

Annex 5 referred to in Chapter 7
Schedules of Specific Commitments
in relation to Article 77

Part 1
Explanatory Notes

1. Alphabets indicated against individual sectors or subsectors and numbers in parentheses are references to the Services Sectoral Classification List (GATT Secretariat's Document MTN.GNS/W/120, dated 10 July 1991) and the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991). These alphabetical and numerical divisions are indicated to enhance the clarity in the description of specific commitments, but shall not be construed as being a part of the specific commitments.
2. The scheduling of specific commitments follows the Guidelines for the Scheduling of Specific Commitments (WTO Document S/L/92, dated 28 March 2001). The Guidelines shall not, however, be construed as being legally binding.
3. The modes of supply 1), 2), 3) and 4) indicated in this Schedule correspond respectively to the supply of services defined in subparagraphs (y)(i), (ii), (iii) and (iv) of Article 73.
4. The entry "None" means no limitation other than those specified in the horizontal section.
5. The entry "Unbound" means no specific commitment. Sectors or subsectors which are not subject to any specific commitment under Article 74, 75 or 76 are sectors or subsectors in which the entry "Unbound" appears for all modes of supply in both market access and national treatment columns, and no entry appears in the additional commitments column.
6. The entry "Unbound*" means unbound due to lack of technical feasibility.
7. The use of "***" against individual CPC codes indicates that the specific commitment for that code does not extend to the total range of services covered under that code.
8. The commitment for freight transport agency services does not include freight forwarding services by air transport services.

<p>where the service supplier is a qualified lawyer (CPC 861**)</p> <p>(a) Legal advisory services on law does not include:</p> <p>(i) legal representational services for juridical procedures in courts and other government agencies as well as preparation of legal documents for such procedures;</p> <p>(ii) expression of legal opinions concerning laws other than laws of the jurisdiction where the service supplier is qualified as a lawyer (hereinafter referred to as the "jurisdiction" in this sector);</p> <p>(iii) legal representational services for the entrustment of the preparation of notarial deeds; and</p> <p>(iv) those activities</p>	<p>services must be supplied by a natural person; and commercial presence is required.</p> <p>2) None</p> <p>3) None except that services must be supplied by a natural person.</p> <p>4) None except that commercial presence is required.</p>	<p>in Japan not less than 180 days in a year.</p> <p>2) None</p> <p>3) None</p> <p>4) None except that a service supplier is required to stay in Japan not less than 180 days in a year.</p>	<p>3) (a) Practice of international law is permitted, provided that the international law is or was in force in the jurisdiction.</p> <p>Practice of third country law is permitted, according to written advice on each issue from competent persons (e.g. lawyers qualified in the third country and engaging in legal business concerning the law of that country).</p> <p>Practice of Japanese law is not permitted.</p> <p>(b) Association with Bengoshi is permitted.</p> <p>Employment of Bengoshi is permitted.</p> <p>(c) Use of firm</p>
---	---	--	--

<p>concerning a legal case whose primary objective is the acquisition or loss or change of rights concerning real property in Japan or of industrial property rights, mining rights or other rights arising upon registration thereof with government agencies in Japan.</p> <p>(b) A service supplier shall be required to cooperate with Bengoshi or to ask for his advice in a legal case concerning family relations or inheritance, in which a Japanese national is involved as a party, or in a legal case whose objective is the acquisition or loss or change of rights concerning real property in Japan or of industrial property rights, mining rights or other rights arising upon registration thereof with government agencies in Japan, as long as the above objective is not the primary one.</p>			<p>name is unrestricted, provided that it is followed with reference to "Gaikoku-Ho-Jimu-Bengoshi Jimusho".</p> <p>(d) Representation in international arbitration is permitted.</p>
---	--	--	--

Note to the Specific Commitment in the Sector of Legal Advisory Services on Law of Jurisdiction
Where the Service Supplier is a Qualified Lawyer

A service supplier must be recognised as "Gaikoku-Ho-Jimu-Bengoshi" by the Minister of Justice and register with the Japan Federation of Bar Associations.

The conditions for granting recognition by the Minister of Justice are as follows:

- (a) The service supplier is qualified as a lawyer in that jurisdiction.
- (b) The service supplier has been engaged as a lawyer for at least 3 years in that jurisdiction.
- (c) The service supplier is not subject to such conditions of disqualification in that jurisdiction which, if applied to Bengoshi, would disqualify the Bengoshi.
- (d) The service supplier possesses the intention to undertake the profession in good faith.
- (e) The service supplier possesses plans, residence and financial basis to perform his functions properly and steadily.
- (f) The service supplier possesses capability to compensate for damages caused to the client, if any.

<p>a) Legal services supplied by a judicial scrivener qualified as "Shiho-Shoshi" under Japanese law (CPC 861**)</p>	<p>SS</p>	<p>1) None except that: services must be supplied by a natural person or by a Judicial Scrivener Corporation²; and commercial presence is required.</p> <p>2) None except that: services must be supplied by a natural person or by a Judicial Scrivener Corporation; and commercial presence is required.</p> <p>3) None except that services must be supplied by a natural person or by a Judicial Scrivener Corporation.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	
--	-----------	--	--	--

² A Judicial Scrivener Corporation under Japanese law is composed of two or more partners who are judicial scriveners qualified as "Shiho-Shoshi" under Japanese law and have the right and obligation to execute activities of the Judicial Scrivener Corporation.

		4) None except that commercial presence is required.	4) None	
a) Legal services supplied by an administrative scrivener qualified as "Gyousei-Shoshi" under Japanese law (CPC 861**)	SS	1) None except that: services must be supplied by a natural person or by an Administrative Scrivener Corporation ³ ; and commercial presence is required. 2) None except that: services must be supplied by a natural person or by an Administrative Scrivener Corporation; and commercial presence is required. 3) None except that services must be supplied by a natural person or by an Administrative Scrivener Corporation. 4) None except that commercial presence is required.	1) None 2) None 3) None 4) None	
a) Legal services supplied by a certified social insurance and labour consultant qualified as a "Shakai-Hoken-Romushi" under Japanese law (CPC 861**)	SS	1) None except that: services must be supplied by a natural person or by a Certified Social Insurance and Labour Consultant Corporation ⁴ ; and	1) None	

3 An Administrative Scrivener Corporation under Japanese law is composed of two or more partners who are administrative scriveners qualified as "Gyousei-Shoshi" under Japanese law and have the right and obligation to execute activities of the Administrative Scrivener Corporation.

