

**ANNEX 4**

**SCHEDULES OF MOVEMENT OF NATURAL PERSONS  
COMMITMENTS**

**Agreement Establishing the ASEAN–Australia–New Zealand Free  
Trade Area**

**AUSTRALIA’S SCHEDULE OF MOVEMENT OF NATURAL  
PERSONS COMMITMENTS**

1. Australia's commitments under the Movement of Natural Persons Chapter, and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party, apply only in relation to the categories of persons set out below.

2. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Schedules of Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Australia specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Australia.

Sector or Sub-Sector	Description of Category	Conditions and Limitations (Including Length of Stay)
<p><i>For all categories of persons listed below except Business Visitors that are Investors, employees of Investors or goods sellers: all sectors listed in Australia's Schedule to the Trade in Services Chapter.<sup>1</sup></i></p> <p><i>For Business Visitors that are Investors, employees of Investors or goods sellers: all sectors.</i></p>	<p><b>(A) Intra-Corporate Transferees</b></p>	
	<p>(i) Executives and senior managers being natural persons who are employees of an enterprise of another Party operating in Australia, and who will be responsible for the entire or a substantial part of the enterprise's operations in Australia, receiving general supervision or direction principally from</p>	<p>Entry and stay of such natural persons is subject to employer sponsorship. Employer sponsorship requirements for this category include minimum skill levels in a gazetted occupation and sponsorship by a bona fide business operating lawfully and actively in Australia. Employer</p>

<sup>1</sup> In relation to maritime cargo handling services, there is an additional requirement for shore labour to undertake loading and unloading of ships under the Navigation Act 1912.

Sector or Sub-Sector	Description of Category	Conditions and Limitations (Including Length of Stay)
	<p>higher level executives, the board of directors or stockholders of the business, including directing the enterprise or a department or subdivision of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or subdivision of the enterprise.</p>	<p>sponsorship requirements may change from time to time. Full details of employer sponsorship requirements, including the list of gazetted occupations, are available on the website of the Australian government department responsible for immigration matters. (As at the date of this schedule, the address of that website was <a href="http://www.immi.gov.au">www.immi.gov.au</a>)</p> <p>Entry is for an initial period of stay of up to four years, with provision for extensions up to a maximum stay of 14 years.</p>
	<p>(ii) Specialists being natural persons who are employees of an enterprise of another Party operating in Australia, and who possess knowledge at an advanced level of expertise and who</p>	<p>Entry and stay of such natural persons is subject to employer sponsorship by the employing company. Employer sponsorship requirements for this</p>

<b>Sector or Sub-Sector</b>	<b>Description of Category</b>	<b>Conditions and Limitations (Including Length of Stay)</b>
	<p>possess proprietary knowledge of the enterprise's service, research, equipment, techniques, or management, and who have been employed by the employer for not less than two years immediately preceding the date of the application for temporary entry. A specialist may include, but is not limited to, members of a licensed profession.</p>	<p>category include an assessment that the natural person seeking entry has the necessary qualifications, skills and work experience accepted by the relevant authority as meeting the Australian standards for his or her nominated occupation, which must fall within the list of gazetted occupations.</p> <p>Employer sponsorship requirements may change from time to time. Full details of employer sponsorship requirements, including the list of gazetted occupations, are available on the website of the Australian government department responsible for immigration matters. (As at the date of this schedule, the address of that website was <a href="http://www.immi.gov.au">www.immi.gov.au</a>)</p>

Sector or Sub-Sector	Description of Category	Conditions and Limitations (Including Length of Stay)
		Entry is for periods of stay up to two years, with provision for an extension.
	<b>(B) Independent Executives</b>	
	Independent executives being natural persons whose work responsibilities match the description set out below and who intend, or are responsible for, the establishment in Australia, of a new business of a service supplier which has its head of operations in the territory of another Party and which has no other representative, branch or subsidiary in Australia. Independent executives will be responsible for the entire or a substantial part of the company's operations in Australia, receiving	Entry and stay of such natural persons is subject to employer sponsorship. Employer sponsorship requirements for this category include minimum skill levels in a gazetted occupation and sponsorship by a bona fide overseas business or by a State or Territory Government of Australia. Employer sponsorship requirements may change from time to time. Full details of employer sponsorship requirements, including the list of gazetted occupations, are available on the website of the Australian

Sector or Sub-Sector	Description of Category	Conditions and Limitations (Including Length of Stay)
	<p>general supervision or direction principally from higher level executives, the board of directors or stockholders of the business, including directing the company or a department or subdivision of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or subdivision of the company.</p>	<p>government department responsible for immigration matters. (As at the date of this schedule, the address of that website was <a href="http://www.immi.gov.au">www.immi.gov.au</a>)</p> <p>Entry is for periods of stay up to a maximum of two years.</p>
	<b>(C) Business Visitors</b>	
	<p>Business visitors being natural persons seeking to travel to Australia for business purposes whose remuneration and financial support for the duration of the visit must be derived from sources outside Australia and who must not engage in making direct sales to the general public or in supplying the services themselves. Business visitors comprise:</p>	
	(i) Service sellers, as business visitors being natural	Entry is for an initial stay of 6 months and up to a maximum of

<b>Sector or Sub-Sector</b>	<b>Description of Category</b>	<b>Conditions and Limitations (Including Length of Stay)</b>
	<p>persons not based in Australia who are (sales) representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service supplier.</p>	<p>12 months.</p>
	<p>(ii) Business visitors, being natural persons seeking to travel to Australia for the purpose of participating in business negotiations or meetings.</p>	<p>Entry is for periods of stay up to a maximum of three months.</p>
	<p>(iii) Business visitors, being natural persons who are Investors of a Party or employees of an Investor (who are senior managers, executives or specialists whose work responsibilities match those set out in (A)(i) and (ii)</p>	<p>Entry is for periods of stay up to a maximum of three months.</p>



Sector or Sub-Sector	Description of Category	Conditions and Limitations (Including Length of Stay)
	above) seeking temporary entry to establish an investment.	
	(iv) Business visitors, being natural persons of a Party who are seeking entry for the purposes of negotiating the sale of goods where such negotiations do not involve direct sale to the general public.	Entry is for periods of stay up to a maximum of three months.
	<b>(D) Contractual Service Suppliers</b>	
	<p>Contractual service suppliers (including independent professionals/ specialists).</p> <p>Contractual service suppliers (CSS) being natural persons with trade, technical or professional skills.</p>	<p>Entry and stay of such natural persons is subject to employer sponsorship. Employer sponsorship requirements for this category include sponsorship by a bona fide overseas business or business operating lawfully and actively in Australia and a contract for the supply of a service within Australia. That business must have employed the natural person seeking entry and</p>

<b>Sector or Sub-Sector</b>	<b>Description of Category</b>	<b>Conditions and Limitations (Including Length of Stay)</b>
		<p>must intend that person to assist in fulfilling its Australian services contract. The natural person seeking entry must be assessed as having the necessary qualifications, skills and work experience accepted as meeting the Australian standards for his or her nominated occupation, which must fall within the list of gazetted occupations. Employer sponsorship requirements may change from time to time. Labour market testing may be required for some occupations, to the extent that this is not inconsistent with Australia's commitments under the WTO and other international trade agreements to which it is a party as at entry into force of this Agreement. Full details of employer sponsorship requirements, including the list of</p>

Sector or Sub-Sector	Description of Category	Conditions and Limitations (Including Length of Stay)
		<p>gazetted occupations, are available on the website of the Australian government department responsible for immigration matters. (As at the date of this schedule, the address of that website was <a href="http://www.immi.gov.au">www.immi.gov.au</a>)</p> <p>Entry is for periods of stay up to 12 months, with provision for an extension.</p>
	<b>(E) Spouses</b>	
	<p>Spouses of temporary entrants covered by (A), (B) and (D) are accorded full working rights where stay of those temporary entrants is greater than 12 months.</p>	<p>For such spouses, entry and stay is for the same period as for the temporary entrant.</p>

**Agreement Establishing the ASEAN–Australia–New Zealand Free  
Trade Area**

**BRUNEI DARUSSALAM'S SCHEDULE OF MOVEMENT OF  
NATURAL PERSONS COMMITMENTS**

1. Brunei Darussalam's commitments under Chapter 9 (Movement of Natural Persons) and under Article 3 (National Treatment) and Article 4 (Market Access) of Chapter 8 (Trade in Services), in relation to the supply by a services supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.

2. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Brunei Darussalam specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Brunei Darussalam.

Entry in the following categories only	Conditions (including duration of stay)
<p><b>Intra-corporate transferees</b></p> <p><u>Definition:</u> An <b>executive, manager</b> or a <b>specialist</b>:</p> <p>(a) who is an employee of a firm that provides services within Brunei Darussalam through a branch, subsidiary or affiliate established in Brunei Darussalam and</p> <p>(b) who have been in the prior employ of their firms outside Brunei Darussalam for a period of not less than one year immediately preceding the date of their application for admission.</p>	

Entry in the following categories only	Conditions (including duration of stay)
	<p><b>Managers:</b></p> <p><u>Definition:</u> Natural persons within an organisation who primarily direct the organisation, or a department or sub-division of the organisation, supervise and control the work of other supervisory, professional or managerial employees, have the authority to hire and fire or commend hiring, firing or other personnel actions (such as promotion or leave authorisation), and exercise discretionary authority over day-to-day operations. Does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who primarily form tasks necessary for the provision of the service.</p> <p><b>Executives:</b></p> <p><u>Definition:</u> Natural persons within an organisation who primarily direct the management of the organisation, exercise wide latitude in decision-making and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the business. Executives would not directly perform tasks related to the actual provision of the service or services of the organisation</p>

Entry in the following categories only	Conditions (including duration of stay)
	<p><b>Specialists</b></p> <p><u>Definition:</u> Natural persons within an organisation who possess knowledge at an advanced level of expertise and who possess proprietary knowledge of the organisation's service, research equipment, techniques or management. (Specialists may include but not limited to, members of licensed professions).</p> <p>In the case of architects the licensed practising architects should have recognised academic and professional qualifications and registered as "qualified person" with the Ministry of Development. Qualified persons or licensed architects are registered if they have been one year residence in Brunei and practising with a local licensed architect.</p> <p>Entry for these intra-corporate transferees is limited to a three year period that may be extended for up to two additional years for a total term not to exceed 5 years.</p>

3. With respect to rental/leasing services relating to aircraft without operators (CPC 83104), this is subject to local availability test and designation of specified number of Brunei Darussalam trainees and in order to practise a licensed profession in Brunei Darussalam the following conditions must be met: (a) residency and (b) registration.

4. Notwithstanding the commitments set out above, Brunei Darussalam remains unbound with respect to "Banking and Other

Financial Services (provision and transfer of financial information, financial data processing and related software providers of other financial services" (CPC 8131) and in relation to national treatment for architectural services (CPC 8671).

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**Agreement Establishing the ASEAN–Australia–New Zealand Free  
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**CAMBODIA’S SCHEDULE OF MOVEMENT OF NATURAL  
PERSONS COMMITMENTS**

1. Cambodia's commitments under the Movement of Natural Persons Chapter, and under Article 2 [National Treatment] and Article 3 [Market Access] of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.

2. In accordance with Articles 2. 3 and 6 [National Treatment, Market Access and Specific Commitments] of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Cambodia specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Cambodia.

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p><b><u>Business visitors</u></b></p> <p><u>Definition:</u> A natural person who:</p> <ul style="list-style-type: none"> <li>- enters Cambodia for the purposes of participating in business meetings, establishing business contacts including negotiations for the sale of services and/or other similar activities;</li> <li>- stays in Cambodia without receiving income from within Cambodian sources;</li> <li>- does not engage in making direct sales to the general public or supplying services.</li> </ul>	<p>Entry visa for business visitors shall be valid for a period of 90 days for an initial stay of 30 days, which may be extended.</p>
<p><b><u>Persons responsible for setting up of a commercial establishment:</u></b></p> <p>Definition: Persons working in an executive or managerial position, receiving remuneration from an entity as defined below, who are</p>	<p>The subject persons are not subject to a maximum duration of stay.</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>responsible for the setting up, in Cambodia, of a commercial presence of a service provider of a Member, that will support employment of persons described in categories a, b, and c of the intra-Corporate Transferees.</p>	
<p><b><u>Intra-Corporate Transferees</u></b></p> <p><b>Definition:</b> Natural persons who have been employed by a juridical person of another member for a period of not less than 1 year and who seek temporary entry to provide services through a branch, subsidiary and affiliate in Cambodia and who are:</p> <p><b>a) <u>Executives:</u></b> without requiring compliance with labour market tests, persons within an organization who primarily direct the management of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization.</p> <p><b>b) <u>Managers:</u></b> without requiring compliance with labour market tests, natural persons employed by a juridical entity and who possess knowledge at an advanced level of expertise or proprietary knowledge of a</p>	<p>Temporary residency and work permit is required for the natural persons in the categories defined under intra-corporate transferees. Such permits are issued for two years and may be renewed annually up to maximum of total five years.</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>juridical entity product, service, research, equipment, techniques, or management, and who primarily direct the organization or a department of the organization; supervise and control the work of other supervisory, professional or managerial employees; have the authority to hire and fire or recommend hiring, firing or other personnel actions; and exercise discretionary authority over day-to-day operations. They do not include first-line supervisors, unless the employees supervised are professionals, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p><b>c) Specialists:</b> Natural persons, within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques, or management.</p>	

3. The commitments set out above apply to all services sectors/subsectors specifies in the Cambodia's schedules of specific commitments under the WTO except Restaurants (CPC 642, 643) and International Transport under Maritime Services (Freight and Passengers) excluding Cabotage.

4. With respect to Tourist Guides Services (CPC 7472), notwithstanding the commitments set out above, Cambodian Nationality required for Tourist Guides.

5. Cambodia remains unbound in relation to National Treatment Limitations applicable to Subsidies, including for Research and Development.

6. All the commitments in respect of presence of natural persons made in Cambodia's Schedule of Specific Commitments under WTO including any commitments, regulations and additional commitments, apply to the services suppliers of the other Parties.

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**Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area**

**INDONESIA’S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

1. Indonesia's commitments under Chapter 9 (Movement of Natural Persons), and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.
2. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Indonesia specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Indonesia

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
All sectors included in this schedule	<p>4) Subject to Indonesian Labour and Immigration Laws and Regulations, only directors, managers and technical experts/advisors, unless mentioned otherwise, are allowed to stay for two years and could be extended for a maximum two times subject to two years extension each time. Manager and technical experts (intra corporate transfer) are allowed based on an economic needs test.</p> <p>The entry and temporary stay of business visitor(s) is (are) permitted for a period of 60 days and could be extended maximum for 120 days.</p>	<p>4) Expatriate Charges Any foreign natural persons supplying services are subject to charges levied by Governments.</p> <p>Labour Laws and Regulations. Any expatriate employed by a joint-venture enterprise, representatives office, and/or other types of juridical person and/or an individual services provider must hold a valid working permit issued by the Ministry of Manpower and Transmigration.</p>	



Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p><b>Definitions:</b></p> <p><b>"Director"</b>: One or a group of persons entrusted by the shareholders of a services providing entity with the final overall control and direction of the enterprise, and legally responsible to act on behalf of the enterprises inside and/or outside of the court.</p> <p><b>"Manager"</b>: Senior employee of a service supplier who primarily directs the management of the organization, receiving general supervision or direction principally from the board of directors of the business, including directing the service supplier or a department or sub-division thereof, supervising or controlling the work of other supervisory, professional or managerial employee or having the authority to hire or fire or recommend such or other personnel actions.</p> <p><b>"Technical Expert/Advisor"</b>: Person employed by a service supplier who possesses a standard of high or common (i) qualifications referring to a type of work or trade requiring specific technical knowledge or (ii) knowledge essential or propriety to the service, research equipment, techniques or management.</p> <p><b>"Joint Operation "</b>: A joint operation is an undertaking between one or several foreign and Indonesian enterprises of temporary nature, to handle one or several project/businesses without establishing a new statutory body according to Indonesian laws</p> <p><b>"Joint venture Enterprise"</b>: A joint venture enterprise is a legal entity organized under Indonesian law and having its domicile in Indonesia, in the form of cooperation between foreign capital and Indonesian (national) capital.</p> <p><b>"Contract Management"</b>: Contract management is a contract organized under Indonesian law in the form of cooperation on management of temporary nature between Indonesian (national) capital and foreign capital.</p> <p>Business visitors(s) is (are) natural person staying in Indonesia for the purpose of participating in business meeting, business contacts including negotiations for the sales of services and/or other similar activities including those who prepare for the establishment of a commercial presence in Indonesia, without acquiring remuneration and/or any other direct income from within Indonesia , and are not engaged in making direct sales or supplying services to general public.</p>			

