

PERU'S SCHEDULE OF COMMITMENTS FOR TEMPORARY ENTRY FOR BUSINESS PERSONS

The following sets out Peru's commitments in accordance with Article 12.4 (Grant of Temporary Entry) in respect of the temporary entry of business persons.

Description of Category	Conditions and Limitations (including length of stay)
A. Business Visitors Peru extends its commitments under this category to all Parties that have made commitments under the heading "Business Visitors" or "Service Sales Persons".	
<u>Definition:</u> Business Visitor means a business person seeking to travel to Peru for business purposes, including for: (a) attending meetings or conferences; (b) performing commercial transactions¹, but not selling goods or providing services to the general public; or (c) undertaking business consultations concerning the establishment, expansion or winding up of an enterprise in Peru. The primary source of income for the proposed business activity is outside Peru, and the business person's principal place of business and the actual place of accrual of profits, at least predominantly, remain outside Peru.	Length of Stay: Up to 183 days.

¹ In the case of financial services activities, this Category only includes financial services personnel of an enterprise located in other Party, engaging in financial services, where the provision of such financial services does not require the authorisation of the competent authority of Peru or where Peru has explicitly committed such financial services in Annex 11-A.1 (Cross-Border Trade).

Description of Category	Conditions and Limitations (including length of stay)
B. Intra-Corporate Transferees Peru extends its commitments under this category to all Parties that have made commitments under the heading “Intra-Corporate Transferees”.	
<u>Definition:</u> Intra-Corporate Transferee means a business person employed by an enterprise abroad, who is transferred to Peru for supplying services as an employee² of the headquarters, subsidiary or affiliate of that enterprise, pursuant to a labour contract approved by the Labour Administrative Authority. For purposes of this Category, the business person supplies services as: (a) Executive means a business person within an organisation who primarily directs the management of the organisation, exercises wide latitude in decision-making, and receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the business. (b) Manager means a business person within an organisation who primarily directs the organisation or a department or sub-division of the organisation, supervises, and controls the work of other supervisory, professional or managerial employees, has the authority to hire and fire or take other personnel actions such as promotion or leave authorisation, and exercises discretionary	The labour contract approval by the Labour Administrative Authority implies an evaluation of the following quotas on the hiring of foreigners: (a) foreign natural persons may not represent more than 20 per cent of the total number of employees of an enterprise; and (b) their pay may not exceed 30 per cent of the total payroll for wages and salaries of the enterprise. Length of Stay: <u>Intra-Corporate Transferees:</u> Up to one year, renewable for consecutive periods, the number of times that it is requested, to the extent that the conditions which motivated its granting are maintained. <u>Spouses:</u> The length of stay is subject to Peru’s laws and regulations.

² For greater certainty, the business person transferred shall provide services under subordinate relationship in Peru.

Description of Category	Conditions and Limitations (including length of stay)
authority over day-to-day operations. (c) Specialist means a business person who possesses specialised knowledge of the company's products or services and its application in international markets, or an advanced level of expertise or knowledge of the company's processes and procedures. A specialist may include, but is not limited to, professionals. In accordance with, and subject to Peru's laws and regulations, a spouse of an Intra-corporate transferee shall, upon application, be granted temporary entry, provided that the spouse follows Peru's prescribed application procedures for the relevant immigration formality and meets all relevant eligibility requirements for such temporary entry³.	

³ Such temporary entry does not imply an authorisation to perform the activities allowed under the Category of Intra-Corporate Transferee nor to perform remunerated activities.

Description of Category	Conditions and Limitations (including length of stay)
C. Investors Peru extends its commitments under this category to all Parties that have made commitments under the heading “Independent Executives” or “Persons Responsible for Setting up an Investment”.	
<u>Definition:</u> Investor means a business person seeking to establish or develop an investment in Peru, to which the business person or the business person’s enterprise has committed, or is in the process of committing, a substantial amount of capital, established by the immigration legislation. In accordance with, and subject to Peru’s laws and regulations, a spouse of an Investor shall, upon application, be granted temporary entry, provided that the spouse follows Peru’s prescribed application procedures for the relevant immigration formality and meets all relevant eligibility requirements for such temporary entry⁴.	Length of Stay: <u>Investors:</u> Up to one year, renewable for consecutive periods, the number of times that it is requested, to the extent that the conditions which motivated its granting are maintained. <u>Spouses:</u> The length of stay is subject to Peru’s laws and regulations.

⁴ Such temporary entry does not imply an authorisation to perform the activities allowed under the Category of Investor nor to perform remunerated activities.