4 A Certified Social Insurance and Labour Consultant Corporation under Japanese law is composed of two or more partners who are certified social insurance and labour consultants qualified as "Shakai-Hoken-Romushi" under Japanese law and have the right and obligation to execute activities of the Certified Social Insurance and Labour Consultant Corporation.

		<p>commercial presence is required.</p> <p>2) None except that:</p> <p>services must be supplied by a natural person or by a Certified Social Insurance and Labour Consultant Corporation; and</p> <p>commercial presence is required.</p> <p>3) None except that services must be supplied by a natural person or by a Certified Social Insurance and Labour Consultant Corporation.</p> <p>4) None except that commercial presence is required.</p>	<p>2) None</p> <p>3) None</p> <p>4) None</p>	
a) Legal services supplied by a patent attorney qualified as "Benrishi" under Japanese law (CPC 86119, 8612, 8613, 8619)	SS	<p>1) None except that:</p> <p>services must be supplied by a natural person or by a Patent Business Corporation⁵; and</p> <p>commercial presence is required for a Patent Business Corporation.</p> <p>2) None except that:</p> <p>services must be supplied by a natural person or by a Patent Business Corporation; and</p> <p>commercial presence is required for a Patent Business Corporation.</p>	<p>1) None</p> <p>2) None</p>	

5 A Patent Business Corporation under Japanese law is composed of two or more partners who are patent attorneys qualified as "Benrishi" under Japanese law and who have the right and obligation to execute activities of the Patent Business Corporation.

		<p>3) None except that services must be supplied by a natural person or by a Patent Business Corporation.</p> <p>4) None</p>	<p>3) None</p> <p>4) None</p>	
<p>a) Legal services supplied by a maritime procedure agent qualified as "Kaijidairishi" under Japanese law (CPC 861**)</p>	SS	<p>1) None except that services must be supplied by a natural person.</p> <p>2) None except that services must be supplied by a natural person.</p> <p>3) None except that services must be supplied by a natural person.</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>a) Legal services supplied by a land and house surveyor qualified as "Tochi-Kaoku-Chosashi" under Japanese law (CPC 861**)</p>	SS	<p>1) None except that: services must be supplied by a natural person or by a Land and House Surveyor Corporation⁶; and commercial presence is required.</p> <p>2) None except that: services must be supplied by a natural person or by a Land and House Surveyor Corporation; and commercial presence is required.</p> <p>3) None except that services must be supplied by a natural person or by a Land and House Surveyor Corporation.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

6 A Land and House Surveyor Corporation under Japanese law is composed of two or more partners who are land and house surveyors qualified as "Tochi-Kaoku-Chosashi" under Japanese law and have the right and obligation to execute activities of the Land and House Surveyor Corporation.

		4) None except that commercial presence is required.	4) None	
b) Accounting, auditing and bookkeeping services (CPC 862)	SS	<p>1) None except that:</p> <p>provision of the services that must be supplied by an accountant qualified as "Koninkaikeishi" or an Audit Corporation⁷ under Japanese law is restricted to a natural person or an Audit Corporation; and</p> <p>commercial presence is required for an Audit Corporation.</p> <p>2) None except that:</p> <p>provision of the services that must be supplied by an accountant qualified as "Koninkaikeishi" or an Audit Corporation under Japanese law is restricted to a natural person or an Audit Corporation; and</p> <p>commercial presence is required for an Audit Corporation.</p> <p>3) None except that provision of the services that must be supplied by an accountant qualified as "Koninkaikeishi" or an Audit Corporation under Japanese law is restricted to a natural person or an Audit Corporation.</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	

⁷ An Audit Corporation under Japanese law is composed of five or more partners who are accountants qualified as "Koninkaikeishi" under Japanese law and who have the right and obligation to execute activities of the Audit Corporation.

<p>c) Taxation services (CPC 863)</p>	<p>SS</p>	<p>1) None except that as for certified public tax accountant services stipulated in Certified Public Tax Accountant Law (Law No. 237 of 1951):</p> <p>services must be supplied by a natural person or by a Certified Tax Accountant Corporation⁸; and</p> <p>commercial presence is required.</p> <p>2) None except that as for certified public tax accountant services stipulated in Certified Public Tax Accountant Law:</p> <p>services must be supplied by a natural person or by a Certified Tax Accountant Corporation; and</p> <p>commercial presence is required.</p> <p>3) None except that as for certified public tax accountant services stipulated in Certified Public Tax Accountant Law, services must be supplied by a natural person or by a Certified Tax Accountant Corporation.</p> <p>4) None except that as for certified public tax accountant services stipulated in Certified Public Tax Accountant Law, commercial presence is</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
---	-----------	--	---	--

8 A Certified Tax Accountant Corporation under Japanese law is composed of two or more partners who are tax accountants qualified as "Zeirishi" under Japanese law and who have the right and obligation to execute activities of the Certified Tax Accountant Corporation.

		required.	
d), e) Architectural services which must be supplied by a service supplier qualified as "Kenchikushi" under Japanese law, or by a service supplier using "Kenchikushi" (CPC 86712, 86713, 86714 ⁹ , (CPC 86722, 86723, 86724 ⁹ , 86725 ⁹ , 86727 ⁹)	SS	1) None except that commercial presence is required. 2) None except that commercial presence is required. 3) None 4) None except that commercial presence is required.	1) None 2) None 3) None 4) None
d), e), g) Architectural services which may be supplied by a service supplier not qualified as "Kenchikushi" under Japanese law, or by a service supplier not using "Kenchikushi" (CPC 8671, 8672 ¹⁰ , 86742 ¹⁰)	SS	1) None ¹¹ 2) None ¹¹ 3) None 4) None ¹¹	1) None 2) None 3) None 4) None
e), f) Engineering services and integrated engineering services (CPC 8672 ¹² , 8673 ¹²)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None
e), g) F e), F m) Civil engineering consulting services (CPC 86721 ¹³ , 86724 ¹³ ,	SS	1) None 2) None 3) None	1) None 2) None 3) None

9 Limited to services necessary for building construction excluding post-construction services.

10 Limited to services necessary for building construction.

11 In the case where the services are supplied by a service supplier who is qualified as "Kenchikushi" under Japanese law, or by a service supplier using "Kenchikushi", commercial presence is required.