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
<p>A. Professional Services</p> <p>a. Legal Services (Advisory services in home country law, and international law). (CPC 861)</p>	<p>4) Unbound except for foreign lawyers (advocate).</p> <p>Foreign lawyers (advocate) are allowed to work or take part in Indonesian law firm as employees or as experts in International Law, but shall not appear in courts and/or undertake legal proceedings under any circumstances.</p>	<p>4) Unbound except for foreign lawyers (advocate).</p> <p>Foreign lawyers (advocate) are :</p> <ul style="list-style-type: none"> <li>• only allowed as employees or experts in Indonesian law firm</li> <li>• obliged to transfer legal knowledge and professional capabilities to Indonesian Lawyers</li> <li>• obliged to transfer knowledge to education, legal research, or government institutions at least 10 hours each month free of charge.</li> </ul> <p>The share of foreign lawyers (advocate) in Indonesian law firm must not exceed 20 per cent, and shall be limited to five foreign lawyers (advocate) per firm.</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Definition :            Lawyer (advocate) is person who has the profession of providing legal service in and outside the court.            International law means law established by international treaties and conventions as well as customary law</p>			
<p>d. Architectural Services (CPC 8671)            e. Engineering Services (CPC 8672 - except CPC 86721, 86725, 86726)</p>	<p>4) As specified in the Horizontal Section</p>	<p>4) As specified in the Horizontal Section</p>	
<p>Advisory and Consultative (CPC 86721)            Engineering Design Services for Industrial Processes and Production (CPC 86725)</p>	<p>4) Unbound except for director and technical expert</p>	<p>4) As specified in the Horizontal Section</p>	
<p>f. Integrated Engineering Services (CPC 8673)            g. Urban Planning Services (CPC 86741)</p>	<p>4) As specified in the Horizontal Section</p>	<p>4) As specified in the Horizontal Section</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Computer and Related Services			
a. Consultancy Services Related to the Installation of computer hardware (CPC 841) b. Software Implementation Services (CPC-842)	4) Unbound except for director and technical expert	4) As specified in the Horizontal Section	
C. Research and Development Services			
c. Interdisciplinary R&D (CPC 853, limited to industrial activities)	4) Unbound except for director and technical expert	4) As specified in the Horizontal Section	
F. Other Business Services			

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
d. Project Management Services other than Construction (CPC 86601) e. Technical Testing and Analysis Services (CPC 8676). i. Services Incidental to Manufacturing (CPC 884 & 885) n. Maintenance and Repair of Equipment (not Including Maritime Vessels, Aircraft or other Transport Equipment) (CPC 633+8861+8866)	4) Unbound except for director and technical expert	4) As specified in the Horizontal Section	
2. COMMUNICATION SERVICES			
C. Telecommunication Services			

Modes of Supply : 4) Presence of natural persons

<b>Sector or sub-sector</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
Local, Long Distance, and International Services : <ul style="list-style-type: none"> <li>o Public Switched Telephone Service (CPC 7521)</li> <li>o Circuit Switched Public Data Network Services (CPC 7523**)</li> <li>o Teleconferencing Services (CPC 75292)</li> </ul>	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	
Packet-switched public data network services (CPC 7523**) <ul style="list-style-type: none"> <li>o X. 25</li> <li>o Frame relay</li> <li>o Local</li> <li>o Local distance</li> <li>o International</li> </ul>	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	
Telex services Telegraph services	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	
Domestic Services:	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Mobile Cellular Telephone Services (CPC 75213)  Internet Access Services  Regional and National Paging Services (CPC-75291)  Public Payphone Services  Voice Mail Service (CPC-7523)  Electronic Mail Services (CPC-75232)			
Computer Time Sharing Services (CPC-84330)  Videotext Services (CPC-75229)  Electronic Mail Box (CPC-75232)	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
File Transfer Services (CPC-75299)  Home Telemeter Alarm (CPC-75299)  Entertainment Services (CPC-75299)  Management Information services (CPC75299)			
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			



Modes of Supply : 4) Presence of natural persons

<b>Sector or sub-sector</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
<p>A. Construction Work for Buildings (CPC 512)</p> <p>B. Construction Work for Civil Engineering (CPC 513)</p> <p>C. Assembly and Erection of Prefabricated Constructions (CPC 514)</p> <p>C. Installation Work (CPC516)</p> <p>D. Building Completion and Finishing Work (CPC517)</p> <p>E. Pre-erection Work at Construction Site (CPC 511)</p> <p>F. Special Trade Construction(CPC 515)</p> <p>G. Renting Services Related Equipment for Construction or Demolition of Building or Civil Engineering Works with Operator (CPC 518)</p>	<p>4) As specified in the Horizontal Section</p>	<p>4) As specified in the Horizontal Section</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
5. EDUCATIONAL SERVICES			
<p>General Conditions</p> <p>Temporary entry for natural persons engaged in education activities in Indonesia is subject to approval by the Ministry of National Education. Approval is granted on case-by-case basis.</p>			
B. Secondary Education Services			
<p>Technical and Vocational Secondary Education Services (electronic, automotive) (CPC 92230)</p>	<p>4) Unbound except as indicated in the Horizontal Section and General Conditions</p>	<p>4) As indicated in the Horizontal Section and General Conditions</p>	
C. Higher Education Services			
<p>Post Secondary Technical and Vocational Education Services (Poly-technique Machine and Electrical) (CPC 92310)</p>	<p>4) Unbound except as indicated in the Horizontal Section and General Conditions.</p>	<p>4) Unbound</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. Adult Education Services			
Language Course and Training (CPC 924)	4) Unbound except as indicated in the Horizontal Section and General Conditions	4) Unbound	
E. Other Education Services			
Football and Chess only (CPC 92900)	4) Unbound except as indicated in the Horizontal Section and General Conditions	4) Unbound	
FINANCIAL SERVICES			
<p>General Condition on Non Banking Financial Services Sub Sector</p> <ol style="list-style-type: none"> <li>1) In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/advisor(s) for no longer than 3 (three) months per person for any given year.</li> <li>2) In relation to the presence of natural person, only directors, managers, and experts/advisors can be assumed by expatriates with maximum stay of 3 (three) years and can be extended.</li> </ol>			

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Non-Life Insurance Services (CPC 8129) except CPC-81293 (Marine, Aviation and other Transportation)	4) Unbound except for director and technical advisor/expert.	4) As specified in the Horizontal Section.	
Reinsurance Services	4) Unbound except for director and technical advisor/expert.	4) As specified in the Horizontal Section.	
Life Insurance Services (CPC 81211)	4) Unbound except for director and technical advisor/expert.	4) As specified in the Horizontal Section.	
Insurance Brokerage Services (CPC 81401)	4) Unbound except for director and technical advisor/expert.	4) As specified in the Horizontal Section.	
Reinsurance Brokerage Services (CPC 8140)	4) Unbound except for director and technical advisor/expert.	4) As specified in the Horizontal Section.	
Financial Lease Services (CPC 81120)	4) Unbound except as indicated in the Horizontal Section.	4) As specified in the Horizontal Section.	
Factoring Services (CPC 8113)	4) Unbound except as indicated in the Horizontal Section.	4) As specified in the Horizontal Section.	
b. - Credit Card Business (Issuer and Agent of	4) Unbound except as indicated in the Horizontal Section.	4) As specified in the Horizontal Section.	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Credit Card) (CPC-8113) - Consumers Finance Services (CPC 8113)			
f. Securities Business Trading for Own Account or for Account of Customers, on an Exchange or Over-the Counter Market <ul style="list-style-type: none"> <li>o Listed shares</li> <li>o Bonds</li> </ul>	4) Unbound except as indicated in the Horizontal Section.	4) As specified in the Horizontal Section.	
g. Participation in Issues of Securities, including Underwriting and Placement as Agent (whether publicly or privately), and Provision of Services Related to such issues	4) Unbound except as indicated in the Horizontal Section.	4) As specified in the Horizontal Section.	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
i. - Portfolio Management, all forms of collective investment management  - Asset Management Limited only to Investment Fund Management	4) Unbound except for directors.	4) As specified in the Horizontal Section	
k. Investment Advisory Services limited only to Investment Advisory in Capital Market	4) Unbound except for directors.	4) As specified in the Horizontal Section	
<b>BANKING SUB SECTOR</b>			
General Conditions on Banking Sub Sector			
1. With respect to the presence of natural persons, no economic needs test will apply. A non Indonesian employed as manager or as technical expert shall have at least two Indonesian understudies during his/her term.  2. In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/adviser(s) of branch office of the foreign bank and joint venture bank for no longer than 3 (three) months per person for any given year.			
Commercial Banking Business			

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(i) Acceptance of Deposits and other Repayable Funds from the Public  (ii) Lending of all types, including Consumer Credit, Mortgage, Credit, Factoring, and Financing of Commercial Transaction  (iii) All Payment and Money Transmission Services including Credit, Charge and Debit Cards, Travelers Check and Bankers Drafts  (iv) Guarantees and Commitments  (v) Trading for Own Account or for Account of Customers, whether on an Exchange, in an over-the-Counter	4) Unbound except as indicated in the Horizontal Section and General Conditions on Banking Sub-sector.	4) Unbound except as indicated in the Horizontal Section and General Conditions on Banking Sub-sector.	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Market or otherwise, the following:			
<ul style="list-style-type: none"> <li>o Money market instruments (including check, bills, certificates of deposits)</li> <li>o Foreign Exchange</li> <li>o Exchange rate and interest rate instruments, including products such as swaps, forward rate agreements</li> <li>o Transferable securities issued in the money market</li> <li>(vi) Cash Management, Custodial and Depository Services</li> </ul>	4) Unbound except as indicated in the Horizontal Section and General Conditions on Banking Sub-sector.	4) Unbound except as indicated in the Horizontal Section and General Conditions on Banking Sub-sector.	
<b>8. HEALTH RELATED AND SOCIAL SERVICES</b>			
Hospital Services (only for	4) Unbound	4) Unbound	



Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
specialist and super specialist medical care/more specific than specialist medical care, provided by hospital of more than 300 beds) (CPC 9311)			
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
Hotels_(3, 4 and 5 star hotels)	4) a) Unbound except for: <ol style="list-style-type: none"> <li>1. Top Management Level in Hotel business comprised of:               <ol style="list-style-type: none"> <li>i) General Manager</li> <li>ii) Food and Beverage Manager</li> <li>iii) Resident Manager</li> <li>iv) Comptroller</li> <li>v) Marketing Director</li> </ol> </li> <li>2. Highly Skilled Professionals Comprised of:               <ol style="list-style-type: none"> <li>i) Executive Chef</li> <li>ii) Souse Chef</li> <li>iii) Specialty Cook</li> </ol> </li> </ol>	4) As specified in the Horizontal Section	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Travel Agent and Tour Operator (TA & TO) (CPC-74710)	4) Unbound except for technical advisor	4) As specified in the Horizontal Section	
Tourist Resorts Included <ul style="list-style-type: none"> <li>o Hotel (3, 4 and 5 stars)</li> <li>o Marinas</li> <li>o Golf Courses and other Sport Facilities</li> </ul>	4) Unbound except for Resort Manager	4) As specified in the Horizontal Section	
International Hotel Operator (CPC-91135)	4) Unbound, except for : <ul style="list-style-type: none"> <li>a. Top Management Level in hotel business comprised of               <ul style="list-style-type: none"> <li>o General Manager</li> <li>o Food and Beverage Manager</li> <li>o Resident Manager</li> <li>o Comptroller</li> <li>o Marketing Director</li> </ul> </li> <li>b. Highly Skilled Professionals comprised of:               <ul style="list-style-type: none"> <li>o Executive Chef</li> <li>o Souse Chef</li> <li>o Specialty Cook</li> </ul> </li> </ul>	4) As specified in the Horizontal Section	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Tourism Consultancy Services (CPC-91136)	4) Unbound	4) As specified in the Horizontal Section	
Meal Serving Services with full Restaurant Services (CPC-64210)	4) Unbound, except for : <ul style="list-style-type: none"> <li>c. Top Management Level in hotel business comprised of               <ul style="list-style-type: none"> <li>o General Manager</li> <li>o Food and Beverage Manager</li> <li>o Resident Manager</li> <li>o Comptroller</li> <li>o Marketing Director</li> </ul> </li> <li>d. Highly Skilled Professionals comprised of:               <ul style="list-style-type: none"> <li>o Executive Chef</li> <li>o Sous Chef</li> <li>o Specialty Cook</li> </ul> </li> </ul>	4) As specified in the Horizontal Section	
<b>11. TRANSPORTATION SERVICES</b>			
<b>A. Maritime Transport Services</b>			
(a). International Passenger Transport (CPC 7211)	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	
(b). International Freight	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Transport (CPC 7212)			
Maritime Auxiliary Services			
a. Maritime Cargo Handling Services	4) As specified in the Horizontal Section	4) As specified in the Horizontal Section	
Air Transport Services			
a. Aircraft repair and maintenance services b. Computer reservation system (CRS) c. Selling and marketing	4) Unbound except as specified in the Horizontal Section	4) Unbound except as specified in the Horizontal Section	
12. ENERGY SERVICES			

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Core Analysis and Other Lab Test, only for Isotope Analysis</p> <p>a. According to Indonesia Proposal of Energy Services Classification is under : Isotope Analysis (1A.2.7.3)</p> <p>b. According to W 120 is under : Business Services on Technical Testing and Analysis Services (CPC 8676)</p>	<p>4) Unbound, except for directors and technical experts.</p>	<p>4) As specified in the Horizontal Section</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Geological and Geophysical Services, only for Seismic Data Acquisition</p> <p>a. According to Indonesia Proposal of Energy Services Classification is under : Seismic Data Acquisition (1A.1.4.1.1.)</p> <p>b. According to W 120 Seismic Data Acquisition is under : Business Services on Subsurface Surveying Services (CPC 8672)</p>	<p>4) Unbound, except for directors and technical experts.</p>	<p>4) As specified in the Horizontal Section</p>	
<p>Liquefaction and Gasification only for Coal</p> <p>a. According to Indonesia Proposal of Energy Services Classification is under</p> <ul style="list-style-type: none"> <li>o Coal liquefaction (2.4.4.4)</li> <li>o Coal Gasification</li> </ul>	<p>4) Unbound, except for directors and technical experts.</p>	<p>4) As specified in the Horizontal Section</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(2.4.4.5)</p> <p><b>b.</b> According to W 120 is under : Services Incidental to Manufacturing (CPC 884)</p>			
<p>Engineering, Procurement and Construction (EPC) Services</p> <p><b>a.</b> According to Indonesia Proposal of Energy Services Classification is under : Engineering, Procurement and Construction (EPC) Services (1A.3.2.2.)</p> <p><b>b.</b> According to W 120 is under : engineering design services for industrial processes and production (CPC-86725)</p>	<p>4) Unbound, except for directors and technical experts.</p>	<p>4) As specified in the Horizontal Section</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Electrical Logging and Perforation</p> <p>a. According to Indonesia Proposal of Energy Services Classification is under: Electrical Logging and Perforation (EPC) Services (1A.2.8.)</p> <p>b. According to W 120 is under : Technical Testing and Analysis Services (CPC-8676)</p>	<p>4) Unbound, except for directors and technical experts.</p>	<p>4) As specified in the Horizontal Section</p>	



Modes of Supply : 4) Presence of natural persons

<b>Sector or sub-sector</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
<p>Competency Certification in Quality Control and Handling of Aviation Fuels and Lubricants</p> <p>a. According to Indonesia Proposal of Energy Services Classification is under : Competency Certification in Quality Control and Handling of Aviation Fuels and Lubricants (4.2.2.9)</p> <p>b. According to W 120 is under : Other Education Services (CPC 92900)</p>	<p>4) Unbound, except for directors and technical experts.</p>	<p>4) As specified in the Horizontal Section</p>	

Modes of Supply : 4) Presence of natural persons

Sector or sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Competency Certification in Power Plant a. According to Indonesia Proposal of Energy Services Classification is under : Competency Certification in Power Plant (4.2.2.11) b. According to W 120 is under : Other education services (CPC 92900)	4) Unbound, except for directors and technical experts.	4) As specified in the Horizontal Section	
Land Clearing Services	4) Unbound, except for directors and technical experts	4) As specified in the Horizontal Section	

**Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area**

**LAO PDR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

1. Lao PDR's commitments under the Movement of Natural Persons Chapter, and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party, apply only in relation to the categories of persons set out below.

2. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Lao PDR specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Lao PDR.

<b>HORIZONTAL SECTION</b>			
	<b>MARKET ACCESS</b>	<b>NATIONAL TREATMENT</b>	<b>ADDITIONAL COMMITMENTS</b>
<i>For all categories of business visitors and intra-corporate transferees listed in this Schedule: Unless otherwise specified in the Sectoral Section below, these horizontal commitments apply to all sectors listed in Laos'</i>	In all cases: (i) total number of unskilled foreign natural persons of any establishment shall not exceed 10% of the total staff; (ii) total number of skilled foreign natural persons of any establishment shall not exceed 20% of the total staff.	Lao PDR makes no commitments for any measures relating to social insurance schemes including <i>inter alia</i> unemployment and pension benefits.	

