

RECORD OF UNDERSTANDING  
RELATING TO THE FREE TRADE AGREEMENT BETWEEN  
THE EFTA STATES AND MEXICO

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*Article 4*

*Paragraph 1(a)*

It is the understanding of the Parties that Chapter 98 refers exclusively to the Mexican Tariff Nomenclature.

*Article 24*

*Paragraph 2*

The Parties agree that the provisions contained in paragraph 2 mean that neither Party shall adopt any new or more discriminatory measures than those in force at the entry into force of this Agreement. The terms "discriminatory measures" are to be understood in the sense of Article 23.

*Paragraph 3*

The Parties agree that the "list of commitments establishing the level of liberalisation which the Parties agree to grant each other at the end of the transitional period" referred to in paragraph 3 (a) shall consist of a "negative list", setting out the exceptions of each Party to the elimination of substantially all remaining discrimination that each Party will retain after the end of the transitional period referred to in paragraph 3.

It is understood that the commitments that are to be negotiated for the mode of supply referred to in Article 19 paragraph 1, d), will apply to the Sections I and II. Concerning financial services, such commitments will only be extended to the temporary entry of key personnel of juridical persons considered "financial service suppliers".

*Paragraph 4*

The Parties agree that the reference to Article 22 paragraph 4 shall be understood to mean that the Parties, after the adoption of the Decision referred to in paragraph 3, shall apply Most Favoured Nation treatment to all services and service suppliers of the other Parties, except for specific exemptions that may be negotiated among the Parties.

## **Annex XXI on Intellectual Property Rights**

### **Referred to in Article 69**

#### *Article 2*

##### *Paragraph 3*

The Parties understand that the reference to the UPOV Convention does not require that Parties to the 1978 Act of the UPOV Convention adhere to the 1991 Act.

#### *Article 3*

Under the EEA Agreement the EFTA States shall comply in their legislation with the substantive provisions of the European Patent Convention of 5 October 1973. It is the understanding of Iceland that the obligations under Article 69 (Protection of intellectual property) do not differ in substance from the obligations under the EEA Agreement.

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Done at Mexico City, this 27<sup>th</sup> day of November 2000, in two original copies in the English and the Spanish languages, both texts being equally authentic. In case of conflict the English version shall prevail. One original for each language shall be deposited with the Government of Norway.