12 Excluding architectural services and civil engineering consulting services.

	86727 ¹³ , 86729 ¹³) (CPC 86741, 86742 ¹³) (CPC 86761 ¹³) (CPC 86751 ¹³ , 86752 ¹³)		4) None	4) None	
g)	Urban planning and landscape architectural services (CPC 8674 ¹²)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
h)	Medical and dental services (CPC 9312)		1) Unbound* 2) Unbound 3) Unbound 4) Unbound	1) Unbound* 2) Unbound 3) Unbound 4) Unbound	
i)	Veterinary services (CPC 932)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
j)	Services supplied by midwives, nurses and para-medical personnel (CPC 93191)		1) Unbound* 2) Unbound 3) Unbound 4) Unbound	1) Unbound* 2) Unbound 3) Unbound 4) Unbound	
j)	Services supplied by physiotherapists qualified as "Rigaku- ryohoushi" under Japanese law		1) Unbound* 2) None 3) Unbound except that there is	1) Unbound* 2) None 3) Unbound except that there is	

13 Limited to services necessary for civil engineering excluding engineering design services for buildings.

(CPC 93191**)		no limitation on the participation of foreign capital.	no limitation on the participation of foreign capital.	
		4) Unbound	4) None	
k) Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. Computer and Related Services (excluding air transport services: computer reservation system) (CPC 841, 842, 843, 844, 845, 849)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
C. Research and Development Services				
a) Research and development services on natural sciences (CPC 851)	SS	1) None	1) None	
b) Research and development services on social sciences and humanities (CPC 852)		2) None	2) None	
c) Interdisciplinary research and development services (CPC 853)		3) None	3) None	
		4) None	4) None	
D. Real Estate Services				
a) Real estate services involving own or leased property (for property in Japan) (CPC 821)	SS	1) None except that commercial presence is required. 2) None except that commercial presence is required. 3) None	1) None 2) None 3) None	

		4) None except that commercial presence is required.	4) None	
a) Real estate services involving own or leased property (for property outside Japan) (CPC 821)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
b) Real estate services on a fee or contract basis (for property in Japan) (CPC 822)	SS	1) None except that commercial presence is required. 2) None except that commercial presence is required. 3) None 4) None except that commercial presence is required.	1) None 2) None 3) None 4) None	
b) Real estate services on a fee or contract basis (for property outside Japan) (CPC 822)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
E. Rental and Leasing Services without Operators				
a) Rental and leasing services, without operators, relating to ships ¹⁴ (CPC 83103)	SS	1) None 2) None 3) None	1) None 2) None 3) None except that prior notification is required for	

14 In the case that services are supplied through the use of ship flying the flag of Japan, the ship must be owned by:

(a) a natural person with Japanese nationality; or

(b) an enterprise established under Japanese law, with all representatives ("daihyosha") and not less than two-thirds of executives administering the affairs of the enterprise ("gyomu-wo-shikkosuru yakuin") having Japanese nationality.

			coastwise ship leasing services in accordance with the Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949).	
		4) None	4) None	
b) Rental and leasing services, without operators, relating to aircraft ¹⁵ (CPC 83104)		1) None 2) None 3) None 4) Unbound	1) None 2) None 3) None 4) Unbound	
c) Rental and leasing services, without operators, relating to transport equipment other than vessels and aircrafts (CPC 83101, 83102, 83105)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
d), e) Rental and leasing services, without operators, relating to machineries and equipment other than transport equipment, and personal and household goods (CPC 83106-83109) (CPC 832)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
F. Other Business Services				

- 15 In the case that services are supplied through the use of aircraft registered as a Japanese aircraft, the aircraft must be owned by:
- (a) a natural person with Japanese nationality; or
 - (b) an enterprise established under Japanese law, with all representatives ("daihyosha") and not less than two-thirds of executives ("yakuin") having Japanese nationality and with not less than two-thirds of voting share held by Japanese persons.

a) Advertising services (CPC 871)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
b) Market research and public opinion polling services (CPC 864)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
c) Management consulting services (CPC 865)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
d) Services related to management consulting (CPC 86601, 86609)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
d) Arbitration and conciliation services (CPC 86602)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
e) Technical testing and analysis services (a) for manufactured goods, excluding services covered by the Measurement Law	SS	1) None 2) None	1) None 2) None	

(Law No. 51 of 1992) (CPC 8676**)		3) None 4) None	3) None 4) None	
(b) covered by the Measurement Law as follows: (CPC 86763**)	SS	1) None except that commercial presence is required. 2) None except that commercial presence is required. 3) None 4) None except that commercial presence is required.	1) None 2) None 3) None 4) None	

(c) other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
f) Services incidental to agriculture, hunting and forestry (CPC 881)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) None	
g) Services incidental to fishing (CPC 882)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
h) Services incidental to mining (CPC 883, 5115)		1) Unbound* 2) None 3) None except that services requiring mining rights or mining lease rights must be supplied by a Japanese national or an enterprise established under Japanese law, in accordance with the Mining Law (Law No. 289 of 1950). 4) None except that services requiring mining rights or	1) Unbound* 2) None 3) None except that: services requiring mining rights or mining lease rights must be supplied by a Japanese national or an enterprise established under Japanese law, in accordance with the Mining Law; and prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) None except that services requiring mining rights or	

		mining lease rights must be supplied by a Japanese national or an enterprise established under Japanese law, in accordance with the Mining Law.	mining lease rights must be supplied by a Japanese national or an enterprise established under Japanese law, in accordance with the Mining Law.	
i) Services incidental to manufacturing (CPC 884**, 885)				
(a) related to aircraft industry, explosives manufacturing industry, leather and leather products manufacturing industry, arms industry, space industry and biological preparation manufacturing industry		<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None except that the number of licences conferred on service suppliers may be limited. 4) Unbound 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) Unbound 	
(b) related to tailoring services		<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) None 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) None 	
(c) other		<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) None 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) None 	
j) Services incidental to energy distribution (CPC 887)				
(a) transmission services on a fee or contract basis of		<ul style="list-style-type: none"> 1) Unbound 2) None 	<ul style="list-style-type: none"> 1) Unbound 2) None 	

