の利益となる活動に従事するものとみなされる。
  - (b) 第一節に規定する入国及び一時的な滞在については、日本国の国民は、九十日間（この期間は、更新することができる。）の滞在が許可される。
  - (c) 第二節から第四節までに規定する入国及び一時的な滞在については、一年間を超えない一時的な滞在のための査証が発給される。当該査証は、その基礎となった条件が引き続き効力を有していることを条件として、日本国の国民に対し永続的な居住を申請することなく、その後の期間について更新される。
  - (d) チリに入国する日本国の国民は、外国人用の身分証明書を取得することができる。

1. With respect to Japan:
  - (a) for the purposes of entry and temporary stay as set out in Section 1 of Annex 13, a stay of 90 days, which may be extended, shall be granted to nationals of Chile; and
  - (b) for the purposes of entry and temporary stay as set out in Sections 2, 3 and 4 of Annex 13, a stay of one or three years, which may be extended, shall be granted to nationals of Chile.
2. With respect to Chile:
  - (a) nationals of Japan who enter Chile under any of the categories set out in Annex 13 shall be deemed to be engaged in activities which are in the country's interest.
  - (b) for the purposes of entry and temporary stay as set out in Section 1 of Annex 13, a stay of 90 days, which may be extended, shall be granted to nationals of Japan;
  - (c) for the purposes of entry and temporary stay as set out in Sections 2, 3 and 4 of Annex 13, a temporary visa shall be issued up to one year, and shall be extended for subsequent periods provided the conditions on which it is based remain in effect, without requiring the nationals to apply for permanent residence; and
  - (d) nationals of Japan who enter Chile may also obtain an identity card for foreigners.

付録二

1 第四節の規定の適用上、日本国は、日本国にある公私の機関との間の個人的な契約に基づき日本国に一時的に滞在する間に、次のいずれかの専門的な業務活動に従事するナリの国民に対し、入国及び一時的な滞在を許可する。

(a) 物理学、工学その他の自然科学に関する高度の水準の技術又は知識を必要とする活動

(b) 法律学、経済学、経営学、会計学その他の人文科学に関する高度の水準の知識を必要とする活動又は日本国以外の国の文化に基盤を有する思考若しくは感受性を必要とする活動

注釈 1 この1(a)及び(b)に規定する活動は、それぞれ、出入国管理及び難民認定法（昭和二十六年政令第三百十九号）でその範囲が定められている「技術」及び「人文知識・国際業務」の在留資格に基づくものとする。

注釈 2 この1(a)又は(b)に規定する自然科学又は人文科学に関する高度の水準の技術又は知識を必要とする活動とは、この1に規定する国民が、原則として大学教育（学士）又はそれ以上の教育を修了することによって得た自然科学又は人文科学の専門的な技術又は知識を用いることなく従事することができない活動をいう。

2 第四節の規定の適用上、ナリは、専門家若しくは高度な技術者として業務活動に従事し、又は特定の職業に関連する研修に係る職務（セミナーの運営を含む。）を遂行することを求める日本国の国民に対し、入国及び一時的な滞在を許可する。ただし、当該国民が次のものを提示することを条件とする。

- (a) 日本国の国籍を有していることを証明するもの
- (b) 当該国民が当該業務活動に従事し、又は当該職務を遂行することを証明し、及び入国の目的を記述する文書

ナリとの経済連携協定

Appendix 2

1. For the purposes of Section 4 of Annex 13, Japan shall grant entry and temporary stay to nationals of Chile who will be engaged in the following professional business activities during their temporary stay in Japan on the basis of a personal contract with a public or private organization in Japan:

(a) activities which require technology or knowledge at an advanced level pertinent to physical sciences, engineering or other natural sciences; or

(b) activities which require knowledge at an advanced level pertinent to human science including jurisprudence, economics, business management and accounting, or which require ideas and sensitivity based on culture of a country other than Japan.

Note 1: The activities referred to in subparagraphs (a) and (b) respectively shall be those under the status of residence of "Engineer" and "Specialist in Humanities/International Services", whose scope is provided for in the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951).

Note 2: Activities which require technology or knowledge at an advanced level pertinent to natural or human sciences referred to in subparagraph (a) or (b) mean activities in which the nationals may not be able to be engaged without the application of specialized technology or knowledge of natural or human sciences acquired by them, in principle, by completing college education (i.e. bachelor's degree) or higher education.

2. For the purposes of Section 4 of Annex 13, Chile shall grant entry and temporary stay to nationals of Japan seeking to be engaged in a business activity as a professional or as a higher level technician, or to perform training functions related to a particular profession, including conducting seminars, on presentation of:

- (a) proof of nationality of Japan;
- (b) documentation demonstrating that the nationals will be so engaged and describing the purpose of entry;



チリとの経済連携協定

(c) 関連する最低限度の教育上の要件を達成していることを証明する文書又はこれに代わる証明書

(d) 当該国民が、チリの企業との間で、当該国民の職業に相当する地位で雇用されることをあらかじめ確認したことを証明する文書。この要件は、チリの企業との間の契約書又は当該国民とチリの雇用者との間の雇用に係る申出であつて、受諾されているものを提出することによつて満たされる。

注釈 この2の規定の適用上、「専門家」とは、次の(a)及び(b)の要件を満たす専門的な職業に従事する日本国の国民をいう。

- (a) 専門知識を理論的及び実務的に適用する職業であること。
- (b) 当該職業に就くために、少なくとも四年以上の学習を必要とする大学教育の学位又はこれに相当するものであつて、当該職業の分野に関するものを取得する必要があること。

七四〇

(c) documentation demonstrating the attainment of the relevant minimum educational requirements or alternative credentials; and

(d) evidence of a pre-established employment with an enterprise of Chile, in a position that corresponds to his or her profession. This requirement is met by submitting a contract with an enterprise of Chile or an employment offer between the nationals and an employer of Chile and that such offer has been accepted.

Note: For the purposes of paragraph 2, the term "professional" means a national of Japan who is engaged in a specialty occupation requiring:

- (a) theoretical and practical application of a body of specialized knowledge; and
- (b) attainment of a post secondary degree in the specialty requiring four or more years of study (or the equivalent of such a degree) as a minimum for entry into the occupation.