Description of Category	Conditions and Limitations (including length of stay)
D. Professionals Peru extends its commitments under this category to all Parties that have made commitments under the heading “Contractual Service Suppliers”, “Professional”, “Independent Professionals”, “Professionals and Technicians”, “Professionals and Technician-Professionals” or “Qualified Professionals”. If a Party reserves the right to impose labour market tests, economic needs test or quantitative restrictions in a specific activity, occupation or sector of the categories listed in the previous paragraph, Peru reserves the same right for the same activity, occupation or sector under the category Professionals with respect to the business persons of the former Party.	
<u>Definition:</u> Professional means a business person seeking to engage, at a professional level, as an independent professional or as a contractual service supplier, in any occupation not included in the following list: (a) Occupations related to Health, Education, Social and Community Services; and (b) Judges, Lawyers and Notaries except foreign legal consultants. The Professional is engaged in a specialty occupation requiring: (a) theoretical and practical application of a body of specialised knowledge; and (b) attainment of a post-secondary degree, requiring five years of study, or the equivalent of such a degree, as a minimum for entry into	Length of Stay:

Description of Category	Conditions and Limitations (including length of stay)
the occupation; and of the appropriate educational and other qualifications relevant to the service to be provided. For purposes of this Category: Independent Professional means a professional who: (a) is a self-employed services supplier who supplies services pursuant a service contract with a person of Peru; and (b) receives his incomes from a person of Peru; and Contractual Service Supplier means a professional who: (a) is engaged in the supply of a contracted service as an employee of a juridical person that has no commercial presence in Peru, where the juridical person obtains a service contract from a juridical person of Peru; and (b) is required to receive no remuneration from a juridical person located in Peru. For greater certainty, contractual service supplier includes a business person who is an installer or servicer of machinery or equipment, where such installation or servicing by the supplying company is a condition of purchase of the said machinery or equipment. An installer or	<u>Independent Professionals</u>: up to one year, renewable for consecutive periods, the number of times that it is requested, to the extent that the conditions which motivated its granting are maintained. <u>Contractual Service Suppliers</u>: up to 90 days, renewable for one year.

Description of Category	Conditions and Limitations (including length of stay)
servicer cannot perform services which are not related to the service activity which is the subject of the contract.	

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E. Technicians Peru extends its commitments under this category to all Parties that have made commitments under the heading “Contractual Service Suppliers”, “Professionals and Technicians”, or “Professionals and Technician-Professionals”. If a Party reserves the right to impose labour market tests, economic needs test or quantitative restrictions in a specific activity, occupation or sector of the categories listed in the previous paragraph, Peru reserves the same right for the same activity, occupation or sector under the category Technicians with respect to the business persons of the former Party.	
<u>Definition:</u> Technician means a business person seeking to engage, at a technical level, as an independent technician or as a contractual service supplier, in any of the following activities: (a) Civil, Electrical, Electronics, Mechanical and Industrial Engineering Technicians; (b) Construction Technicians; (c) Engineering Inspectors, Testers and Regulatory Officers; (d) Supervisors in the following: Machinists and Related Occupations; Printing and Related Occupations; Mining and Quarrying; Oil and Gas Drilling and Service; Mineral and Metal Processing; Petroleum, Gas and Chemical Processing and Utilities; Food, Beverage, and Tobacco	Length of Stay:

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Processing; Plastic and Rubber Products Manufacturing; Forest Products Processing; Textile Processing; (e) Contractors and Supervisors in the following: Electrical Trades and Telecommunications Occupations; Pipefitting Trades; Metal Forming, Shaping and Erecting Trades; Carpentry Trades; Mechanic Trades; Heavy Construction Equipment Crews; Mining and Extraction Equipment Personnel; Other Construction Trades, Installers, Repairers and Servicers; (f) Electricians; (g) Plumbers; (h) Industrial Instrument Technicians and Mechanics; (i) Aircraft Instrument, Electrical, and Avionics Mechanics, Technicians, and Inspectors; (j) Oil and Gas Well Drillers, Servicers and Testers; (k) Graphic Designers and Illustrators; (l) Interior Designers;	

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(m) Chefs; (n) Computer and Information Systems Technicians; (o) Industrial Designers; (p) Drafting Technologists and Technicians; (q) Land Survey Technologists and Technicians; (r) Technical occupations in Geomatics and Meteorology; (s) Architectural Technologists and Technicians; (t) International Purchasing and Selling Agents. The Technician is engaged in a specialty occupation requiring: (a) theoretical and practical application of a body of specialised knowledge; and (b) attainment of a post-secondary degree, requiring three years of study, or the equivalent of such a degree, as a minimum for entry into the occupation; and of the appropriate educational and other qualifications relevant to the service to be provided. For purposes of this Category: Independent Technician means a technician who:	<u>Independent Technicians</u>: up to one year, renewable for consecutive periods, the

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(a) is a self-employed services supplier who supplies services pursuant a service contract with a person of Peru; and (b) receives his incomes from a person of Peru; and Contractual Service Supplier means a technician who: (a) is engaged in the supply of a service, as an employee of a juridical person that has no commercial presence in Peru, where the juridical person obtains a service contract from a juridical person of Peru; and (b) is required to receive no remuneration from a juridical person located in Peru. For greater certainty, contractual service supplier includes a business person who is an installer or servicer of machinery or equipment, where such installation or servicing by the supplying company is a condition of purchase of the said machinery or equipment. An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract.	number of times that it is requested, to the extent that the conditions which motivated its granting are maintained. <u>Contractual Service Suppliers</u>: up to 90 days, renewable for one year.