electricity		<p>3) None except that the number of licences conferred on service suppliers may be limited.</p> <p>4) Unbound</p>	<p>3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law.</p> <p>4) Unbound</p>	
(b) transmission services on a fee or contract basis of steam and hot water	SS	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law.</p> <p>4) None</p>	
(c) other		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>k) Placement services of personnel within Japan except in the following occupations (limited to services to establish employment relationship between a job applicant and an employer seeking personnel on the basis of job applications and offers):</p> <p>(a) Port transport services;</p> <p>(b) Construction work; and</p> <p>(c) Work which is stipulated in the</p>		<p>1) None except that commercial presence is required.</p> <p>2) Unbound*</p> <p>3) None</p> <p>4) None except that commercial presence is required.</p>	<p>1) None</p> <p>2) Unbound*</p> <p>3) None</p> <p>4) None</p>	

<p>Ministry of Health, Labour and Welfare Ordinance as having a possibility of hindering worker's protection (such work is not stipulated now). (CPC 87201, 87202)</p>				
<p>k) Supply services of personnel within Japan¹⁶ except in the following categories of business (limited to services to dispatch workers employed by the service supplier to work under the direction of another person while employment relationship with the service supplier is maintained):</p> <p>(a) Port transport services;</p> <p>(b) Construction work;</p> <p>(c) Guarding; and</p> <p>(d) Other work stipulated in Cabinet Order after consulting the Labour Policy Council (such as medical-related work) (CPC 87203, 87209)</p>		<p>1) None except that commercial presence is required.</p> <p>2) Unbound*</p> <p>3) None</p> <p>4) None except that commercial presence is required.</p>	<p>1) None</p> <p>2) Unbound*</p> <p>3) None</p> <p>4) None</p>	
<p>k) Supply services of domestic help personnel, other commercial or industrial workers and nursing personnel</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	

16 The dispatched worker may not be supplied from outside of Japan through intra-corporate transfer.

(CPC 87204, 87205, 87206)		4) Unbound	4) Unbound	
1) Investigation services (CPC 87301)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
1) Security guard services (CPC 873, except 87301)		1) None except that commercial presence is required. 2) None 3) None 4) Unbound	1) None 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) Unbound	
m) Related scientific and technical consulting services (excluding services related to petroleum, petroleum products, gas, mineral and surveying) (CPC 86751, 86752)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
m) Related scientific and technical consulting services related to petroleum, petroleum products, gas and mineral ¹⁷ (CPC 86751, 86752)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
m) Surveying services for the land in Japan	SS	1) None except that commercial presence is required except	1) None	

17 Excluding services requiring mining rights or mining lease rights in accordance with the Mining Law.

(CPC 86753, 86754)		<p>for the surveys conducted without the use of Basic Survey¹⁸ data or Public Survey¹⁹ data, and where the survey is for small areas, or where the survey does not require high accuracy.</p> <p>2) None except that commercial presence is required except for the surveys conducted without the use of Basic Survey data or Public Survey data, and where the survey is for small areas, or where the survey does not require high accuracy.</p> <p>3) None</p> <p>4) None except that commercial presence is required except for the surveys conducted without the use of Basic Survey data or Public Survey data, and where the survey is for small areas, or where the survey does not require high accuracy.</p>	<p>2) None</p> <p>3) None</p> <p>4) None</p>	
m) Surveying services for the land outside Japan (CPC 86753, 86754)	SS	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	

18 The term "Basic Survey" means a primary or fundamental survey, conducted by the Geographical Survey Institute of the Ministry of Land, Infrastructure and Transport, for all surveys.

19 The term "Public Survey" means a survey, other than Basic Survey, which:

- (a) does not include (i) surveying for small areas and (ii) surveying where high accuracy is not required; and
- (b) is conducted with the expenses borne or subsidised, in part or in full, by the Government or other public entities.

n) Maintenance and repair of equipment (excluding vessels, aircraft and other transport equipment) (CPC 633, 8861-8866)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
o) Building-cleaning services (CPC 87401, 87402, 87403, 87409)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
p) Photographic services (CPC 875)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
q) Packaging services (CPC 876)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
r) Printing and publishing services (CPC 88442)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
s) Convention services (CPC 87909)	SS	1) None 2) None 3) None	1) None 2) None 3) None	

		4) None	4) None	
t) Credit reporting services (CPC 87901)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
t) Collection agency services: (CPC 87902**) <p>(a) which do not constitute the practice of law in respect of legal cases</p>	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
(b) which constitute the practice of law in respect of legal cases ²⁰	SS	1) None except that: services must be supplied by a natural person ²¹ , by a Legal Profession Corporation or by an enterprise established under the Special Measures Law Concerning Credit Management and Collection Business; and commercial presence is required. 2) None 3) None except that services must be supplied by a natural person, by a Legal Profession Corporation or by an	1) None 2) None 3) None	

20 Excluding taking over and recovery of credits except for those stipulated in the Special Measures Law Concerning Credit Management and Collection Business (Law No. 126 of 1998).

21 In this sector, the term "natural person" means a lawyer qualified as "Bengoshi" under Japanese law.

		enterprise established under the Special Measures Law Concerning Credit Management and Collection Business.		
		4) None except that commercial presence is required.	4) None	
t) Telephone answering services (CPC 87903)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
t) Duplicating services (CPC 87904)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
t) Translation and interpretation services (CPC 87905)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
t) Mailing list compilation and mailing services (CPC 87906)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
t) Specialty design services (CPC 87907)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	

t) Trade fair and exhibition organisation services (CPC 87909)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
t) Services incidental to energy manufacturing (a) related to heat supply industry and oil industry	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) None	
(b) other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
t) Other business services not elsewhere classified		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
2. COMMUNICATION SERVICES				
A/B. Postal/Courier Services ²²				

22 Suppliers of postal/courier services are subject to permission/registration requirements for related modes of transport services. Japan's commitments in postal/courier services, other than correspondence-delivery services including printed matter, parcels,

<p>Correspondence-delivery services supplied by Special Correspondence Delivery Business</p> <p>Special Correspondence Delivery Business is the business which provides correspondence-delivery services of one or a combination of the following mail items as stipulated in the Law Concerning Correspondence Delivery Provided by Private-Sector Operators (Law No. 99 of 2002):</p> <p>(a) mail items that have dimensions totaling more than 90 cm or weight over 4 kg;</p> <p>(b) mail items that are to be delivered within three hours of being mailed; and</p> <p>(c) mail items that bear a delivery charge that exceeds the amount specified by an ordinance of the Ministry of Internal Affairs and Communications and is not less than 1,000 yen.</p>	SS	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>Other postal/courier services</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

goods or other items, are indicated in the sector of Transport Services. (Refer to 11. TRANSPORT SERVICES.)