<b>HORIZONTAL SECTION</b>			
	<b>MARKET ACCESS</b>	<b>NATIONAL TREATMENT</b>	<b>ADDITIONAL COMMITMENTS</b>
Schedule to the Trade in Services Chapter.			
	<p>A. <u>Business Visitors</u></p> <p>A natural person who:</p> <ul style="list-style-type: none"> <li>- enters to the Lao PDR to be engaged in activities related to representing a services supplier for the purpose of negotiating for the sale of the services of that supplier; and</li> <li>- stays in the Lao PDR without receiving remuneration from sources within the Lao PDR; and</li> <li>- does not engage in making direct sales to the general public or supplying services.</li> </ul> <p>The temporary stay of the business visitor is subject to a</p>		

<b>HORIZONTAL SECTION</b>			
	<b>MARKET ACCESS</b>	<b>NATIONAL TREATMENT</b>	<b>ADDITIONAL COMMITMENTS</b>
	maximum duration of stay of sixty days.		
	<p><b>B. <u>Intra-Corporate Transferees</u></b></p> <p>Natural persons who have been employed by a juridical person of another Party outside the Lao PDR for a period of not less than one year immediately preceding the request for transfer to the Lao PDR, who seek temporary entry to provide services through commercial establishment of that juridical person in the Lao PDR, who cannot be substituted by Lao nationals, and who fall within one of the following categories:</p>		

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
	<p>a) <u>Executives</u>: Natural persons within an organization who primarily direct the management of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization; and</p> <p>b) <u>Managers</u>: Natural persons who possess knowledge at an advanced level of expertise or proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management,</p>		

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
	<p>and who primarily direct the organization or a department of the organization; supervise and control the work of other supervisory, professional or managerial employees; have the authority to hire and fire or recommend hiring, firing or other personnel actions; and exercise discretionary authority over day-to-day operations. They do not include first-line supervisors, unless the employees supervised are professionals, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p>c) <u>Specialists</u>: Natural persons within an organization who possess knowledge at an</p>		



<b>HORIZONTAL SECTION</b>			
	<b>MARKET ACCESS</b>	<b>NATIONAL TREATMENT</b>	<b>ADDITIONAL COMMITMENTS</b>
	<p>advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques, or management and where there are shortages of Lao nationals with requisite skills.</p> <p>For the natural persons in the categories defined under intra-corporate transferees, temporary residency and work permit will be issued for six months which may be renewed for up to one year as long as conditions indicated for each category are satisfied.</p>		

<b>SECTORAL SECTION</b>			
	<b>MARKET ACCESS</b>	<b>NATIONAL TREATMENT</b>	<b>ADDITIONAL COMMITMENTS</b>
<b>BUSINESS SERVICES</b>			
Landscape architectural services (CPC 86742)		This has to be in compliance with Law on Taxation.	
Accounting, Auditing and Bookkeeping Services (CPC 862)	No commitments.	No commitments.	
<b>COMMUNICATION SERVICES</b>			
<b>Telecommunication Services</b>			
(a) Voice telephone service (CPC 7521) (e) Telegraph services (CPC 7522)		This has to be in compliance with Law on Taxation.	

<b>SECTORAL SECTION</b>			
	<b>MARKET ACCESS</b>	<b>NATIONAL TREATMENT</b>	<b>ADDITIONAL COMMITMENTS</b>
(f) Facsimile services (CPC 7529)			
<b>TOURISM</b>			
Hotel and other Lodging Services (CPC 64110)  Beverage Serving Services Without Entertainment (CPC 64310)	No commitments, except that the following persons are permitted to enter and stay in Laos for a period of up to 6 months, with provision for extension, subject to approval of the competent authority of the Government Lao PDR: general manager, sales and marketing manager, operation manager, congress manager and tourism consultant.	No commitments.	
Meal Serving Services with Full restaurant	No commitments, except that the following persons	No commitments.	

<b>SECTORAL SECTION</b>			
	<b>MARKET ACCESS</b>	<b>NATIONAL TREATMENT</b>	<b>ADDITIONAL COMMITMENTS</b>
Services (CPC 64210) Travel agencies and tour operators services (Part of CPC 7471).	are permitted to enter and stay in Laos for a period of up to 6 months, with provision for extension, subject to approval of the competent authority of the Government Lao PDR: general manager, sales and marketing manager, operation manager, congress manager and tourism consultant.		

**Agreement Establishing the ASEAN–Australia–New Zealand Free  
Trade Area**

**MALAYSIA'S SCHEDULE OF MOVEMENT OF  
NATURAL PERSONS COMMITMENTS**

1. Malaysia's commitments under the Movement of Natural Persons Chapter, and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.

2. In accordance with Articles 3. 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Malaysia specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Malaysia.

**HORIZONTAL SECTION**

Description of Category	Conditions and Limitations (Including Length of Stay)
<p><b>For National Treatment : Unbound, except for the following categories of natural persons.</b></p> <p><b>1. Intra-Corporate Transferees</b></p>	
<p>(a) Senior managers being persons within an organization that provides services within Malaysia:</p> <ul style="list-style-type: none"> <li>- having proprietary information of the organization;</li> <li>- exercise wide latitude in decision making relating to the establishment, control and operation of the organization;</li> <li>- primarily direct the management of the organisation; and</li> <li>- receive only general supervision or direction from the board of directors or</li> </ul>	<p>Entry and stay of natural persons defined in categories 1 (a) and (b) shall not exceed a total of 10 years.</p>

Description of Category	Conditions and Limitations (Including Length of Stay)
partners of the organization.	
<p>(b) Three specialists or experts per organization that provides services within Malaysia being persons within the organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's new service products and technology, research equipment and techniques or management.</p> <p>Additional specialists or experts may be allowed subject to market test and the training of Malaysians through an acceptable training programme in the relevant services sector or subsector:</p> <p>Provided that such persons are employees of the foreign service supplier and have been in the employment of that foreign service supplier for a period of not less than one year immediately preceding the date of their application for a work permit and he is to serve in at least a similar capacity.</p>	
<b>2. Others</b>	
<p>(a) Specialists or experts being persons who possess knowledge at an advanced level of continued expertise and subject to market test and the employment of Malaysians as counterparts and/or training of</p>	<p>Entry and stay of natural persons defined in categories 2 (a) and (b) shall not exceed a total of 10 years.</p> <p>For category 2 (c), the period of stay shall not exceed a total of 90</p>

<b>Description of Category</b>	<b>Conditions and Limitations (Including Length of Stay)</b>
<p>Malaysians through acceptable training programmes in the relevant services sector or subsector;</p>	<p>days.</p> <p>For category 2(d), the period of stay shall not exceed a total of six months.</p>
<p>(b) Professionals being persons who possess necessary academic credentials, professional qualifications, experience and/or expertise which have been duly recognized by the professional bodies in Malaysia and registered with those respective professional bodies; and are carrying out respective professional activities; and</p>	
<p>(c) Business visitors being persons not based within Malaysia, receiving no remuneration from a source located within Malaysia, who have been employed for at least one year by a foreign service supplier, whose entry and temporary stay is for the purposes of negotiating for the sale of services or entering into agreements to sell services for that service supplier and who will not engage in direct sales to the general public.</p>	
<p>(d) Installers or maintainers being persons who are installers or maintainers of machinery and/or equipment who is employed or appointed by a supplying company, where</p>	



<b>Description of Category</b>	<b>Conditions and Limitations (Including Length of Stay)</b>
such installation and/or maintaining by the supplying company is a condition of purchase of the said machinery and/or equipment; and are not performing activities which are not related to the Installing or maintaining activities which is the subject of the contract.	

**SECTORAL SECTION**

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>A. Professional Services</b>			
<p>Legal Services (CPC 8619)</p> <p>Covering advisory and consultancy services relating only to home country laws, international law and offshore corporation laws of Malaysia.</p>	<p>Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>Accounting, auditing and bookkeeping services (CPC 862)</p>	<p>5 specialists/experts for each institution, subject to registration with MIA and fulfilment of residency requirements. Entry shall be limited to maximum period of two years, subject to domestic regulations.</p>	<p>Unbound, except for the categories of natural persons referred to in the market access column.</p>	<p>The qualifying examination to determine the competence and ability to supply the service for the purposes of registration with the MIA will be conducted in the English language.</p>
<p>Taxation Services (CPC 863 / 8630)</p>	<p>2 specialists/experts for each institution, subject to registration as a tax agent under Section 153 of the Income Tax Act 1967 and fulfilment of residency requirements. Entry shall be limited to maximum period of two years, subject to domestic regulations.</p>	<p>Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>Architectural services (CPC 8671)</p>	<p>2 specialists/experts per country and registration is subject to qualification of registration and</p>	<p>Unbound, except for the categories of natural persons referred to in the market access column.</p>	<p>The qualifying examination to determine the competence and ability to supply the</p>

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	domestic regulations. Temporary registration on annual basis and renewal subject to domestic regulations.		services for the purposes of registration with the professional bodies will be conducted in the English language.
Engineering services (CPC 8672*) covering: (CPC 86721- 86729)	Unbound, except as indicated in the horizontal section and in respect of 2 b), subject to temporary registration for a period of one year per temporary registration.	Engineering services must be authenticated by a registered professional engineer in Malaysia.	The qualifying examination to determine the competence and ability to supply the service for the purpose of registration with the professional bodies will be conducted in English language. Other requirements as per in ASEAN Chartered Professional Engineer (ACPE) Registry.
Integrated engineering services (CPC 8673*) covering: (CPC 86731, 86732, 86733, 86739)	Unbound, except as indicated in the horizontal section and in respect of 2 b), for a period of up to one year or the duration necessary to complete the services contract.	Unbound, except for the categories of natural persons referred to in the market access column.	The qualifying examination to determine the competence and ability to supply the service for the purpose of registration with the professional bodies will be conducted in English language.

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Urban Planning Services Covering development services programmes regarding land use, site selection, control and utilisation, road systems and servicing of land with a view to creating and maintaining systematic, coordinated urban planning. (CPC 86741)	Unbound except for:  i) independent professionals <sup>1</sup> with an employment contract with a registered Malaysian town planning company. Independent professionals must possess recognised qualifications and obtained temporary registration with the relevant regulatory authorities;  ii) consultants (with recognised qualifications and subject to registration) for wholly public funded projects and in collaboration with a Malaysian urban planning company.  Any other requirements or provisions as spelt out under the relevant legislation.	Unbound	

<sup>1</sup> Independent professionals is as defined in para 2(b) in the horizontal section

\* An asterisk against a CPC code number indicates that the corresponding service subsector in this schedule covers only a part or parts of the service subsector classified under the CPC concordance

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Landscaping services, covering the provision of advisory, planning and designing services for the aesthetic landscaping of golf courses and theme parks (CPC 86742*)	Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p><b>B. Computer and Related Services</b></p> <p>Consultancy services related to the installation of computer hardware (CPC 841)</p> <p>Software implementation service(CPC 842)</p> <p>Data Processing Services (CPC 843)</p> <p>Data base services (CPC 844 / 84400)</p> <p>Computer software development services covering development of new software for general application, including, ready-made software packaged for general application (CPC 842*)</p>	<p>Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>Unbound, except for the categories of natural persons referred to in the market access column.</p>	

<b>Sector or Sub-sector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
<b>C. Research and Development Services</b>  Research and experimental development services on social sciences and humanities  (CPC 8520 except 85203 and 85204)	Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	
<b>E. Rental/Leasing Services without Operator</b>  Relating to ships exclude cabotage and offshore trades (CPC 83103)  Relating to aircraft (CPC 83104)	Unbound, except as indicated in the horizontal section,	Unbound, except for the categories of natural persons referred to in the market access column.	
Leasing or rental services relating to construction and mining equipment and industrial plant and equipment (CPC 83107*)	Unbound, except as indicated in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	
<b>F. Other Business Services</b>  Advertising services (CPC 8711, 8712, 8719)	Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	
Management Consulting	Unbound, except as indicated in 1 a)	Unbound, except for the categories of	

Sector or Sub-sector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Services covering</p> <p>a) covering advisory, guidance and operational assistance services concerning management of the transmission of non-conventional energy (CPC 8650*)</p> <p>b) covering advisory, guidance and operational assistance on environmental management services including risk assessment services (CPC 8650*)</p> <p>c) covering advisory and guidance in the field of pharmacy as follows:</p> <ul style="list-style-type: none"> <li>-Basic material manufacturing consultancy in the manufacture of drugs in raw material form;</li> <li>-New systems of drug delivery;</li> <li>-Biotechnology-new techniques for influencing the process and products of living cells;</li> <li>-New techniques in drug development and methods of</li> </ul>	<p>and b) and 2 a) and c) in the horizontal section.</p>	<p>natural persons referred to in the market access column.</p>	



<b>Sector or Sub-sector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
<p>producing drugs and vaccine;</p> <p>- Vaccine production. (CPC 8650*)</p> <p>(d) covering advisory and guidance on International Value-Added Network Services, rural telecom development and human resource development in telecommunications (CPC 8650*)</p>			
<p>Services incidental to agriculture and fishing covering only specialised consultancy, advisory and operational assistance on crop and fisheries management, including, value-added services such as preservation techniques, etc. (CPC 881*, 882*)</p>	<p>Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>Unbound except for the categories of natural persons referred to in the market access column.</p>	
<p>Services incidental to manufacturing (CPC 884, 885 except 88442)</p>	<p>Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>Unbound except for the categories of natural persons referred to in the market access column</p>	
<p>Technical Testing and Analysis Services (CPC 8676 except 86764)</p>	<p>Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.</p>	<p>Unbound, except for the categories of natural persons referred to in the market access column.</p>	

<b>Sector or Sub-sector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Convention Centre (CPC 87909) (Convention and exhibition management services covering the provision of planning, organisational, management and marketing services for conventions and other similar events)	Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	
Translation and interpretation services (CPC 87905)	No limitation subject to domestic regulation.	No limitation subject to domestic regulation.	
Student Placement Services, covering promoting, recruiting and facilitating students for studies outside Malaysia (CPC 87909)	Unbound, except as indicated in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	
Market research and public opinion polling services (CPC 864)	Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.	Unbound except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Operational Headquarters (OHQ) Services covering general management and administration, business planning, procurement of raw materials, technical support, marketing control and sales promotion planning, training and personnel management, provision of treasury and fund management services and research and development carried out by a company in Malaysia for its offices and related companies outside Malaysia. Services rendered by OHQ companies are limited to establishments engaged in business related to the following sectors or sub-sectors: Sea and air services, Communication services, Tourism services, Professional and Consulting services (CPC 87909)</p>	<p>Unbound, except as indicated in the horizontal section.</p>	<p>Unbound, except for the categories of natural persons referred to in the market access section column.</p>	

Sector or Sub-sector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p><b>Basic Telecommunications</b></p> <p>1. Voice service (wired or wireless) (CPC 7521)</p> <p>2. Packet-switched data transmission services, including frame-relay services (CPC 7523)</p> <p>3. Circuit switched data transmission services (CPC 7523)</p> <p>4. Facsimile Service (CPC 7521**, PCPC 7529**)</p> <p>5. Private leased circuit service (CPC 7522** &amp; CPC 7523**)</p> <p>6. Paging services (CPC 75291)</p>	Unbound	Unbound	

Sector or Sub-sector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p data-bbox="256 389 577 446"><b>Other telecommunication services</b></p> <p data-bbox="256 479 598 592">7. Domestic/ International satellite services and satellite links/capacities (inclusive of mobile satellite)</p> <p data-bbox="256 625 535 649">8. Satellite earth station</p> <p data-bbox="256 682 598 738">9. International switching and other international gateway</p> <p data-bbox="256 771 535 828">10. Mobile services analogue/digital cellular</p> <p data-bbox="256 860 567 885">11. Trunked radio services</p> <p data-bbox="256 917 577 941">12. Video transport services</p>	Unbound	Unbound	

Sector or Sub-sector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Data and message transmission services</p> <p>Covering electronic mail, voice mail, on-line information and database retrieval, enhanced facsimile, code and protocol conversion (CPC 7523)</p>	<p>Two specialists/experts for each institution, for a maximum period of two years, subject to domestic regulations.</p>	<p>None</p>	
<p>Voice telephone services CPC 7521</p> <p>Mobile telephone service CPC 75213</p> <p>Telegraph services CPC 7522</p> <p>Telex services CPC 7523**</p>	<p>Unbound</p>	<p>Unbound</p>	
<p>Mobile data services CPC 7523**</p>	<p>Two specialists/experts for each institution, for a maximum period of two years, subject to domestic regulations.</p>	<p>Unbound, except for the categories of natural persons referred to in the market access column.</p>	

Sector or Sub-sector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<i>Audiovisual Services</i> Motion picture, video tape and audio recording distribution services (CPC 96113)	Unbound, except as indicated in 1 a) and b) and 2 a) and c) in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
<b>CONSTRUCTION SERVICES</b>			
Pre-erection Work at Construction Site (CPC 511)  Construction Work for Buildings (CPC 512)  Construction Work for Civil Engineering (CPC 5 13)  Assembly and Erection of Prefabricated Constructions (CPC 514)  Special Trade Construction (CPC 515)  Installation Work (CPC 516)  Building Completion and Finishing Work (CPC 517)	Unbound except as indicated in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	
<b>EDUCATION SERVICES</b>			
Primary education services CPC 921	Unbound, except as indicated in the horizontal section.	Unbound except as indicated in the market access column.	



Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
General secondary education services CPC 9221			
Other education services (CPC 929 / 9290 / 92900)  Technical and vocational secondary education services (CPC 9223)  Technical and vocational secondary school-type education services for handicapped students (CPC 9224)	Unbound, except as indicated in the horizontal section.	Unbound except as indicated in the market access column.	
Other Higher Education Services provided by privately funded higher education institutions excluding private higher education institutions with Malaysian Government equity or that receive Malaysian government assistance (CPC 92390)	Entry and stay of natural persons defined in categories 1(a), 1(b), 2(a), 2(b) and 2(c) shall not exceed a total of 10 years.  Unbound except for measures affecting the entry and temporary stay of natural persons defined below:  1. Intra-corporate Transferees  a) senior managers being persons with an organization having propriety information of the organization and who exercise wide latitude in	Unbound except as indicated in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	<p>decision making relating to the establishment, and receive only general supervision or direction from the board of directors or partners of the organisation.</p> <p>b) Lecturers and experts</p> <p>10 lecturers and/or experts but not more than 20% of lecturers employed in an educational institution who possess the necessary qualifications, knowledge, credentials or experience</p> <p>2. Others</p> <p>(a) Professionals</p> <p>2 professionals being persons who possess necessary professional qualifications, industry and/or who are employed on the basis of their expertise in an educational institution.</p> <p>(b) Business visitors</p> <p>Business visitors being persons not based within Malaysia, receiving no remuneration from a source located within Malaysia who is an investor or who have been employed for at</p>		

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	<p>least one year by a foreign educational institution, whose entry and temporary stay is for the purposes of evaluating business opportunities.</p> <p>(c) Contractual Service Suppliers</p> <p>(i) Independent Professionals</p> <ul style="list-style-type: none"> <li>- the natural person has obtained a service contract in the territory of the Party where the service is to be provided;</li> <li>- possess appropriate educational and professional qualification relevant to the service to be provided and/or recognized by and registered with professional bodies;</li> <li>- commitment relates only to the service activity which is subject of the contract; it does not confer entitlement to exercise the professional title;</li> <li>- commitment applies only to the list of sectors specified in the schedule.</li> </ul> <p>(ii) Employees of Juridical Persons</p>		

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(a) Engaged in the supply of a service on a temporary basis as employees of a juridical person supplying the service, with no commercial presence in the territory of the Party where the service is to be provided;</p> <p>(b) The juridical person has obtained a service contract to be provided in the territory of another Party;</p> <p>(c)The employees receive remuneration from their employer while abroad;</p> <p>(d) The employees may not engage in other employment in the territory of the Party where the service is to be provided;</p> <p>(e) The employees have appropriate educational and professional qualifications relevant to the service to be provided;</p> <p>(f) Commitment relates only to the service activity which is the subject of the contract; it does not confer entitlement to exercise the</p>		

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	professional title of the Party concerned;  (g) Commitment applies only to the List of sectors specified and the employee provides the service as a professional/ specialist in the specified sector.		
<b>7. FINANCIAL SERVICES, INCLUDING INSURANCE</b>			
<b>ALL FINANCIAL SERVICES HORIZONTAL SECTION</b>  Horizontal Commitments Applicable to the Financial Services Sector  1. The commitments in the financial services sector are in accordance with the ASEAN-Australian-New Zealand Free Trade Area Agreement on Trade in Services and the Annex on Financial Services.  2. The limitations listed under the all-sector horizontal section shall not apply to financial services, unless otherwise indicated.  3. In respect of offshore banks, offshore investment banks, commercial banks, merchant banks, offshore insurance and offshore reinsurance companies, offshore insurance brokers, offshore insurance underwriting managers, offshore insurance managers, insurance companies, and representative offices of commercial banks and merchant banks, the following limitations on market access and national treatment shall apply in addition to specific limitations to the activity of each financial service as specified for each activity in this Schedule.			
ALL FINANCIAL SERVICES	Limitations in the all-sector horizontal section will apply when indicated in each activity.	Limitations in the all-sector horizontal section will apply when indicated in each activity.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
1. Offshore banks, offshore investment banks, offshore direct insurance companies, offshore reinsurance companies, offshore insurance brokers, offshore insurance underwriting managers and offshore insurance managers	Unbound, except for temporary presence of natural persons in respect of supply through the mode of commercial presence.	Unbound, except for temporary presence of natural persons in respect of supply through the mode of commercial presence.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
2. Commercial banks and merchant banks.	<p>Unbound except the following:</p> <p>(a) Unless otherwise specified, temporary presence of natural persons is offered only in respect of supply through the mode of commercial presence.</p> <p>(b) Two senior managers and five specialists or experts for each bank.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts for each bank for areas relating to:</p> <ul style="list-style-type: none"> <li>(i) trade financing</li> <li>(ii) corporate finance;</li> <li>(iii) treasury management; and</li> <li>(iv) information technology.</li> </ul>	Unbound except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(c) For a representative office, two foreign nationals. Only one foreign national for the two top posts.</p> <p>(d) Entry shall be limited to a maximum period of five years.</p>		
<p>3. Direct insurance companies.</p>	<p>Unbound except the following:</p> <p>(a) Unless otherwise specified, temporary presence of natural persons is offered only in respect of supply through the mode of commercial presence.</p> <p>(b) One senior manager and five specialists or experts for branches of foreign insurance companies and locally incorporated insurance companies.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts for each institution for areas relating to:</p> <p>(i) underwriting of specialized</p>	<p>Unbound except for the categories of natural persons referred to in the market access column.</p>	



Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	classes of general business; (ii) information technology; and (iii) actuarial functions.  (c) Entry shall be limited to a maximum period of five years.		
<b>FINANCIAL SERVICES ACTIVITIES</b>			
<b>A. BANKING AND OTHER FINANCIAL SERVICES, EXCLUDING INSURANCE</b>			
Acceptance of deposits, and other repayable funds from the public, wholesale and retail.	Unbound except as indicated in the all financial services horizontal section.	Unbound except as indicated in the all financial services horizontal.	
Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions.	For banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except one foreign national for a management post which is not the CEO post, for each establishment.  For representative offices of scheduled businesses, two foreign nationals subject to only one foreign national for the two top posts.	For banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	Entry shall be limited to a maximum period of five years.		
Financial leasing.	<p>Unbound except two foreign nationals, one for management post which is not the CEO post and one technical post, for each establishment.</p> <p>For representative offices, two foreign nationals subject to one foreign national for the two top posts.</p> <p>Entry shall be limited to a maximum period of five years.</p> <p>For offshore leasing companies, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.</p>	<p>Unbound except for the categories of natural persons referred to in the market access column.</p> <p>For offshore leasing companies, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.</p>	
All payment and money transmission services, namely credit and debit cards, travellers cheques and bankers drafts.	<p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except one foreign national for a management post which is not the CEO post, for each establishment.</p> <p>Entry shall be limited to a maximum</p>	<p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except for the categories of natural persons referred to in the market access column.</p>	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	period of five years.		
Charge cards.	Unbound except two senior managers for each establishment.  Entry shall be limited to a maximum period of five years.	Unbound except for the categories of natural persons referred to in the market access column.	
Guarantees and commitments.	Unbound except as indicated in the all financial services and all-sector horizontal section.	Unbound except as indicated in all financial services and all-sector in the horizontal section.	
Money and foreign exchange broking services.	Unbound.  For offshore money and foreign exchange brokers, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.	Unbound  For offshore money and foreign exchange brokers, unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.	
Trading for own account or account of customers in the following:  - money market instruments - foreign exchange - transferable securities - exchange rate and interest rate instruments - derivative products, including futures and options - other negotiable	For banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except as indicated in the all-sector horizontal section.	For banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except as indicated in the all-sector horizontal section.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
instruments, including bullion			
Services related to the issues of all kinds of securities and placement as agents (whether publicly or privately) (excluding issuing and rating houses).	<p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	<p>For banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	
Underwriting	<p>For commercial banks, merchant banks, offshore banks and offshore investment banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all-sector horizontal section.</p>	<p>For commercial banks, merchant banks, offshore banks and offshore investment banks, unbound except as indicated in the all financial services horizontal section.</p> <p>For non-banks, unbound except as indicated in the all sector horizontal section.</p>	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
Asset management as follows: <ul style="list-style-type: none"> <li>- cash or portfolio management</li> <li>- all forms of collective investment management</li> <li>- custodial and depository services</li> </ul>	For commercial banks and merchant banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except as indicated in the all-sector horizontal section.	For banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except as indicated in the all-sector horizontal section.	
Advisory, intermediation and other auxiliary financial services, including credit reference and analysis, investment advice on acquisitions, corporate restructuring and strategy.	For banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except as indicated in the all-sector horizontal section.  For representative offices, two foreign nationals subject to only one foreign national for the two top posts. Entry shall be limited to a maximum period of five years.	For banks, unbound except as indicated in the all financial services horizontal section.  For non-banks, unbound except as indicated in the all-sector horizontal section.	
Operational headquarters (OHQ) for financial sector (Provides services to commercial and investment banking institutions in activities relating to work carried out in	Unbound except as indicated in the all-sector horizontal section.	None	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
Malaysia for its offices and related companies outside Malaysia, pertaining to general management and administration, business planning, technical support, marketing control and sales promotion planning, training and personnel management, provision of treasury and fund management services and research and development).			
Securities broking services comprising:  - broking services; - credit reference and analysis; - investment portfolio management and advice; and - market research	Unbound for a stockbroking company, except as indicated in the all-sector horizontal section.  For representative offices, two foreign nationals subject to only one foreign national for the two top posts. Entry shall be limited to a maximum period of five years.	Unbound except for the categories of natural persons referred to in the market access column.	
Commodity futures broking services	Unbound except one foreign national for a management post per establishment, subject to market test.	Unbound except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
<b>B. INSURANCE SERVICES</b>			
Direct insurance (non-life).	Unbound except as indicated in the all financial services horizontal section.	Unbound except as indicated in the all financial services horizontal section.	
Direct insurance (life).	Unbound except as indicated in the all financial services horizontal section.	Unbound except as indicated in the all financial services horizontal section.	
Reinsurance and retrocession (non-life)	<p>Unbound except for:</p> <p>(a) Two senior managers and three specialists or experts for each institution are permitted.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts are individuals who possess knowledge and expertise relating to new products and services, technique or management of the financial service supplier.</p> <p>(b) Entry shall be limited to a maximum period of five years.</p> <p>For offshore reinsurance companies,</p>	<p>Unbound except as indicated in the all financial services horizontal section.</p> <p>For offshore reinsurance companies, unbound except as indicated in the all financial services horizontal section.</p>	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	unbound except as indicated in the all financial services horizontal section.		
Reinsurance and retrocession (life).	<p>Unbound except for:</p> <p>(a) Two senior managers and three specialists or experts for each institution are permitted.</p> <p>A senior manager is an individual possessing proprietary knowledge and authority essential to the establishment, control and operation of the services of the financial service supplier.</p> <p>Specialists or experts are individuals who possess knowledge and expertise relating to new products and services, technique or management of the financial service supplier.</p> <p>(b) Movement of a senior manager, specialist or expert can be through intra-corporate transfers or otherwise.</p> <p>(c) Entry shall be limited to a maximum period of five years.</p> <p>For offshore reinsurance companies, unbound except as indicated in the all</p>	<p>Unbound except as indicated in the all financial services horizontal section.</p> <p>For offshore reinsurance companies, unbound except as indicated in the all financial services horizontal section.</p>	



Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
	financial services horizontal section.		
Insurance intermediation - insurance broking (excluding agency).	Unbound except as indicated in the all financial services horizontal section.	Unbound except as indicated in the all financial services horizontal section.	
Insurance intermediation - insurance underwriting and insurance management.	Unbound except as indicated in the all financial services horizontal section.	Unbound except as indicated in the all financial services horizontal section.	
Services auxiliary to insurance, as follows: (a) Consultancy (excludes insurance agency services to insurance industry) (b) Actuarial risk assessment (c) Risk management (d) Maritime loss adjusting.	Unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.	Unbound except for temporary presence of natural persons in respect of supply through the mode of commercial presence.	
<b>HEALTHCARE SERVICES</b>			
Medical speciality services covering forensic medicine, nuclear medicine, geriatrics, micro vascular surgery, neurosurgery, cardiothoracic surgery, plastic surgery, clinical immunology and oncology, traumatology, anaesthesiology,	Unbound, except indicated in 2 a) in the horizontal section	None other than: - practice only in private hospitals of at least 50 beds; - practice to be only at a specified location and a change of location requires approval; and - the setting up of individual or joint	The qualifying examination to determine the competence and ability to supply the service will be conducted in English language.

<b>Sector or Sub-sector</b>	<b>Limitation on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
intensive care specialist, child psychiatry and physical medicine (CPC 93122)		group practices is not permitted	
Veterinary services (CPC 932) Services delivered to equine animals in equestrians or turf clubs	Unbound, except indicated in 2 a) in the horizontal section.	Unbound, except indicated in the horizontal section.	
Private hospital services (CPC 93110*)	Unbound, except as indicated in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.	
<b>TOURISM AND TRAVEL RELATED SERVICES</b>			
Hotel, tourist resort and restaurant services covering the management and operation of hotels or resorts, including outlets which may not necessarily include ownership of such properties (CPC 641, 642, 643)	Unbound except as indicated in 1(a) and (b) and 2 (a) and (c) in the horizontal section.	Unbound except for the categories of natural persons referred to in the market access column.	
Travel Agencies and Tour Operators Services (CPC 7471)	Unbound except as indicated in 1(a) in the horizontal section.	Unbound except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
<b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b>			
Other entertainment services (CPC 96191, 96192)	Unbound except as indicated in 2 a) in the horizontal section.	Unbound, except for the categories of natural persons referred to in the market access column.  Participation of Malaysian entertainers/ artistes may be required based on the guidelines of the relevant Ministry	
Theme Park (part of CPC 96194)  (A family based recreational area/ amusement centre which may consist of rides, mechanical and/or high-tech simulation equipment with various kinds of amusement facilities built around a theme or several themes. Activities to be offered will contain elements of entertainment and adventure. The concept of the park can either be outdoor or indoor or a combination of both)	Unbound except as indicated in 1(a) and (b) and 2(a) and (c) in the horizontal section	Unbound except for the categories of natural persons referred to in the market access column.	
Sports events management services (CPC 96411, 96412)	Unbound, except as indicated in 2 a) in the horizontal section	Unbound, except for the categories of natural persons referred to in the market access column.	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
<b>TRANSPORT SERVICES</b>			
<b>A. Maritime Transport Services</b> International maritime transportation services, excludes cabotage (CPC 7211, 7212)	Unbound, except as indicated in the horizontal section. Ship crew is permitted to disembark only for duration of berth.	Unbound, except for the categories of natural persons referred to in the market access column.	
Maritime agency services covering marketing and sales of maritime transport and related services and acting on behalf of the companies organizing the call of the ship or taking over cargoes when required (CPC 7454*)  <i>Vessel salvage and refloating services except on inland waters (CPC 74540)</i>	Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section	Unbound except the categories of natural persons referred to in the market access column	

Sector or Sub-sector	Limitation on Market Access	Limitations on National Treatment	Additional Commitments
<b>OTHER SERVICES</b>			
Skills training services covering the provision of training for technical, supervisory and production related functional levels in new and emerging technologies as follows: 1) automated manufacturing technology; 2) advanced materials technology; 3) biotechnology; 4) electronics; 5) information technology; and 6) avionics/aviation technology (CPC 97090)	Unbound, except as indicated in the horizontal section	Unbound, except for the categories of natural persons referred to in the market access column.	

**Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area**

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>HORIZONTAL SECTION</b>			
All Sectors: For a service supplier of another Party who is natural person of that Party but is not national of that Party in mode 4: unbound.			
All Sectors	<p>(f) All foreign enterprises and foreign workers shall abide by <u>Business Visa*</u></p> <p>Period for Permission of Visa -70 days</p> <p>Period for Permission of stay Extension</p> <p>-up to 3 months** 36US\$</p> <p>- Over 3 months-up to one year** 90 US\$</p> <p>[**with recommendation of Ministry concerned, Application Form, Passport (original &amp; copy), Stay Form, (2) Recent Photos, FRC, Company Registration Card, Export &amp; Import License]</p> <p>(Remark: In accordance with permission of Visa Confirming Board, Ministry of Immigration has been obligating)</p>		

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>4) The Department of Labour, under the Ministry of Labour performs registration for oversea workers who have been given the permission to stay in work by the Myanmar Investment Commission. The duration of registration is six months and the registration fee is 5 FEC for one person .</p>	<p>4)Any expatriate engage in joint venture, representative offices or other types of judicial person and / or individual services provider shall receive the approval of the respective authority.</p> <p>Any expatriate entering into Myanmar shall abide by The Myanmar Immigration (Emergency Provisions) Act 1947, The Foreigners Act 1846, The Registration of Foreigners Act 1940, The Registration of Foreigners Rules 1948 and Immigration rules , regulations and procedures of Myanmar</p> <p>Individual services providers who work with the approval of respective authorities shall register themselves with the Department of labour, the Ministry of labor.</p> <p>The Department of Labour, under the Ministry of Labour performs</p>	



**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

<b>Sector or Sub sector</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
		<p>registration for oversea workers who have been given the permission to stay in work by the Myanmar Investment Commission .</p> <p>Regarding the recognize the educational certificates and technical standard certificate, Myanmar only determines equivalent factor depend on syllabus, contents, volume, time frame. Myanmar needs syllabus, contents, volume, time frame in English of respective countries.</p>	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>SECTOR-SPECIFIC COMMITMENTS</b>			
<b>BUSINESS SERVICES</b>			
A. <u>Professional Services</u>			
1. Accounting, Auditing and Book-keeping Services	4) Unbound	4) Unbound	
2. Architectural services (CPC 8671) 3. Engineering service (CPC 8672) 4. Integrated engineering services (CPC 8673) 5. Landscape architectural services (CPC 86742)	4. (a) Subject to Union of Myanmar Foreign Investment Laws, Myanmar Labour Laws and Immigration Laws and existing laws and regulations, Management, professional and Technical Experts unless mentioned otherwise are allowed to stay up to one year and extendable there on. (b) Preference for entry and temporary stay of skilled workers from traditional source of supply. (c) Unskilled labour is not allowed in Myanmar	4.(a) Any expatriate engaged in joint ventures, representative offices or other types of judicial person and/or individual services provider shall receive the approval of the respective authority. (b) Any expatriate entering into Myanmar shall abide by the immigration rules and procedures of Myanmar. (c) Any expatriate in Myanmar shall abide by the laws, rules and regulations of Myanmar and they shall not interfere in the internal affairs of the country. (d) Individual services providers who work with the approval of	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
		respective authorities shall register themselves with the Department of labour. (e) The Government needs to regulate the flow of foreign workers to ensure social cohesion in Myanmar.	
B. <u>Computer and Related Services</u>			
1. Consultancy services related to the installation of computer hardware (CPC 841) 2. Software implementation services (CPC 842) <ul style="list-style-type: none"> <li>▪ System and software consulting services (CPC 8421)</li> <li>▪ System analysis services (CPC 8422)</li> <li>▪ System design services (CPC 8423)</li> <li>▪ Programming services (CPC 8424)</li> <li>▪ System maintenance services</li> </ul>	(4) Subject to Union of Myanmar Foreign Investment Laws, Myanmar labour law, Immigration law and existing laws and regulations, Only core staff including management staffs, technical experts, and such will be allowed to enter to carry out the activities.	(4) Presence of natural persons <ul style="list-style-type: none"> <li>(a) Natural persons require approval from the related departments and will be subject to the existing laws, rules, and regulations.</li> <li>(b) Any expatriate engaged in joint ventures, representative offices or other types of judicial person and/or individual services provider shall receive the approval of the respective authority.</li> <li>(c) Any expatriate entering into Myanmar shall abide by the immigration rules and procedures of Myanmar.</li> </ul>	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

<b>Sector or Sub sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
<p>(CPC 8425)</p> <p>3. Data processing services (CPC 843)</p> <ul style="list-style-type: none"> <li>▪ Input preparation services (CPC 8431)</li> <li>▪ Data-processing and tabulation services (CPC 8432)</li> <li>▪ Time-sharing services (CPC 8433)</li> <li>▪ Other data processing services (CPC 8439)</li> </ul> <p>4. Data base services (CPC 844)</p> <p>5. Other (CPC 845 + 849)</p> <ul style="list-style-type: none"> <li>▪ Maintenance and repair services of office machinery (CPC 845)</li> <li>▪ Data preparation services (CPC 8491)</li> <li>▪ Other computer services (CPC 8499)</li> <li>▪ System integration services</li> <li>▪ Software development</li> </ul>		<p>(c) Any expatriate in Myanmar shall abide by the laws, rules and regulations of Myanmar and they shall not interfere in the internal affairs of the country.</p> <p>(d) Individual services providers who work with the approval of respective authorities shall register themselves with the Department of labour.</p> <p>(e) Subject to domestic rules and regulations for the categories of natural persons referred to under market access.</p> <p>(f) Standard rate of income taxes are 30% of net profit for kyat-income and 2% of net profit for foreign currency-income.</p> <p>(g) Unskilled labour is not allowed in Myanmar.</p>	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

<b>Sector or Sub sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
services		(h) The Government needs to regulate the flow of foreign workers to ensure social cohesion in Myanmar	
<b>F. Other Business Services</b>			
a. Advertising Services (CPC 871)	4) Unbound	4) Unbound	
r. Printing and Publishing (CPC 89)	4) Unbound	4) Unbound	
t. Translation and Interpretation Services (CPC 87905)	4) Unbound	4) Unbound	
<b>COMMUNICATION SERVICES</b>			
<b>D. Audio Visual Services</b>			
Motion Picture and Video Tape Production Services (CPC 96121)	4) Subject to the Union of Myanmar Foreign Investment Law, Myanmar Labour Law , Immigration Laws and existing laws and regulations only managers, executives, experts and skilled technicians of foreign nationality will be granted stay permit of one year (under domestic law). If the foreigner wishes to stay beyond the initial valid period, he may apply, in accordance with rules and	4).(a) Any expatriate engaged in joint ventures, representative offices or other types of judicial person and/or individual services provider shall receive the approval of the respective authority.  (b) Any expatriate entering into Myanmar shall abide by the immigration rules and procedures of Myanmar.	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

<b>Sector or Sub sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
	regulations, for an extension of a period not exceeding one year.	<p>(c) Any expatriate in Myanmar shall abide by the laws, rules and regulations of Myanmar and they shall not interfere in the internal affairs of the country.</p> <p>(d) Individual services providers who work with the approval of respective authorities shall register themselves with the Department of labour.</p> <p>(e) Subject to domestic rules and regulations for the categories of natural persons referred to under market access.</p> <p>(f) Standard rate of income taxes are 30% of net profit for kyat-income and 2% of net profit for foreign currency-income.</p>	
Cinema Theatre Services and Motion Picture Projection Services (CPC 9615)	4) Unbound	4) Unbound	
Rental and Leasing of	4) Unbound	4) Unbound	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

<b>Sector or Sub sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
Studio Recording equipment (CPC 38109)			
<b>CONSTRUCTION SERVICES</b>			
<ol style="list-style-type: none"> <li>1. Pre-erection work at construction site (CPC 511)</li> <li>2. Construction work for buildings (CPC 512)</li> <li>3. Construction work for civil engineering (CPC 513)</li> <li>4. Assembling and erection of prefabricated construction (CPC 514)</li> <li>5. Special trade Construction (CPC 515)</li> <li>6. Installation work (CPC 516)</li> <li>7. Building completion and finishing work (CPC 517)</li> <li>8. Renting services related to equipment for construction or demolition of building or civil engineering works with operator. (CPC 518)</li> </ol>	<ol style="list-style-type: none"> <li>4. Subject to Union of Myanmar Foreign Investment Laws, Myanmar labour law, Immigration law and existing laws and regulations, management, professional and technical experts are allowed to stay up to one year and may be extendable there on.</li> </ol>	<ol style="list-style-type: none"> <li>4) (a) Any expatriate engaged in joint ventures, representative offices or other types of judicial person and/or individual services provider shall receive the approval of the respective authority.</li> <li>(b) Any expatriate entering into Myanmar shall abide by the immigration rules and procedures of Myanmar.</li> <li>(c) Any expatriate in Myanmar shall abide by the laws, rules and regulations of Myanmar and they shall not interfere in the internal affairs of the country.</li> <li>(d) Individual services providers who work with the approval of respective authorities shall register themselves with the</li> </ol>	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
		Department of labour. (e) Subject to domestic rules and regulations for the categories of natural persons referred to under market access. (f) Standard rate of income taxes are 30% of net profit for kyat-income and 2% of net profit for foreign currency-income. (g) Unskilled labour is not allowed in Myanmar. (h) The Government needs to regulate the flow of foreign workers to ensure social cohesion in Myanmar	
<b>EDUCATION SERVICES</b>			
1. Education Services (CPC 922, 923 and 929)	(4) Unbound	(4) Unbound	Due to existing regulations of Education, all kinds of education services are to be regulated by Ministry of Education
2. Management Consulting	(4) Commitment with Limitation	(4) Unbound	Due to existing



**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

<b>Sector or Sub sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
and Regulated Services (CPC 865)			regulations of Education, all kinds of education services are to be regulated by Ministry of Education
<b>TRANSPORT SERVICES</b>			
A. <u>Maritime Transport Services</u>			
1. International Passenger Transport (Excluding Cabotage)	4) Unbound	4) Unbound	
2. International Freight Transport (Excluding Cabotage)	4) Only management level is allowed in Myanmar	4) Unbound	
3. Maritime Cargo Handling Services	4).Management, professional and Technical Experts are allowed in Myanmar.	4) (a) Any expatriate engage in Joint Venture, representative offices or other type of judicial person and individual services providers shall receive the approval of the respective authority.  (b) The immigration rules and procedures shall abide by any expatriate when entering into Myanmar.  (c) Any expatriate in Myanmar	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<p>shall abide by the laws, rules and regulations of the Union of Myanmar and that they shall not interfere in the internal affairs of the country.</p> <p>(d) Individual services provider who work with approval of respective authority shall register themselves with the Department of Labour.</p>	
4 .Storage and Warehouse Services	<p>4) (a) Subject to the Union of Myanmar Foreign Investment Law, Myanmar Labour Law and Immigration Laws, Management, Professional and Technical Experts, unless mentioned otherwise are allowed to stay up to one year and may extendable thereon.</p> <p>(b) Only management level is allowed in Myanmar.</p>	<p>(4) (a) Any expatriate engage in Joint Venture, representative offices or other type of judicial person and individual services providers shall receive the approval of the respective authority.</p> <p>(b) The immigration rules and procedures shall abide by any expatriate when entering into Myanmar.</p> <p>(c) Any expatriate in Myanmar shall abide by the laws, rules</p>	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<p>and regulations of the Union of Myanmar and that they shall not interfere in the internal affairs of the country.</p> <p>(d) Individual services provider who work with approval of respective authority shall register themselves with the Department of Labour.</p>	
5. Maritime Freight Forwarding Services	4) Unbound	4) Unbound	
C. <u>Air Transport Services</u>			
1. Aircraft Repair and Maintenance Services	<p>(4) (a) Subject to the provisions of the Union of Myanmar Foreign Investment Law, Myanmar Labour Laws and Immigration Laws, management, professional and technical experts are allowed to stay up to one year and may be extendable thereon.</p> <p>(b) Only management level is allowed in Myanmar.</p>	<p>(4) (a) Any expatriate engaged in joint ventures, representatives offices or other types of judicial persons and/or individual services provider shall receive the approval of the respective authorities.</p> <p>(b) Any expatriate entering into Myanmar shall abide by the immigration rules and procedures of Myanmar.</p>	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Sector or Sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<p>(c) Any expatriate in Myanmar shall abide by the laws, rules and regulations of Myanmar and they shall not interfere in the internal affairs of the country.</p> <p>(d) Individual service providers who work with approval of respective authorities shall register themselves with the Department of Labour.</p>	
2. Selling and Marketing of Air Transport Services	<p>(4) (a) Subject to the provisions of the Union of Myanmar Foreign Investment Law, Myanmar Labour Laws and Immigration Laws, management, professional and technical experts are allowed to stay up to one year and may be extendable thereon.</p> <p>(b) Only management level is allowed in Myanmar.</p>	<p>(4) (a) Any expatriate engaged in joint ventures, representatives offices or other types of judicial persons and/or individual services provider shall receive the approval of the respective authorities.</p> <p>(b) Any expatriate entering into Myanmar shall abide by the immigration rules and procedures of Myanmar.</p> <p>(c) Any expatriate in Myanmar shall abide by the laws, rules and regulations of Myanmar</p>	

**MYANMAR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

<b>Sector or Sub sector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>
		<p>and they shall not interfere in the internal affairs of the country.</p> <p>(d) Individual service providers who work with approval of respective authorities shall register themselves with the Department of Labour.</p>	

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**NEW ZEALAND'S SCHEDULE OF MOVEMENT OF NATURAL  
PERSONS COMMITMENTS**

1. New Zealand's commitments under Chapter 9 (Movement of Natural Persons), and under Article 3 (National Treatment) and Article 4 (Market Access) of Chapter 8 (Trade in Services), in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.

2 In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Schedules of Specific Commitments) of Chapter 8 (Trade in Services), for the categories of persons set out in this Schedule, New Zealand specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of New Zealand.

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p><b>Business Visitors</b></p> <p><u>Definition:</u> A natural person of a Party whose remuneration and financial support is derived entirely from sources outside New Zealand and is seeking temporary entry to New Zealand for business purposes, such as:</p> <ul style="list-style-type: none"> <li>(i) for the purpose of negotiating and concluding the sale of goods or services but is not engaged in making direct sales to the general public or in supplying goods or services themselves;</li> <li>or</li> <li>(ii) as an investor, or duly authorised representative of an investor, for the purpose of establishing, expanding, monitoring, or disposing of an</li> </ul>	<p>Entry for a period not exceeding in aggregate three months in any calendar year.</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>investment, but not with the intention of establishing or operating any business on the business visitor's own account.</p>	
<p><b>Intra-corporate transferees</b></p> <p><u>Definition:</u> An <b>executive, manager</b> or a <b>specialist:</b></p> <p>(a) who is an employee of a goods supplier, service supplier or investor of a Party with a commercial presence in New Zealand; and</p> <p>(b) whose salary and any related payments are paid entirely by the service supplier or enterprise that employs the intra-corporate transferee.</p>	<p><b>Executives:</b></p> <p><u>Definition:</u> A natural person of a Party who primarily directs the management of an enterprise, 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 enterprise. An executive would not directly perform tasks related to the actual provision of the service or the operation of the enterprise.</p> <p>Entry for a period of initial stay up to a maximum of three years for executives who have been employed by their employer for at least twelve months prior to their proposed transfer to New Zealand.</p> <p><b>Managers:</b></p> <p><u>Definition:</u> A natural person who will be responsible for or directs the entire or a substantial part of the operations of the enterprise in New Zealand, receiving general supervision or</p>



Entry in the following categories only	Conditions (including duration of stay)
	<p>direction principally from higher level executives, the board of directors or stockholders of the enterprise; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the entire or a substantial part of the operations of the enterprise.</p> <p>Entry for a period of initial stay up to a maximum of three years for managers who have been employed by their employer for at least twelve months prior to their proposed transfer to New Zealand.</p> <p><b>Specialists</b></p> <p><u>Definition:</u> A natural person with advanced trade, technical or professional skills within an organisation who possesses knowledge at an advanced level of technical expertise, and who possesses proprietary knowledge of the organisation's service, research equipment, techniques or management. Such specialists are responsible for or employed in a particular aspect of an organisation's operations in New Zealand. Skills are assessed in terms of the applicant's employment experience, qualifications,</p>

Entry in the following categories only	Conditions (including duration of stay)
	<p>and suitability for the position.</p> <p>Entry for a period of initial stay up to a maximum of three years.</p>
<p><b>Installers/Serviceers</b></p> <p><u>Definition:</u> A natural person who is an installer or servicer of machinery and/or equipment, where such installation and/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.</p>	<p>Entry for periods not exceeding three months in any twelve-month period.</p>
<p><b>Independent Service Suppliers</b> (Self-employed Services suppliers working on a contractual basis, without a requirement for commercial presence)</p> <p>In the following category only:</p> <p><b>A. Independent Professionals:</b> <u>Definition:</u> Self-employed natural persons with advanced technical or professional skills, without the requirement for a commercial presence, working under a valid contract in New Zealand. Independent professionals must also have (i) a qualification resulting from three or more years of formal</p>	<p>In respect of the services sectors set out in New Zealand's Schedule of Specific Services Commitments (Annex 3) only and subject to economic needs tests, entry for a period of stay up to a maximum of 12 months.</p>

Entry in the following categories only	Conditions (including duration of stay)
post-secondary school education leading to a recognised degree or diploma and (ii) six or more years of experience. Both (i) and (ii) must be in the field in which the Independent Professionals wish to supply their professional services <sup>1</sup> .	

3 Notwithstanding the commitments set out above, New Zealand remains unbound in cases of labour/management disputes, and also with respect to ships' crews.

4. With respect to audiovisual services, the New Zealand Immigration policy, based on the Immigration Act 1987 and the Immigration Regulations 1999, stipulates a special procedure for the granting of visas to entertainers, performing artists and associated support personnel for work purposes. To be eligible for a work visa or work permit, such applicants must come within the policy guidelines agreed to between the Minister of Immigration, independent promoters, agents or producers and the relevant performing artists' unions.

5. All the commitments in respect of the presence of natural persons made in New Zealand's Schedule of Specific Commitments in the WTO (as currently set out in GATS/SC/62), including any requirements, regulations and additional commitments, apply to the services suppliers of the other Parties.

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<sup>1</sup> These qualifications must be recognised by the appropriate New Zealand authority where under New Zealand law such recognition is a condition of the provision of that service in New Zealand.

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**THE PHILIPPINE SCHEDULE OF MOVEMENT OF NATURAL  
PERSONS COMMITMENTS**

1. This schedule applies to all sectors covered under the specific commitments of the Philippines in the Trade in Services Chapter of the AANZFTA.

2. Philippines' commitments under the Movement of Natural Persons Chapter, and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party, apply only in relation to the categories of persons set out below.

3. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Philippines specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of the Philippines.

- a) The Philippines shall require a covered natural person of each Party seeking entry and temporary stay under the terms and conditions set out in each category below to obtain an appropriate visa prior to entry pursuant to the Philippine Immigration Act of 1940, as amended.
- b) Pursuant to the provisions of Article 40 of the Labor Code, as amended and its implementing rules and regulations, non-resident aliens may be admitted to the Philippines for the supply of a service after a determination of the non-availability of a person in the Philippines who is competent, able and willing at the time of application, to perform the services for which the alien is desired.
- c) Pursuant to Section 14, Article XII of the Constitution of the Republic of the Philippines, the practice of profession in the Philippines shall be limited to Filipino citizens, save in cases prescribed by law. If the position of the natural person constitutes the practice of a regulated profession under the laws and regulations of the Philippines, the natural person must secure a special permit to practice the regulated profession from the Professional Regulation Commission pursuant to Section 7(j) of Republic Act No. 8981, and obtain an AEP from DOLE pursuant to Article 40 of the Labor Code

as amended. The natural person shall likewise comply with the requirements relative to practice of profession by a foreign national as provided for in the appropriate professional regulatory law.