C. Telecommunications Services				
Basic telecommunications services:	SS	1) None	1) None	Japan undertakes the ADDITIONAL COMMITMENTS described below.
a) Voice telephone services; (CPC 7521)		2) None	2) None	
b) Packet-switched data transmission services; (CPC 7523**)		3) None except that foreign capital participation, direct and/or indirect, in Nippon Telegraph and Telephone Corporation (NTT) ²³ must be less than one-third.	3) None except that board members and auditors in NTT and the Regional Companies are required to have Japanese nationality.	
c) Circuit-switched data transmission services; (CPC 7523**)		4) None	4) None	
d) Telex services; (CPC 7523**)				
f) Facsimile services; (CPC 7521**, 7529**)				
g) Private leased circuit services; and (CPC 7522**, 7523**)				
o) Other				
JAPAN: ADDITIONAL COMMITMENTS				
Scope				
The following are definitions and principles on the regulatory framework for the basic telecommunications services.				
Definitions				
(a) the term "telecommunications" means the transmission and reception of signals by any electromagnetic means;				
(b) the term "public telecommunications transport service" means any telecommunications transport service required, explicitly or in effect, by Japan to be offered to the public generally. Such services may include, <i>inter alia</i> , telegraph, telephone, telex, and data transmission typically involving the real-time transmission of customer-supplied information between two or more points without any end-to-end change in the form or content of the customer's information;				
(c) the term "public telecommunications transport network" means the public telecommunications infrastructure which permits				

23 NTT must own all the shares issued by the Regional Companies.

telecommunications between and among defined network termination points;

(d) the term "essential facilities" means facilities of a public telecommunications transport network or service that:

(i) are exclusively or predominantly provided by a single or limited number of suppliers; and

(ii) cannot feasibly be economically or technically substituted in order to provide a service;

(e) the term "major supplier" means a supplier that has the ability to materially affect the terms of participation having regard to price and supply in the relevant market for basic telecommunications services as a result of:

(i) control over essential facilities; or

(ii) use of its position in the market;

(f) the term "facilities-based suppliers" means telecommunications carriers who establish telecommunications circuit facilities;

(g) the term "services-based suppliers" means telecommunications carriers other than the telecommunications carriers defined by subparagraph (f) above.

1. Competitive Safeguards

1.1 Prevention of Anti-competitive Practices in Telecommunications

Appropriate measures shall be maintained for the purposes of preventing suppliers, who alone or together are a major supplier, from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to in paragraph 1.1 shall include in particular:

(a) engaging in anti-competitive cross-subsidisation or pricing services in a manner that gives rise to unfair competition;

(b) discriminating specific persons unfairly in providing telecommunications services;

(c) using information obtained from competitors with anti-competitive results; and

(d) not making available to other service suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 Interconnection to be Ensured

Interconnection shall be ensured between a facilities-based supplier and any other facilities-based supplier or a services-based supplier to the extent provided for in its laws and regulations.

2.2 Interconnection with Major Suppliers

Interconnection with a major supplier shall be ensured at any technically feasible point in the network. Such interconnection is provided:

(a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no

less favorable than that provided for its own like services, for like services of non-affiliated service suppliers or of its subsidiaries or other affiliates;

- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled^(Note) so that the service supplier need not pay for network components or facilities that it does not require for the services to be provided; and

(Note) "Sufficiently unbundled" network components or facilities include unbundled local loop (including line sharing).

- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Co-Location, etc.

It shall be ensured that a major supplier is required to allow other service suppliers who interconnect with the major supplier:

- (a) to locate their equipment which is essential for interconnection within the major supplier's buildings; or
- (b) to install their cables and lines which are essential for interconnection within the major supplier's buildings, conduits, cable tunnels or telephone poles;

where physically feasible and where no practical or viable alternatives exist, in order to interconnect smoothly with the essential facilities of the major supplier.

2.4 Interconnection Pursuant to an Approved Reference Interconnection Offer

It shall be ensured that major suppliers are required to provide a reference interconnection offer for approval by the relevant regulatory authorities. The reference interconnection offer shall be consistent with the principles of paragraph 1 and shall contain written statements of the charges and conditions on which a major supplier will interconnect with other service suppliers. At a minimum, the reference interconnection offer shall be required to contain the following:

- (a) a list and description of the interconnection-related services offered, the terms and conditions for such services, the operational and technical requirements, and the procedures or processes that will be used to order and provide such services;
- (b) a list of cost-oriented rates that a major supplier offers for all its interconnection-related services. Where feasible, the major supplier shall be required to use an established methodology based on incremental forward-looking economic cost;
- (c) standard periods between the dates of request and commencement which are stipulated in a clear manner and are reasonable; and
- (d) a statement regarding the duration of the proposed interconnection agreement, if it is fixed.

2.5 Section 2.2, 2.3 and 2.4 are applied only to a major supplier which has control over essential facilities.

2.6 Public Availability of the Procedures for Interconnection Negotiations

It shall be ensured that the procedures applicable for interconnection to a major supplier are made publicly available.

2.7 Transparency of Interconnection Arrangements

It shall be ensured that a major supplier makes publicly available either its interconnection agreements or reference interconnection offer.

2.8 Interconnection Dispute Settlement

A service supplier requesting interconnection with a major supplier shall have recourse, either:

- (a) at any time; or
- (b) after a reasonable period of time which has been made publicly known;

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal Service

Japan has the right to define the kind of universal service obligation it wishes to maintain. Such obligations shall not be regarded as anti-competitive per se, provided that they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by Japan.

4. Public Availability of Licensing Criteria

- (a) Where a licence is required, the following shall be made publicly available:
 - (i) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
 - (ii) the terms and conditions of individual licences.
- (b) The reasons for the denial of a licence shall be made known to the applicant upon request.

5. Independent Regulators

The regulatory body shall be separate from, and not accountable to, any supplier of telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and Use of Scarce Resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, shall be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands shall be made publicly available except for detailed identification of frequencies allocated for specific government uses.

e) Telegraph services (CPC 7522)		1) Unbound 2) None 3) Unbound 4) Unbound	1) Unbound 2) None 3) Unbound 4) Unbound	
Value-added services: h) Electronic mail	SS	1) None 2) None	1) None 2) None	

<p>services; (CPC 7523**) <ul style="list-style-type: none"> i) Voice mail services; (CPC 7523**) j) On-line information and data base retrieval services; (CPC 7523**) k) Electronic data interchange (EDI) services; (CPC 7523**) l) Enhanced/value added facsimile services including store and forward, store and retrieve; (CPC 7523**) m) Code and protocol conversion services; n) On-line information and/or data processing services (including transaction processing); and (CPC 843**) o) Other </p>		<p>3) None except that foreign capital participation, direct and/or indirect, in Nippon Telegraph and Telephone Corporation (NTT)²³ must be less than one-third.</p> <p>4) None</p>	<p>3) None except that board members and auditors in NTT and the Regional Companies are required to have Japanese nationality.</p> <p>4) None</p>	
D. Audiovisual Services				
<p>a) Motion picture and video tape production and distribution services (CPC 9611)</p>	SS	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>b) Motion picture projection services (CPC 9612)</p>	SS	<p>1) None</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>	

		3) None 4) None	3) None 4) None	
c) Radio and television services (CPC 9613)		1) Unbound 2) None 3) Unbound 4) Unbound	1) Unbound 2) None 3) Unbound 4) Unbound	
d) Radio and television transmission services (CPC 7524)		1) Unbound 2) None 3) Unbound 4) Unbound	1) Unbound 2) None 3) Unbound 4) Unbound	
e) Sound recording services	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
f) Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES				

<p>A. General Construction Work for Buildings (CPC 512)</p> <p>B. General Construction Work for Civil Engineering (CPC 513)</p> <p>C. Installation and Assembly Work (CPC 514, 516)</p> <p>D. Building Completion and Finishing Work (CPC 517)</p> <p>E. Other (CPC 511, 515, 518)</p> <p>(a) These services indicated above excluding those related to mining</p>		<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) None except that commercial presence is required.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>(b) These services related to mining</p>		<p>1) Unbound*</p> <p>2) None</p> <p>3) None except that services requiring mining rights or mining lease rights must be supplied by a Japanese national or an enterprise established under Japanese law, in accordance with the Mining Law.</p> <p>4) None except that: services requiring mining rights or mining lease rights</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None except that: services requiring mining rights or mining lease rights must be supplied by a Japanese national or an enterprise established under Japanese law, in accordance with the Mining Law; and prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law.</p> <p>4) None except that services requiring mining rights or mining lease rights must be supplied by a Japanese</p>	

		<p>must be supplied by a Japanese national or an enterprise established under Japanese law, in accordance with the Mining Law; and</p> <p>commercial presence is required.</p>	<p>national or an enterprise established under Japanese law, in accordance with the Mining Law.</p>	
4. DISTRIBUTION SERVICES				
<p>A. Commission Agents' Services (CPC 621, 61111, 61130, 61210)</p> <p>B. Wholesale Trade Services (CPC 622, 61111, 61130, 61210)</p> <p>C. Retailing Services (CPC 631, 632, 61112, 61130, 61210)</p> <p>D. Franchising Services (CPC 8929)</p> <p>(a) These services indicated above excluding those related to petroleum, petroleum products, alcoholic beverages, and those supplied at Public Wholesale Market²⁴</p>	SS	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>(b) These services related to petroleum and petroleum products</p>		<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None except that prior</p>	

24 Public Wholesale Market is a market established under national or local government approval for commission agents' services and wholesale trade services of fresh foods including vegetables, fruits, marine products, meats and other daily foods, and flowers, with auction or bidding hall, parking lot and other facilities necessary for trade and disposal of aforementioned goods, which is operated on a permanent basis.

		4) Unbound	notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) Unbound	
(c) These services related to alcoholic beverages	SS	1) None 2) None 3) None except that the number of licences conferred to service suppliers may be limited. 4) None except that the number of licences conferred to service suppliers may be limited.	1) None 2) None 3) None 4) None	
(d) These services supplied at Public Wholesale Market		1) Unbound* 2) Unbound* 3) None except that: the number of licences conferred to service suppliers may be limited; and a service supplier at Central Public Wholesale Market must be an enterprise established under Japanese law, in accordance with the Public Wholesale Market Law (Law No. 35 of 1971). 4) None except that: the number of licences conferred to service suppliers may be limited; and a service supplier at Central Public Wholesale Market must be an enterprise established under Japanese law, in accordance with the Public	1) Unbound* 2) Unbound* 3) None 4) None	

		Wholesale Market Law.		
E. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
5. EDUCATIONAL SERVICES				
A. Primary Education Services				
Pre-school education services supplied by nursery services (CPC 92110**) Child day-care services (CPC 93321)		1) Unbound* 2) None 3) None 4) Unbound	1) Unbound* 2) None 3) None 4) None	
Primary education services ^{25,26} , supplied as formal education (CPC 92110**, 9219)		1) Unbound 2) Unbound 3) None except that Formal Education Institutions must be established by school juridical persons. ²⁷ 4) Unbound	1) Unbound 2) Unbound 3) None 4) Unbound	
B. Secondary Education				

25 These Educational Services supplied as formal education in Japan are supplied by Formal Education Institutions. "Formal Education Institutions" mean elementary schools, lower secondary schools, secondary schools, upper secondary schools, universities, junior colleges, colleges of technology, schools for the blind, schools for the deaf, schools for the handicapped and kindergartens.

26 Specific commitments on market access and national treatment through any mode of supply shall not be construed to apply to the recognition of credits, degrees and other certificates in Formal Education Institutions, specialised training colleges (Senshu-Gakko) and miscellaneous schools (Kakushu-Gakko) under Japanese law.