- d) In activities expressly reserved by law to citizens of the Philippines, (i.e. foreign equity is limited to a minority share) all executive and managing officers must be citizens of the Philippines. The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital to that entity.
- e) For Telecommunications sector, individual service suppliers must be Filipino citizens. The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital to that entity. All executives and managers must be citizens of the Philippines.
- f) For banking services, unbound except as indicated in item 2 of this schedule. A non-Filipino citizen employed as officer or assigned to do technical functions shall have two Filipino understudies.
- g) For all insurance and insurance related services, only aliens qualified to hold technical positions may be employed within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry. Each employed alien shall have at least two Filipino understudies.
- h) For transport services, only aliens qualified to hold technical positions may be employed within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry. Each employed alien shall have two Filipino understudies. For specialized vessels, aliens may be employed as supernumeraries only for a period of six months.
- i) All measures relating to permanent residents are unbound. The Philippines reserves the right to enact laws on the treatment of permanent residents of foreign countries. Until such time as the Philippines enacts said domestic law, the

obligations of the Philippines with respect to the permanent residents of the other Parties shall be limited to the Philippines' obligations under the GATS, and the obligations of the other Parties with respect to the permanent residents of the Philippines shall be limited to their obligations under the GATS.

<b>Categories of Natural Persons Covered under this Commitment</b>	<b>Conditions and Limitations (Including Period of Stay)</b>
<p><b>1. Business visitors</b></p> <p>Natural persons who enter the Philippines for the purpose of participating in business contracts including negotiations for the sale of goods or services, or other similar activities including those to prepare for establishing commercial presence in the Philippines, without acquiring remuneration from the Philippines and without engaging in the supply of services.</p>	<p>Entry and temporary stay shall be granted to a natural person of each Party, who stays in the Philippines for an initial period of fifty nine (59) days, which may be extended every two (2) months thereafter for a total period of stay of one (1) year</p>
<p><b>2. Intra-corporate Transferees</b></p> <p>A natural person of each Party who is a manager, executive or person with specialized technology or knowledge, who has been employed by a juridical person that supplies services and/or has established commercial presence in each Party's territory and who is being transferred to its branch, subsidiary, affiliate, representative office or joint</p>	<p>Entry and temporary stay for one (1) year, which may be extended.</p>

Categories of Natural Persons Covered under this Commitment	Conditions and Limitations (Including Period of Stay)
venture partner in the Philippines.	
<p><b>3. Investors engaged in the following:</b></p> <ul style="list-style-type: none"> <li>(a) activities to invest in business in the Philippines and manage such business;</li> <li>(b) activities to manage business in the Philippines on behalf of a person other than that of the Philippines who has invested in such business; or</li> <li>(c) conduct of business in the Philippines in which a person other than that of the Philippines has invested.</li> </ul>	Entry and temporary stay for a period of one (1) year, which may be extended, shall be granted to a natural person of each Party who engages in any of these activities
<p><b>4. Natural Persons of each Party who Engage in Supplying Services, which Require Technology or Knowledge at an Advanced Level or which Require Specialized Skills belonging to Particular Fields of Industry, on the Basis of a Contract with Public or Private Organizations in the Philippines.</b></p>	Entry and temporary stay for a period of one (1) year, which may be extended, shall be granted to a natural person of a Party who occupies a technical, advisory or supervisory position on the basis of a personal contract with a public or private organization in the Philippines.



<b>Categories of Natural Persons Covered under this Commitment</b>	<b>Conditions and Limitations (Including Period of Stay)</b>
<p>Technical, Advisory or Supervisory position does not include skilled labor, and does not involve the practice of regulated profession as defined under the laws and regulations of the Philippines except for professionals covered in the schedule of commitments under the professional services in the Trade in Services Chapter, subject to the issuance of Special Permit by the Professional Regulation Commission and Alien Employment Permit by the Department of Labor and Employment pursuant to Section 7(j) of the PRC Modernization Act of 2000 and the applicable regulatory laws for each profession.</p>	

Categories of Natural Persons Covered under this Commitment	Conditions and Limitations (Including Period of Stay)
<p data-bbox="298 422 769 743"><b>5. Natural Persons of Each Party who Engage in Professional Service under a Twinning or Bridging Program Done Through an Accredited Higher Education Institution in the Philippines by a Foreign Higher Education Provider</b></p> <p data-bbox="355 789 777 1661">A natural person of each Party who is a Specialist with knowledge at an advanced level in the fields of agriculture, industrial, environment and natural resources management, engineering, architecture, science and technology, nursing and midwifery, curriculum development and enhancement, library and laboratory enrichment and cultural exchange in the fields of agriculture, industrial, environment and natural resources management, engineering, architecture, science and technology and health-related programs on the basis of a contract with public or private Higher Education Institution in the Philippines.</p>	<p data-bbox="823 789 1252 890">Entry and temporary stay for a period of one (1) year, which may be extended.</p>

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**SINGAPORE'S SCHEDULE OF MOVEMENT OF NATURAL  
PERSONS COMMITMENTS**

1. Singapore's commitments under Chapter 9 (Movement of Natural Persons), and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.

2. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Singapore specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Singapore.

<b>Entry in the following category only</b>	<b>Duration of stay</b>
<p><b>Intra-corporate transferees</b></p> <p>Intra-corporate transferees refer to managers, executives and specialists, as defined below, who are employees of firms that provide services within Singapore through a branch, subsidiary, or affiliate established in Singapore and who have been in the prior employ of their firms outside Singapore for a period of not less than one year immediately preceding the date of their application for admission and who are one of the following:</p> <p><b>(a) Managers:</b></p> <p>Persons within an organisation who primarily direct the organisation, or a department or sub-division of the organisation, supervise and control the work of other supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions (such</p>	<p>Entry for these intra corporate transferees is limited to a two year period that may be extended for up to three additional years each time for a total term not exceeding eight years.</p>

Entry in the following category only	Duration of stay
<p>as promotion or leave authorisation), and exercise discretionary authority over day-to-day operations. Does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who primarily perform tasks necessary for the provision of the service.</p> <p><b>(b) Executives:</b></p> <p>Persons within the organisation who primarily direct the management of the organisation, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the business. Executives would not directly perform tasks related to the actual provision of the service or services of the organisation.</p> <p><b>(c) Specialists:</b></p> <p>Persons within an organisation who possess knowledge at an advanced level of expertise and who possess proprietary knowledge of the organisation's service, research equipment, techniques, or management. (Specialists may include, but are not limited to, members of licensed professions).</p>	

3. Notwithstanding the commitments set out above, Singapore remains unbound with respect to National Treatment and ships' crews.

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**THAILAND'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

## THAILAND'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>The obligations of Thailand under this Agreement with respect to permanent Residents of the other Parties: Unbound</p> <p>Thailand reaffirms its rights and obligations regarding permanent residents as set out in its schedule of specific commitments in GATS. Nevertheless, where Parties exercise such rights, they shall not exercise through this Agreement.</p> <p>Unless otherwise specified at the sector-specific level, temporary movement of natural persons is unbound except in the following categories:</p>	<p>Unbound, except as provided in the MA column</p> <p>Others : Unbound</p>	

Note:

1. The scope and classification of sub-sectors contained in this schedule, unless otherwise specified, corresponds to the explanatory notes for services listed in the 1991 Central Product Classification (CPC) of the United Nations Statistical Office, while the ordering is based on the Services Sectoral Classification List set out in document MTN.GNS/W/120 dated 10 July 1991.
2. The use of “\*\*” indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.



Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>I. Business Visitors (BV)</p> <p>(a) Service sellers: Representatives of a service supplier who enter and stay in Thailand temporarily without receiving remuneration from within Thailand for the sale of goods or services or entering into agreement for such sale for that services supplier.</p> <p>(b) Persons responsible for establishing a commercial presence: Representatives of a service supplier who enter and stay in Thailand temporarily for the purposes of:</p> <ul style="list-style-type: none"> <li>- participating in business meetings or contacts,</li> <li>- visiting of business establishments or other similar activities,</li> <li>- entering with a purpose to establish a commercial presence of a service supplier in Thailand when the service supplier has no commercial presence in Thailand.</li> </ul> <p><u>Condition:</u> Representatives of such service suppliers or employees of such juridical person will not be engaged in making direct sales to the general public or in supplying services themselves.</p>		

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p><u>Duration of stay:</u> Temporary stay will be permitted and a work permit granted, when applied for, for an initial period of not more than 90 days.</p> <p>Representative of category (b) may be extended for a further period of not more than one year from the arrival date, provided that the criteria stipulated by the Immigration Bureau and the Department of Employment have been satisfied.</p> <p>II. Intra-Corporate Transferees (ICT)</p> <p>Employees of a company established in the territory of a Party who are transferred temporarily for the supply of a service through commercial presence in Thailand.</p> <p>The employees refer to Executives, Managers, or Specialists as defined below.</p> <p>Executive is defined as:</p> <p>A person within an organization who primarily directs the management of the organization, exercises wide latitude in decision-making, and receives only general supervision or direction from higher-level executives, (the board of directors, or shareholders of the</p>		

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>business). An executive would not directly perform tasks related to the actual provision of a service or services of the organization.</p> <p>Manager is defined as:</p> <p>A person within an organization who primarily directs the organization, or a department or sub-division of the organization; supervises and controls the work of other supervisory, professional or managerial employees; has the authority to hire and fire or recommend hiring, firing, or other personnel actions (such as promotion or leave authorization); and exercises discretionary authority over day-to-day operations. Does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who primarily perform tasks necessary for the provision of the service.</p> <p>Specialist is defined as:</p> <p>A person within an organization who possesses knowledge at an advanced level of continued expertise essential to the establishment provision of the service and/or possesses proprietary knowledge of the organization's services, research equipment, techniques, or management.</p>		

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p><u>Condition:</u> Such employees must have been employed by the company concerned outside Thailand for a period of not less than one year immediately preceding the date of his or her application for admission; have satisfied the criteria stipulated by the Immigration Bureau and hold a Non-Immigration visa; and have satisfied the criteria for management needs<sup>1</sup> stipulated by the Department of Employment.</p> <p><u>Duration of stay:</u> Temporary stay will be permitted and a work permit granted, when applied for, for a one year period, and may be extended for a further three terms of not more than one year each subject to verification of ongoing employment with original employer and compliance with relevant Thai laws and regulations.</p>		

<sup>1</sup> In considering managerial needs, the following facts shall be taken into consideration by the relevant authority, namely: (1) size of fully paid-up capital; (2) employment creation; (3) extent of foreign investment; (4) export promotion; (5) transfer of technology; (6) special needs of the management.

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Acquisition and usage of land: according to the Land Code of Thailand, foreign nationals or domestic companies which are deemed foreigners are not allowed to purchase or own land in Thailand. However, they may lease land and own buildings. Foreigners are also allowed to own part of condominium units under the laws and regulations governing the ownership of condominiums.	Acquisition and usage of land: Unbound, except as provided in the MA column	
<b>II. SECTOR SPECIFIC COMMITMENTS</b>			
1. BUSINESS SERVICES A. <u>Professional Services</u> (e) Engineering services (CPC 86721 to 86727 +86729)	(a) As indicated in the horizontal section (b) Unbound for civil engineer	Unbound, except as provided in the horizontal section	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>B. <u>Computer and Related Services</u></p> <p>(a) Consultancy services related to the installation of computer hardware (CPC 84100)</p> <p>(b) Software implementation services (CPC 84210+84220+84230+84240+84250)</p> <p>(c) Data processing services (excluding those provided over public telecommunications network) (CPC 84310+84320+84330+84390)</p> <p>(d) Data base services (excluding those provided over public telecommunications network) (CPC 84400)</p> <p>(e) Other computer services: software training services for staff of clients (part of CPC 84900)</p>	<p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>E. <u>Rental/Leasing Services without Operators</u></p> <p>(d) Rental and leasing services concerning agricultural machinery, construction machinery, office machinery, other machinery and equipment without operator (CPC 83106-83109)</p> <p>F. <u>Other Business Services</u></p> <p>(a) Advertising services (CPC 87110+87120+87190)</p> <p>(b) Market research and public opinion polling services (CPC 86401 to 86402)</p> <p>(c) General management consulting services (CPC 86501)</p>	<p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>(a) As indicated in the horizontal section (b) Unbound for legal and auditing consultants</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Technical testing and analysis services (CPC 86761+86769)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
(f) Services incidental to agriculture:  Consultancy services on agricultural extension: - soil preparation - seed production - plant protection - harvesting - grading - packing - storing	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Soil analysis laboratory	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Soil survey and land use Planning	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Cover crop seed multiplication	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	



Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(f) Services incidental to forestry: Forestry consultant services	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
(g) Services incidental to fishing:  International trading, exporting products services (broker)  Quality analysis services  Canning process analysis services  Technical services - Consulting - Research on marketing - Quality control	As indicated in the horizontal section  As indicated in the horizontal section  As indicated in the horizontal section  As indicated in the horizontal section	Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section	
(h) Services incidental to mining at oil and gas fields	(a) As indicated in the horizontal section (b) Unbound for civil engineer	Unbound, except as provided in the horizontal section	
(m) Related scientific and technical consulting services (CPC 8675**) Oil and gas exploration	(a) As indicated in the horizontal section (b) Unbound for civil engineer	Unbound, except as provided in the horizontal section	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(n) Maintenance and repair services of office machinery and equipment including computers (CPC 84500)  (t) Other  Translation and interpretation services (CPC 87905)	As indicated in the horizontal section    As indicated in the horizontal section	Unbound, except as provided in the horizontal section    Unbound, except as provided in the horizontal section	
2. COMMUNICATION SERVICES  C. <u>Telecommunications Services</u> Public local, domestic long distance and international services: (a) Voice telephone services (b) Telex services (c) Telegraph services (d) Facsimile services	(a) As indicated in the horizontal section (b) Unbound for civil engineer	Unbound, except as provided in the horizontal section	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(j) Data base access services (part of CPC 7523)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
(n) On-line information and/or data processing services (part of CPC 843)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
(o) Other			
Telecommunications equipment sales services (part of CPC 75420)	(a) As indicated in the horizontal section (b) Unbound for civil engineer	Unbound, except as provided in the horizontal section	
Telecommunications consulting services (CPC 75440)	(a) As indicated in the horizontal section (b) Unbound for civil engineer	Unbound, except as provided in the horizontal section	
Videotext (part of CPC 75299)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Teleconference (part of CPC 75292)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Domestic leased circuits (part of CPC 75299)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>D. <u>Audiovisual Services</u></p> <p>(a) Film/video production and distribution services excluding promotion or advertising services (CPC 96112+96113)</p> <p>(c) Radio/television services only for production of radio/TV programmes (CPC 96131+96132)</p>	<p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	
<p>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</p> <p>A. <u>Construction Work for Buildings</u> (CPC 512)</p> <p>B. <u>Construction Work for Civil Engineering</u> (CPC 513)</p> <p>C. <u>Installation Work</u> (CPC 516)</p>	<p>(a) As indicated in the horizontal section (b) Unbound for civil engineer</p> <p>(a) As indicated in the horizontal section (b) Unbound for civil engineer</p> <p>(a) As indicated in the horizontal section (b) Unbound for civil engineer</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>5. EDUCATIONAL SERVICES</p> <p>A. <u>Primary education services</u> (CPC 921**)   International and national school education services (CPC 9219)</p> <p>B. <u>Secondary education services</u> (CPC 922**)   International and national school education services (CPC 9221+9222)</p> <p>Technical and vocational education services (CPC 9223+9224)</p>	<p>Foreign natural persons may enter Thailand to supply education services provided that:</p> <p>(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p>(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Others : As indicated in the horizontal section</p>	<p>Unbound</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>C. <u>Higher education services</u> (CPC 92300)</p> <p>D. <u>Adult education services</u> (CPC 924**)   Professional and/or Short Courses Education Services</p> <p>E. <u>Other education services</u> (CPC 929**)   Foreign language tuition services</p>	<p>Foreign natural persons may enter Thailand to supply education services provided that:</p> <p>(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p>(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Others : As indicated in the horizontal section</p>	<p>Unbound</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>6. ENVIRONMENTAL SERVICES</p> <p>A. <u>Sewage services</u></p> <p>Environmental Consultancy on Sewage System, Refuse Disposal, Hazardous Waste Management, Air Pollution and Noise Management, Sanitation and Other Environmental Management Services (CPC 9401)</p> <p>Environmental Protection and Environmental Abatement Services (CPC 9401)</p> <p>Sewage Services (including industrial waste water treatment system) (CPC 9401)</p>	<p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. <u>Refuse Disposal Services</u> (including hazardous waste management and incinerator) (CPC 9402)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
C. <u>Sanitation and Similar Services</u> (CPC 9403)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
D. <u>Other</u>			
Cleaning services of exhaust gases (including industrial emission abatement) (CPC 9404)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Noise abatement services (CPC 9405)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Nature and landscape protection services (CPC 9406)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Other environmental protection services (CPC 9409)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	



Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>7. FINANCIAL SERVICES</p> <ul style="list-style-type: none"> <li>- With regard to the scope of operation and types of financial services that can be provided, each type of financial institution will be permitted to operate the sector or sub-sector of banking and other financial services only to the extent that their respective governing legislation permit them to do so.</li> <li>- All commitments in this sector are subject to horizontal commitments in Thailand's AANZFTA schedule of Movement of Natural Persons Commitments.</li> </ul>			
<p>A. <u>Insurance including Reinsurance and retrocession</u></p> <p>(a) Life insurance services (CPC 81211)</p> <p>(b) Non-life insurance services (CPC 8129)</p>	<p>Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p> <p>Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(d) Services auxiliary to insurance (excluding pension funding services)</p> <p>Insurance broking and agency services (CPC 81401) (Brokers shall not induce, advise or do any acts so as to cause any person to enter into insurance contracts with insurers abroad, except for reinsurance contracts)</p> <p>Insurance consultancy services excluding pension consulting services (CPC 81402)</p> <p>Average and loss adjustment services (CPC 81403)</p> <p>Actuarial Services (CPC 81404)</p>	<p>(a) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p> <p>(b) Unbound for individual broker and agent.</p> <p>Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p> <p>Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p> <p>Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Services auxiliary to financial intermediation other than to insurance and pension funding services</p> <p>Credit card services (CPC 81133) (Mobilizing funds from the public is prohibited, unless licensed under a financial law)</p> <p>Financial consultancy services (CPC 81332)</p>	<p>As indicated in the horizontal section.</p> <p>As indicated in the horizontal section.</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>B. <u>Banking and Other Financial Services</u></p> <p>Acceptance of deposits and other repayable funds from the public</p> <p>Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions</p> <p>Financial leasing</p> <p>Payment and money transmission services including credit, charge and debit cards, travellers cheques and bankers drafts</p> <p>Guarantees and Commitments</p> <p>Trading for own account, or for account of customers in the following:</p> <ul style="list-style-type: none"> <li>(a) money market instruments</li> <li>(b) foreign exchange</li> </ul>	<p><u>Locally incorporated banks:</u></p> <p>At least three-fourths of the directors must be of Thai nationality. The Minister of Finance upon recommendation of the Bank of Thailand may allow more foreign nationals than specified above subject to the terms and conditions as stated in 3(c), II (ii), section B-Banking and Other Financial Services, Thailand's Schedule of Specific Services Commitments.</p> <p><u>Finance companies and credit foncier companies:</u></p> <p>At least three-fourths of the directors must be of Thai nationality. The Minister of Finance upon recommendation of the Bank of Thailand may allow more foreign nationals than specified above subject to the terms and conditions as stated in 3(e), III (ii), section B-Banking and Other Financial Services, Thailand's Schedule of Specific Services Commitments.</p> <p>Limitations on the number of foreign personnel for finance companies:</p> <ul style="list-style-type: none"> <li>(a) two persons for a representative</li> </ul>	<p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(c) exchange rate and interest rate instruments</p> <p>(d) transferable securities</p> <p>Participation in issues of all kinds of securities, including underwriting and placement as agents (whether publicly or privately) and provision of services related to such issues</p> <p>Asset management as follows:</p> <ul style="list-style-type: none"> <li>- cash or portfolio management</li> <li>- collective investment management</li> <li>- custodian and depository services</li> </ul> <p>Advisory, intermediation and other auxiliary financial services</p> <p>Provision and transfer of financial information, and financial data processing and</p>	<p>office;</p> <p>(b) Maximum of four directors permitted for finance companies;</p> <p><u>Securities companies Securities brokerage, securities dealing, investment advisory service and securities underwriting:</u></p> <p>At least one-half of the directors of a locally incorporated securities firm must be Thai national.</p> <p>Limitations on the number of foreign personnel for securities companies: two persons for a representative office.</p> <p><u>Asset management companies:</u></p> <p>During the first five years after the licence has been granted, at least three-fourths of the directors must be Thai national.</p> <p>After five years, at least one-half of the directors must be Thai national.</p> <p>Limitations on the number of foreign personnel for management companies: two persons for a representative office.</p> <p><u>Foreign bank offices:</u></p> <p>Limitations on the number of foreign personnel per foreign bank office:</p>		

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
related software	(a) two persons for banks operating as representative office; (b) six persons for each full-licensed branch; (c) four persons for each BIBF branch; (d) two persons for each PIBF branch; (e) eight persons for banks operating as full-licensed and BIBF branch;		
9. TOURISM AND TRAVEL RELATED SERVICES  A. <u>Hotel and Restaurants</u>  Hotel Lodging Services (CPC 64110)  Camping and caravan site Services (CPC 64195)  Restaurant Services (CPC 64210)  Catering Services (CPC 64230)  B. <u>Travel Agency and Tour Operator Services</u>	As indicated in the horizontal section  As indicated in the horizontal section  As indicated in the horizontal section  As indicated in the horizontal section	Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Travel Agency and Tour Operator Services (CPC 74710)</p> <p>D. <u>Other</u></p> <p>Hotel management services</p>	<p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	
<p>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</p> <p>D. <u>Sporting Services and other recreational services</u></p> <p>Sporting Services (excluding other sporting services specified in CPC 96419) (CPC 96411 + 96412 + 96413)</p> <p>Other recreational services (CPC 9649**) Recreation Park and Beach Services</p>	<p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>11. TRANSPORT SERVICES</p> <p>A. <u>Maritime Transport Services</u></p> <p>(a) Passenger transportation (CPC 7211 less cabotage transport: as defined below - 3.1)</p> <p>(b) Freight transportation (CPC 7212 less cabotage transport: as defined below - 3.1)</p> <p>(e) International towing (CPC 7214)</p>	<p>(a) Ships' crews: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p> <p>(a) Ships' crews: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p> <p>(a) Ships' crews: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p>	<p>(a) Unbound</p> <p>(b) Unbound, except as provided in the horizontal section</p> <p>(a) Unbound</p> <p>(b) Unbound, except as provided in the horizontal section</p> <p>(a) Unbound</p> <p>(b) Unbound, except as provided in the horizontal section</p>	<p>The following services at the port provided by the government or government enterprise are made available, to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> <li>1. Pilotage<sup>2</sup></li> <li>2. Towing and tug assistance</li> <li>3. Provisioning, fuelling and watering</li> <li>4. Garbage collecting and ballast waste disposal</li> <li>5. Port captain's service</li> <li>6. Navigation aids</li> <li>7. Shore-based operational services essential to ship operations, water and electrical supplies</li> <li>8. Emergency repair facilities</li> <li>9. Anchorage, berth and berthing services</li> </ol>

<sup>2</sup> A Thai captain of a Thai ship which sails regularly in certain compulsory pilotage area may be permitted to pilot the ship in the area.



Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(f) Supporting Services for maritime transport (CPC 745**) Shore reception facilities (collection of waste/oily water from ships)  Port captain's services attached to specific foreign vessels  Marine surveys and classification societies for the purpose of providing accurate documentation and certification of vessels  Freight forwarding services	As indicated in the horizontal section  As indicated in the horizontal section  As indicated in the horizontal section  As indicated in the horizontal section	Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section  Unbound, except as provided in the horizontal section	
C. <u>Air Transport Services</u>			
(d) Aircraft repair and maintenance services (CPC 8868)	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Supporting services for air transport (CPC 746**) Selling and marketing of air transport services	As indicated in the horizontal section	Unbound	
E. <u>Rail Transport Services</u>			
(d) Maintenance and repair of rail transport equipment (CPC 8868)	(a) As indicated in the horizontal section (b) Unbound for civil engineer	Unbound, except as provided in the horizontal section	
(e) Supporting Services for rail transport services (CPC 743**)			
Passenger and freight car cleaning services	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	
Security services at railway station	As indicated in the horizontal section	Unbound, except as provided in the horizontal section	

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>F. <u>Road Transport Services Other non-scheduled passenger transportation</u></p> <p>(b) Freight transportation only for frozen or refrigerated goods, bulk liquids or gases and containerized freight (CPC 71231 to 71233)</p> <p>(c) Rental services of passenger cars with operator (CPC 71222)</p> <p>(c) Rental services of buses and coaches with operator (CPC 71223)</p> <p>H. <u>Services Auxiliary to All Modes of Transport</u></p> <p>(b) Storage and warehousing services (CPC 742)</p>	<p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p> <p>As indicated in the horizontal section</p>	<p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p> <p>Unbound, except as provided in the horizontal section</p>	

Reference Paper

NOTE TO THE SCHEDULE

1. Where road, rail, inland waterways and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent or lease trucks, railway carriages or barges, and related equipment, for the purpose of inland forwarding of cargoes, or have access to and use of these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations.

2. "Reasonable and non-discriminatory terms and conditions" means, for the purpose of multimodal transport operations, the ability of multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which enter the port at a later date.

3. Definitions:

3.1 "cabotage": for the purpose of this schedule, means the transportation or towage of passengers or goods, between a port or place located in Thai waters and another port or place located in Thai waters.

3.2 "Other forms of commercial presence for the supply of international maritime transport services": for the purpose of this schedule, means the ability for international maritime transport service suppliers of other members to undertake locally the following:

- (a) Marketing and sales of maritime transport services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself;
- (b) The procurement, on their own account of any transport and related services, necessary for the supply of the integrated service;
- (c) The preparation of documentation concerning transport documents, customer documents, or other document related to the origin and character of the goods transported;
- (d) Setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally with any locally established shipping agency: As indicated in the horizontal section.

3.3 "Multimodal transport operator" means the person on whose behalf the bill of lading/multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

3.4 "Freight forwarding services" means the activity consisting of organizing and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information.

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**Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area**

**VIET NAM'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS**

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p><b>I. HORIZONTAL COMMITMENTS</b></p> <p>1. Viet Nam's commitments under Chapter 9 (Movement of Natural Persons), and under Article 3 (National Treatment) and Article 4 (Market Access) of the Chapter 8 (Trade in Services), in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party, apply only in relation to the categories of persons set out below.</p> <p>2. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Schedules of Specific Commitments) of the Chapter 8 (Trade in Services), for the categories of persons set out in this Schedule, Viet Nam specifies below terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Viet Nam.</p> <p>3. Until such time as Viet Nam adopts domestic laws, regulations or policies which enable it to accord substantially the same treatment to the permanent residents of another country as it does to the nationals of that country, the obligations of Viet Nam with respect to the permanent residents of the other Parties shall be limited to its obligations under the GATS, as specified in its Protocol of Accession to the WTO, and the obligations of the other Parties with respect to the permanent residents of Viet Nam, shall be limited to their obligations under the GATS.</p>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(4) Unbound, except measures relating to entry and temporary stay of natural persons who fall in one of the following categories:  (a) Intra-corporate transferees  Managers, executives and specialists, as defined hereunder, of a foreign	(4) Unbound, except as indicated in market access column.	

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>enterprise which has established a commercial presence in the territory of Viet Nam, temporarily moving as intra-corporate transferees to that commercial presence and who have been previously employed by the foreign enterprise for at least one year, shall be granted entry and a stay permit for an initial period of three years which may be extended subject to the term of operation of those entities in Viet Nam. At least 20% of the total number of managers, executives and specialists shall be Vietnamese nationals. However, a minimum of 3 non-Vietnamese managers, executives and specialists shall be permitted per enterprise.</p> <p>Managers and executives are those who primarily direct the management of the foreign enterprises which have established commercial presence in Viet Nam, receiving only general supervision or direction from the board of directors or stockholders of the business or their equivalent, including directing the establishment</p>		



Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>or a department or subdivision of the establishment, supervising and controlling the work of other supervisory, professional or managerial employees, having the authority personally to hire and fire or recommend hiring, firing or other personnel actions, and who do not directly perform tasks concerning the actual supply of the services of the establishment.</p> <p>Specialists are natural persons working within an organization who possess knowledge at an advanced level of expertise and with knowledge of the organization's services, research equipment, techniques or management. In assessing such knowledge, account will be taken not only of knowledge specific to the commercial presence, but also of whether the person has a high level of skills or qualification referring to a type of work or trade requiring specific technical knowledge. Specialists may include, but are not limited to, members of licensed professions.</p>		

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(b) Other personnel</p> <p>Managers, executives and specialists, as defined in (a) above, who cannot be substituted by Vietnamese and who are employed outside Viet Nam's territory by a foreign enterprise which has established a commercial presence in the territory of Viet Nam with a view to participating in the foreign enterprise's activities in Viet Nam, shall be granted entry and a stay permit in conformity with the term of the concerned employment contract or for an initial period of three years whichever is shorter, which may be extended subject to the employment contract between them and the commercial presence.</p> <p>(c) Service sales persons</p> <p>Persons not based in the territory of Viet Nam and receiving no remuneration from a source located within Viet Nam, and who are engaged in activities related to</p>		

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>representing a service provider for the purpose of negotiating for the sale of the services of that provider where: (i) such sales are not directly made to the general public; and (ii) the salesperson is not directly engaged in supplying the service. The stay of these salespersons is limited to a 90-day period.</p>		
	<p>(d) Persons responsible for setting up a commercial presence</p> <p>Managers and executives (as defined in (a) above) within a juridical person, who are responsible for the setting up, in Viet Nam, of a commercial presence of a service provider of a Party when (i) these people are not engaged in making direct sales or supplying services; and (ii) the service provider has its principal place of business in the territory of a Party other than Viet Nam and has no other commercial presence in Viet Nam. The stay of these persons is limited to a 90-day period.</p>		

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(e) Contractual service suppliers (CSS)</p> <p>Natural persons who are employees of a foreign enterprise having no commercial presence in Viet Nam may enter and stay in Viet Nam for a period of 90 days or for the duration of the contract, whichever is less provided that the following conditions and requirements shall be applied:</p> <ul style="list-style-type: none"> <li>- The foreign enterprise has obtained a service contract from a Vietnamese enterprise engaged in business operation in Viet Nam. The competent authority of Viet Nam must be able to establish the necessary procedures to guarantee the bona fide character of the contract.</li> <li>- These persons must possess: (a) a university degree or a technical qualification document demonstrating knowledge of an equivalent level; (b) professional qualifications where this is required to exercise an activity in the sector concerned pursuant to the laws and</li> </ul>		

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>regulations of Viet Nam; and (c) at least 5 years of professional experience in the sector.</p> <ul style="list-style-type: none"> <li>- The number of these persons covered by the service contract shall not be larger than necessary to fulfil the contract, as it may be decided by the laws and regulations and requirement of Viet Nam.</li> <li>- These persons have been employed by the foreign enterprise having no commercial presence in Viet Nam for a period of no less than 2 years and have met the requirements prescribed for "specialist" above.</li> </ul> <p>The entry of these persons is allowed for computer and related services (CP 841-845, 849) and engineering services (CPC 8672).</p>		

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>			
<b>1. BUSINESS SERVICES</b>			
<b>A. Professional Services</b>			
(a) Legal services (CPC 861, excluding:  - participation in legal proceedings in the capacity of defenders or representatives of their clients before the courts of Viet Nam; - legal documentation and certification services of the laws of Viet Nam)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(b) Accounting and auditing and bookkeeping services (CPC 862)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(c) Taxation services (CPC 863)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(d) Architectural services (CPC 8671)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(e) Engineering services (CPC 8672)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(f) Integrated engineering services (CPC 8673)			
(g) Urban planning and urban landscape architectural services (CPC 8674)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(i) Veterinary services (CPC 932) <sup>1</sup>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>B. Computer and Related Services (CPC 841-845, CPC 849)</b>			
	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>C. Research and Development Services</b>			
(a) R&D services on natural sciences (CPC 851)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>E. Rental/Leasing Services without Operators</b>			
(b) Relating to aircraft (CPC 83104)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(d) Relating to other machinery and equipment (CPC 83109)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>F. Other Business Services</b>			
(a) Advertising services (CPC 871, excluding	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	The advertising for wines and spirits shall be

<sup>1</sup> Excluding keeping micro-organism strain for veterinary.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
advertising for cigarettes)			subject to State regulations, which are applied on a non-discriminatory basis.
(b) Market research services (CPC 864, excluding 86402)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(c) Management consultant services (CPC 865)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(d) Services related to management consulting  - CPC 866, except CPC 86602 - Arbitration and conciliation services for commercial disputes between businesses (CPC 86602**)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(e) Technical testing and analysis services (CPC 8676, excluding conformity testing of transport vehicles and certification of transport vehicles)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(f) Services incidental to	(4) Unbound, except as indicated in	(4) Unbound, except as indicated in	



Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
agriculture, hunting and forestry (CPC 881) <sup>2</sup>	the horizontal section.	the horizontal section.	
(h) Services incidental to mining (CPC 883)			
<p>1. The commitments specified hereunder are not understood to cover the following activities: supply of equipment, materials and chemicals, supply base services, offshore/marine support vessels, accommodation and catering, helicopter services.</p> <p>2. The commitments specified hereunder are made without prejudice to the rights of the Government of Viet Nam to set out the necessary regulations and procedures to regulate the oil and gas related activities carried out within the territory or jurisdiction of Viet Nam in full conformity with the rights and obligations of Viet Nam under the GATS.</p>			
	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(i) Services incidental to manufacturing (CPC 884 and 885)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(m) Related scientific and technical consulting services <sup>3</sup> (CPC 86751, 86752 and 86753 only)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(n) Maintenance and repair of	(4) Unbound, except as indicated in	(4) Unbound, except as indicated in	

<sup>2</sup> Excluding services relating to investigation, evaluation and exploitation for natural forest including exploitation of woods and wild, rare and precious animals hunting and trapping, aerial photographing, aerial seed planting and aerial chemicals spraying and dusting, micro-bial plant, animal genetic resource in agriculture. For the avoidance of ambiguity, animal husbandry and the improvement of breeding stock are included in this commitment.