27 The term "school juridical person" means a non-profit juridical person established for the purposes of supplying educational services under Japanese law.

<p>Services</p> <p>(a) Secondary education services^{25,26}, supplied as formal education (CPC 9221, 9222, 9223)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None except that Formal Education Institutions must be established by school juridical persons.</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	
<p>(b) Other</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>C. Higher Education Services^{25,26} (CPC 9231, 9239)</p>	SS	<p>1) None</p> <p>2) None</p> <p>3) None except that Formal Education Institutions must be established by school juridical persons.</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>D. Adult Education Services^{26,28} (CPC 924)</p> <p>E. Other Education Services^{26,28} (including services supplied by instructor of</p>	SS	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	

28 Formal Education Institutions must be established by school juridical persons. Specialised training colleges and miscellaneous schools may be required to be established by school juridical persons. Formal Education Institutions supply formal education, but at the same time they may supply educational services other than formal education, while specialised training colleges and miscellaneous schools supply educational services other than formal education.

Thai classical or traditional dance, Thai music, Thai cuisine, Thai boxing and Thai language) (CPC 929)				
6. ENVIRONMENTAL SERVICES				
A. Sewage Services (CPC 9401)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
B. Refuse Disposal Services (CPC 9402)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
C. Sanitation and Similar Services (CPC 9403)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
D. Other				
Cleaning services of exhaust gases (CPC 9404)		1) Unbound* 2) None	1) Unbound* 2) None	
Noise abatement services (CPC 9405)		3) None 4) None	3) None 4) None	
Nature and landscape protection services (CPC 9406)				
Other environmental protection services				

(CPC 9409)				
7. FINANCIAL SERVICES				
<p>For the purposes of this Schedule, the Understanding on Commitments in Financial Services (hereinafter referred to as the "Understanding") which is included in Japan's Schedule of Specific Commitments of the GATS (WTO Document GATS/SC/46/Suppl.3) is incorporated into and made a part of this Schedule.</p> <p>Japan undertakes its specific commitments with respect to Financial Services in accordance with Chapter 7, Annex on Financial Services to the GATS, referred to in paragraph 3 of Article 72, which shall apply <i>mutatis mutandis</i> to financial services in this Agreement (hereinafter referred to the "Annex on Financial Services"), and the Understanding.</p> <p>For prudential reasons within the context of paragraph 2(a) of Annex on Financial Services, Japan shall not be prevented from taking measures such as non-discriminatory limitations on juridical forms of a commercial presence. For the same reasons, Japan shall not be prevented from applying non-discriminatory limitations concerning admission to the market of new financial services which shall be consistent with regulatory framework aimed at achieving such prudential objectives. In this context, securities firms are allowed to deal in securities defined in the relevant Japanese law, and banks are not allowed to deal in those securities unless allowed in accordance with the said law.</p> <p>With respect to specific commitments in the sectors of Financial Services, services supplied in Thailand to the service consumer in Japan without any active marketing from the service supplier are considered as services supplied under subparagraph (y)(ii) of Article 73.</p>				
A. Insurance and Insurance-Related Services		<p>Specific commitments in the market access column with respect to the supply of a service under subparagraphs (y)(i) and (ii) of Article 73 are unbound except for obligations under paragraphs B3 and 4 of the Understanding respectively which are incurred in this sector additionally to those covered by the provisions of Articles 74, 75 and 76 and Annex on Financial Services, subject to conditions and qualifications set out below.</p> <p>1) None except that:</p> <p>commercial presence is in principle required for insurance contracts on the following items and any liability arising therefrom:</p>	<p>1) None</p>	

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

		<p>(a) goods being transported within Japan; and</p> <p>(b) ships of Japanese registration which are not used for international maritime transport; and</p> <p>commercial presence is required for insurance intermediation services in Japan.</p> <p>2) None except that:</p> <p>commercial presence is in principle required for insurance contracts on the following items and any liability arising therefrom:</p> <p>(a) goods being transported within Japan; and</p> <p>(b) ships of Japanese registration which are not used for international maritime transport; and</p> <p>commercial presence is required for insurance intermediation services in Japan.</p> <p>3) None²⁹</p> <p>4) Unbound</p>	<p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	
<p>B. Banking and Other Financial Services (excluding Insurance and Insurance-Related Services)</p>		<p>Specific commitments in the market access column with respect to the supply of a service under subparagraphs (y)(i) and (ii) of Article 73 are unbound except for obligations under paragraphs B3 and 4 of the Understanding respectively which are incurred in this sector additionally to those covered by the provisions of</p>		

		Articles 74, 75 and 76 and Annex on Financial Services, subject to conditions and qualifications set out below.		
		1) None except that commercial presence is required for discretionary investment management services.	1) None	
		2) None	2) None	
		3) None	3) None except that the deposit insurance system does not cover deposits taken by branches of foreign banks.	
		4) Unbound	4) Unbound	
8. HEALTH RELATED AND SOCIAL SERVICES				
A. Hospital Services (CPC 9311)		1) Unbound* 2) None 3) Unbound except that there is no limitation on the participation of foreign capital. 4) Unbound	1) Unbound* 2) None 3) Unbound except that there is no limitation on the participation of foreign capital. 4) Unbound	2) The reimbursement of expenses for medical treatment received by Japanese nationals in Thailand shall be permissible. Such reimbursement shall be made in accordance with Japan's laws and regulations.
B. Other Human Health Services				
Medical services delivered in the ambulance (CPC 93192)		1) Unbound* 2) None 3) Unbound except that there is no limitation on the participation of foreign capital. 4) Unbound	1) Unbound* 2) None 3) Unbound except that there is no limitation on the participation of foreign capital. 4) Unbound	
Residential health facilities services other		1) Unbound*	1) Unbound*	

than hospital services (CPC 93193)		2) Unbound 3) Unbound 4) Unbound	2) Unbound 3) Unbound 4) Unbound	
Blood collection services stipulated in the Law to Secure the Stable Supply and Related Matters Regarding Safe Blood Products (Law No. 160 of 1956) (CPC 93199)		1) Unbound 2) None 3) Unbound 4) Unbound	1) Unbound 2) None 3) Unbound 4) Unbound	
Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C. Social Services (including services supplied by certified careworker, excluding child day-care services) (CPC 933, except 93321)		1) Unbound* 2) None 3) Unbound except that there is no limitation on the participation of foreign capital. 4) Unbound	1) Unbound* 2) None 3) Unbound except that there is no limitation on the participation of foreign capital. 4) None	
D. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
9. TOURISM AND TRAVEL RELATED SERVICES				
A. Hotels and Restaurants				
Hotels and restaurants		1) Unbound*	1) Unbound*	

services (including services supplied by Thai cook, excluding catering services) (CPC 641-643, except 6423)		2) None 3) None 4) None	2) None 3) None 4) None	
Hotel management services		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
Catering services (CPC 6423)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
B. Travel Agencies and Tour Operators Services (CPC 7471)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
C. Tourist Guides Services (CPC 7472)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
D. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