<sup>3</sup> The supply of services related to prospecting, surveying, exploration and exploitation is subject to the applicable laws and regulations of Viet Nam.

Mode of delivery: (4) Presence of natural person			
<b>Sectors and sub-sectors</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633)	the horizontal section.	the horizontal section.	
<b>2. COMMUNICATION SERVICES</b>			
<b>B. Courier Services (CPC 7512**)</b>  * Express delivery services <sup>4</sup> , i.e. services consisting of collection, sorting, transport and delivery, whether for domestic or foreign destination, of: (a) Written communication <sup>5</sup> , on any kind of physical medium, including: - Hybrid mail service; - Direct mail. Except for the handling of items of written communication the price of which is less than:	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	Services and services suppliers of any other Party shall be accorded treatment no less favourable than the treatment accorded to the Vietnamese Post Office or its subsidiaries for its competitive activities.

<sup>4</sup> Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and address in transit, confirmation of receipt.

<sup>5</sup> Written communication includes letters, postcards, hand writings, or printed matters such as books, newspapers, periodicals, magazines, or commercial documents such as bills and invoices, etc.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<ul style="list-style-type: none"> <li>- 10 times the tariff for the handling of a standard domestic letter in the first weight level for domestic shipments;</li> <li>- US\$9 for international shipments;</li> </ul> <p>provided that the gross weight of these items is less than 2,000 grams.</p> <p>(b) Parcels<sup>6</sup> and other goods.</p> <p>* Handling of non-addressed items.</p>			
<b>C. Telecommunication Services</b>			
<p>Commitments hereunder are made in accordance with "Notes for Scheduling Basic Telecom Services Commitments" (S/GBT/W/2/REV.1) and "Market Access Limitations on Spectrum Availability" (S/GBT/W/3). For the purpose of these commitments, a "non-facilities based service supplier" means a service supplier which does not own transmission capacity but contracts for such capacity including submarine cable capacity, including on a long-term basis, from a facilities-based supplier. A non facilities-based supplier is not otherwise excluded from owning telecommunications equipment within their premises and permitted public service provision points (POP).</p>			
<u>Basic telecommunication services</u> (a) Voice telephone services	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	Viet Nam undertakes the obligations in Annex on Telecommunication under

<sup>6</sup> Books, catalogues are included hereunder.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(CPC 7521) (b) Packet-switched data transmission services (CPC 7523**)           (c) Circuit-switched data transmission services (CPC 7523**)           (d) Telex services (CPC 7523**)           (e) Telegraph services (CPC 7523**)           (f) Facsimile services (CPC 7521** + 7529**)           (g) Private leased circuit services (CPC 7522** + 7523**)			Chapter 8.  For consortium submarine cable links where Viet Nam is member, foreign service suppliers shall be permitted to control fully-owned submarine cable transmission capacity (e.g. IRU or consortium ownership) terminating at a licensed cable landing station in Viet Nam, and to provide such capacity to international facilities-based service suppliers licensed in Viet Nam. As of 11 January 2011, foreign service suppliers shall be permitted to provide such capacity to international VPN and IXP service suppliers licensed in Viet Nam.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(o*) Other services  - Videoconference services (CPC 75292) - Video Transmission services, excluding broadcasting <sup>7</sup> - Radio based services includes: + Mobile telephone (terrestrial and satellite) + Mobile data (terrestrial and satellite) + Paging + PCS + Trunking - Internet Exchange Service (IXP) <sup>8</sup>			
<u>Basic telecommunication services:</u>  (o*) Other services	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	Viet Nam undertakes the obligations in Annex on Telecommunication under Chapter 8.

<sup>7</sup> Broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators.

<sup>8</sup> Services providing internet access service (IAS) suppliers with connection between them and to the international Internet backbone.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Virtual Private Network (VPN) <sup>9</sup>			For consortium submarine cable links where Viet Nam is member, foreign service suppliers shall be permitted to control fully-owned submarine cable transmission capacity (e.g. IRU or consortium ownership) terminating at a licensed cable landing station in Viet Nam, and to provide such capacity to international facilities-based service suppliers licensed in Viet Nam. As of 11 January 2011, foreign service suppliers

<sup>9</sup> Services, provided on commercial terms, establishing and managing a private network over public (shared) networks for the purpose of carrying out, on a non-profit basis, voice and data telecommunications between members of a closed user group defined prior to the creation of the VPN. Such group may include a corporate group or organization, or a group of legal entities with an established relationship affiliated through the pursuit of a common interest. Initial members of a closed user group using VPN service must be listed in a dialling or routing plan approved by the Competent Authority and subject to its oversight. VPN service suppliers shall notify to the Competent Authority changes of membership at least two working weeks prior to actually commencing commercial service and can commence commercial service provided that no objection from the Competent Authority is issued during these two weeks. Members are not allowed to resell VPN services to unaffiliated third parties. Virtual private networks are not allowed to carry/transfer traffic of/between unaffiliated third parties. VPN services can be offered by licensed foreign-invested service suppliers bundled with Internet access service and value-added services from (h) to (n).

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			shall be permitted to provide such capacity to international VPN and IXP service suppliers licensed in Viet Nam.
<u>Value-added services</u> (h) Electronic mail (CPC 7523 **) (i) Voice mail (CPC 7523 **) (j) On-line information and database retrieval (CPC 7523**) (k) Electronic data interchange (EDI) (CPC 7523**) (l) Enhance/value-added facsimile services, incl store and forward, store and retrieve (CPC 7523**) (m) Code and protocol conversion	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	Viet Nam undertakes the obligations in Annex on Telecommunication under Chapter 8.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(n) On-line information and data processing (incl. transaction processing) (CPC 843**)			
<u>Value added services</u> (o) Other - Internet Access Services IAS <sup>10</sup>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section	Viet Nam undertakes the obligations in Annex on Telecommunication under Chapter 8.
<b>D. Audiovisual Services</b>			
With regard to motion picture production, distribution and projection services, all films must have their content censored by Viet Nam's competent authorities.			
(a) Motion picture production (CPC 96112, excl. video tape)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
- Motion picture distribution (CPC 96113, excl. video tape)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

<sup>10</sup> Services providing internet access to the end users.



Mode of delivery: (4) Presence of natural person			
<b>Sectors and sub-sectors</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
(b) Motion picture projection service (CPC 96121)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(e) Sound recording	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
A. General construction work for building (CPC 512) B. General construction work for civil engineering (CPC 513) C. Installation and assembly work (CPC 514, 516) D. Building completion and finishing work (CPC 517) E. Other (CPC 511, 515, 518)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>4. DISTRIBUTION SERVICES</b>			
Measures applicable to all sub-sectors in Distribution Services:			
Cigarettes and cigars, books, newspapers and magazines, video records on whatever medium, precious metals and stones, pharmaceutical products and drugs <sup>11</sup> , explosives, processed oil and crude oil, rice, cane and beet sugar are excluded from the commitments.			
A. Commission agents' services (CPC 621, 61111, 6113, 6121)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
B. Wholesale trade services (CPC 622, 61111, 6113, 6121)			
C. Retailing services (CPC 631 + 632, 61112, 6113, 6121) <sup>12</sup>			
D. Franchising services (CPC 8929)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>5 EDUCATIONAL SERVICES</b>			
Only in technical, natural sciences and technology, business administration and business studies, economics, accounting, international law and language training fields.			

<sup>11</sup> For the purposes of this schedule "pharmaceuticals and drugs" do not include non-pharmaceutical nutritional supplements in tablet, capsule or powdered form.

<sup>12</sup> For transparency purposes, this commitment includes multi-level sales by properly trained and certified Vietnamese individual commission agents away from a fixed location for which remuneration is received both for the sales effort and for sales support services that result in additional sales by other contracted distributors.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>With regard to point (B1), (B2), (C), (D), (E) below, the following additional fields of study are allowed: agriculture, architecture, building, business administration, management, computer science, construction, information systems, dental services, economics, education, engineering, environment, surveying, health, community services, land and marine resources, animal husbandry, language studies, law, legal studies, life sciences, manufacturing, mathematics, medical science, medicine, multi-field education, nursing, pharmacy, physical sciences, science, services, culinary and hospitality, transport, veterinary science, visual and performing arts.</p> <p>With regard to points (B), (B1), (B2), (C), (D), and (E) below: The education content must be approved by Viet Nam's Ministry of Education and Training.</p>			
B. Secondary education services (CPC 922), excluding B1, B2	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
B1. Higher secondary education services (CPC 9222) only for students who have completed 9 years of general education as specified by Vietnamese relevant laws and regulations	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
B2. Technical and vocational	(4) Unbound, except as indicated in	(4) Unbound, except as indicated in	

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
secondary education services (CPC 9223), only for students who have completed 9 years of general education as specified by Vietnamese relevant laws and regulations	the horizontal section.	the horizontal section.	
C. Higher education services (CPC 923)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	After the entry into force of the AANZFTA Agreement, if Viet Nam and all other ASEAN Member States enter into any agreement on trade in services between ASEAN, as a region, and a non-Party and in such future agreement on trade in services Viet Nam accords treatment in mode 1 in higher education services (CPC 923) to that non-Party which go beyond the level of treatment she has made under AANZFTA,

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			Viet Nam shall extend to the services or service suppliers of Australia and New Zealand treatment no less favourable than that Viet Nam accords to like services or service-suppliers of that non-Party.
D. Adult education (CPC 924)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
E. Other education services (CPC 929, including foreign language training)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>6. ENVIRONMENTAL SERVICES</b> Access to certain geographic areas may be restricted for national security reasons <sup>13</sup> .			
A. Sewage Services (CPC 9401)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	Foreign companies are allowed to do business

<sup>13</sup> For greater transparency, this commitment allows the maintenance or adoption of limitations or restrictions for national security reasons that would be justified under Article XIV and Article XIV bis of the GATS.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			activities in Viet Nam in the form of build-operate-transfer (BOT) and build-transfer-operate (BTO).
B. Refuse disposal services (CPC 9402) <sup>14</sup>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	Foreign companies are allowed to do business activities in Viet Nam in the form of build-operate-transfer (BOT) and build-transfer-operate (BTO).
D. Other services - Cleaning services of exhaust gases (CPC 94040) and noise abatement services (CPC 94050)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
- Environmental impact assessment services (CPC 94090*)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

<sup>14</sup> Import of refuse is forbidden by law. Treatment and disposal of hazardous waste is regulated by Law.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>7. FINANCIAL SERVICES</b>			
<b>A. Insurance and Insurance-Related Services</b>  a. Direct insurance  (a) Life insurance, excl. health insurance services (b) Non-life insurance services  b. Reinsurance and retrocession  c. Insurance intermediation (such as brokerage and agency)  d. Services auxiliary to insurance (such as consultancy, actuarial, risk assessment and claim settlement)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>B. Banking and Other Financial Services</b>			
Commitments with respect to banking and other financial services are undertaken in accordance with relevant laws and regulations			

Mode of delivery: (4) Presence of natural person			
<b>Sectors and sub-sectors</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
<p>promulgated by competent authorities of Viet Nam to ensure the consistency with Article VI of the GATS and Para 2 (a) of the GATS Annex on Financial Services and Annex on Financial Services under Chapter 8.</p> <p>As a general rule and on a non-discriminatory basis, the offer of banking and other financial services or products is subject to relevant institutional and juridical form requirements.</p>			
<p>(a) Acceptance of deposits and other repayable funds from the public</p> <p>(b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction</p> <p>(c) Financial leasing</p> <p>(d) All payment and money transmission services, including credit, charge and debit cards, travellers' cheques and bankers drafts</p> <p>(e) Guarantees and commitments</p> <p>(f) Trading for own account or</p>	<p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(4) Unbound, except as indicated in the horizontal section.</p>	



Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <ul style="list-style-type: none"> <li>- Money market instrument (including cheques, bills, certificates of deposits);</li> <li>- Foreign exchange;</li> <li>- Exchange rate and interest rate instrument incl products such as swaps, forward rate agreements;</li> <li>- Bullion.</li> </ul> <p>(h) Money broking</p>			
<p>(i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services</p> <p>(j) Settlement and clearing</p>			

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
services for financial assets, including securities, derivative products, and other negotiable instruments  (k) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services  (l) Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs from (a) to (k), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy			
<b>C. <u>Securities</u></b>  (f) Trading for own account or	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <ul style="list-style-type: none"> <li>- Derivative products incl. futures and options;</li> <li>- Transferable securities;</li> <li>- Other negotiable instruments and financial assets, excluding bullion.</li> </ul> <p>(g) Participation in issues of all kinds of securities incl. under-writing and placement as an agent (publicly or privately), provision of services related to such issues</p> <p>(i) Asset management, such as portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services</p>			

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(j) Settlement and clearing services for securities, derivative products, and other securities-related instruments</p> <p>(k) Provision and transfer of financial information, and related software by suppliers of securities services</p> <p>(l) Advisory, intermediation and other auxiliary securities-related excluding (f), including investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (for other services under (l), refer to (l) under banking sector)</p>			

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>8. HEALTH RELATED AND SOCIAL SERVICES</b>			
A. Hospital services (CPC 9311)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
B. Medical and dental services (CPC 9312)			
<b>9. TOURISM AND TRAVEL RELATED SERVICES</b>			
A. Hotel and restaurant including  - Lodging services (CPC 64110)  - Catering food (CPC 642) and drink services (CPC 643)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
B. Travel agencies and tour operator services (CPC 7471)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</b>			
A. Entertainment services (including theatre, live bands and circus services) (CPC 9619)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
D. Other	(4) Unbound, except as indicated in	(4) Unbound, except as indicated in	

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Electronic games business (CPC 964**)	the horizontal section.	the horizontal section.	
<b>11. TRANSPORT SERVICES</b>			
<b>A. Maritime Transport Services</b>  (a) Passenger transportation less cabotage (CPC 7211)  (b) Freight transportation less cabotage (CPC 7212)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: <ol style="list-style-type: none"> <li>1. Pilotage;</li> <li>2. Towing and tug assistance;</li> <li>3. Provisioning, fuelling and watering</li> <li>4. Garbage collecting and ballast waste disposal;</li> <li>5. Port Captain's/Harbour Master's services;</li> <li>6. Navigation aids;</li> <li>7. Shore-based operational services essential to ship</li> </ol>

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			operations, including communications, water and electrical supplies; 8. Emergency repair facilities; 9. Anchorage, berth and berthing services; 10. Access to maritime agency services. <sup>15</sup>
<b>Maritime Auxiliary Services</b>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
- Container handling services (CPC 7411) <sup>16</sup>			
- Customs Clearance Services <sup>17</sup>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

<sup>15</sup> With respect to the access to and use of maritime agency services mentioned in the Additional Commitments column, where road, rail, inland waterways, coastal and inland shipping, and related auxiliary services are not otherwise fully covered in the schedule, a multimodal transport operator shall have the ability to access Vietnamese maritime agency services suppliers to rent, hire or charter trucks, railway carriages, or barges and related equipment, for the purpose of onward forwarding of international cargoes carried by sea.

<sup>16</sup> Public utility concession or licensing procedures may apply in case of occupation of the public domain.

<sup>17</sup> "Customs clearance services" (alternatively "customs house brokers' services") means activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- Container Station and Depot Services <sup>18</sup>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>B. Internal Waterways Transport</b>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(a) Passenger transport (CPC 7221)			
(b) Freight transport (CPC 7222)			
<b>C. Air Transport Services</b>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(a) Sales and marketing air products services			
(b) Computer reservation services	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(c) Maintenance and repair of aircraft (CPC 8868**)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>E. Rail Transport Services</b>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(a) Passenger transportation			

<sup>18</sup> "Container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.



Mode of delivery: (4) Presence of natural person			
Sectors and sub-sectors	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(CPC 7111) (b) Freight transportation (CPC 7112)			
<b>F. Road Transport Services</b> (a) Passenger transportation (CPC 7121+7122) (b) Freight transportation (CPC 7123)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
<b>H. Services Auxiliary to all Modes of Transport</b> (a) Container handling services, except services provided at airports (part of CPC 7411)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(b) Storage and warehouse services (CPC 742) (c) Freight transport agency services (CPC 748) <sup>19</sup>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

<sup>19</sup> Including freight forwarding services. These services mean the activities consisting of organizing and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

Mode of delivery: (4) Presence of natural person			
<b>Sectors and sub-sectors</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
(d) Other (part of CPC 749) <sup>20</sup>	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

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<sup>20</sup> Include the following activities: bill auditing; freight brokerage services; freight inspection, weighing and sampling services; freight receiving and acceptance services; transportation document preparation services. These services are provided on behalf of cargo owners.