10. RECREATIONAL, CULTURAL AND SPORTING SERVICES				
A. Entertainment Services (including Thai classical or traditional dance, Thai music, theatre, live bands and circus services) (CPC 9619)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
B. News agency Services (CPC 962)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
C. Libraries, Archives, Museum and Other Cultural Services				
Libraries and archives services (CPC 96311, 96312)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
Museum services including preservation services of historical sites and buildings (CPC 9632)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
Other cultural services (CPC 9633)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
D. Sporting and Other Recreational Services				

Sporting services (including Muay Thai (kickboxing)) (CPC 9641)		1) Unbound*	1) Unbound*	
Recreation parks and beach services (CPC 96491)		2) None	2) None	
		3) None	3) None	
		4) None	4) None	
Gambling and betting services (CPC 96492)		1) Unbound	1) Unbound	
		2) Unbound	2) Unbound	
		3) Unbound	3) Unbound	
		4) Unbound	4) Unbound	
Other recreational services (CPC 96499)	SS	1) None	1) None	
		2) None	2) None	
		3) None	3) None	
		4) None	4) None	
E. Other		1) Unbound	1) Unbound	
		2) Unbound	2) Unbound	
		3) Unbound	3) Unbound	
		4) Unbound	4) Unbound	
11. TRANSPORT SERVICES				
A. Maritime Transport Services				
a), b) International maritime transport services (including services of	SS	1) (a) Liner Shipping: None ³⁰ (b) Bulk, tramp, and other international shipping,	1) (a) Liner Shipping: None ³⁰ (b) Bulk, tramp, and other international shipping,	The following services will be made available to international maritime

30 Restriction or prohibition of a) entry in Japanese ports and b) loading or unloading of cargoes in Japanese ports for a designated period may be imposed as a countermeasure on operators of vessels who belong to the country in which interests of Japanese operators continue to be substantially damaged, in spite of prior notification of taking such measure, under unfavourable treatment imposed on them by that country or by local authorities or similar entities of that country.

<p>passenger transportation and freight transportation) (CPC 7211, 7212)</p>	<p>including passenger transportation: None³⁰</p> <p>2) None</p> <p>3) (a) Establishment of a registered company for the purpose of operating a fleet flying the flag of Japan: None except that there is a nationality requirement³¹ for a ship to fly the flag of Japan.</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined in paragraph 1 of Note below): None</p> <p>4) (a) Ships' crews: None except that foreign nationals employed by Japanese enterprises, except for the seafarers referred to in the relevant official notification, may not work on the vessels flying the Japanese flag.</p> <p>(b) Key personnel employed in relation to a commercial presence as defined under 3)(b) above: None</p>	<p>including passenger transportation: None³⁰</p> <p>2) None</p> <p>3) (a) Establishment of a registered company for the purpose of operating a fleet flying the flag of Japan: None except that there is a nationality requirement³¹ for a ship to fly the flag of Japan.</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined in paragraph 1 of Note below): None</p> <p>4) (a) Ships' crews: None except that foreign nationals employed by Japanese enterprises, except for the seafarers referred to in the relevant official notification, may not work on the vessels flying the Japanese flag.</p> <p>(b) Key personnel employed in relation to a commercial presence as defined under 3)(b) above: None</p>	<p>transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <p>(a) Pilotage services;</p> <p>(b) Pushing and towing services;</p> <p>(c) Provisioning, fuelling and watering services;</p> <p>(d) Garbage collecting and refuse disposal services;</p> <p>(e) Port captain's services;</p> <p>(f) Navigation aids services;</p> <p>(g) Shore based operational services essential to ship operations, including communications, water and electrical supplies;</p>
--	---	---	--

31 In this sector, the term "nationality requirement" means that the ship must be owned by:

(a) a natural person with Japanese nationality; or

(b) an enterprise established under Japanese law, with all representatives ("daihyosha") and not less than two-thirds of executives administering the affairs of the enterprise ("gyomu-wo-shikkosuru yakuin") having Japanese nationality.

				(h) Emergency repair services; and (i) Anchorage, berths and berthing services.
c) Rental of vessels with crew (excluding vessels flying the Japanese flag) (CPC 7213)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
A. Maritime Auxiliary Transport Services				
d) Maintenance and repair of vessels (CPC 8868**)		1) Unbound* 2) None 3) None except that establishing or extending docks or berths which can be used to manufacture or repair the vessels beyond a fixed scale are subject to an economic needs test. 4) None	1) Unbound* 2) None 3) None 4) None	
e) Pushing and towing services (7214)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
f) Salvaging and refloating services, watering services, fueling services, garbage collecting services (CPC 7454, 7459)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	

f) Pilotage services (CPC 7452)		1) Unbound* 2) None 3) Unbound 4) Unbound	1) Unbound* 2) None 3) Unbound 4) Unbound	
f) Port and waterway operation services (excluding cargo handling services) (CPC 7451) Navigation aid services (CPC 7453)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Maritime cargo handling services (as defined in paragraph 2 of Note below)		1) Unbound* 2) None 3) None except that the number of licences conferred to service suppliers may be limited in ports designated by the Government. ³² 4) None except that the number of licences conferred to service suppliers may be limited in ports designated by the Government. ³²	1) Unbound* 2) None 3) None 4) None	
Container station and depot services (as defined in paragraph 3 of Note below)		1) Unbound* 2) None 3) None except that the number of licences conferred to service suppliers may be limited in ports designated by the Government. ³²	1) Unbound* 2) None 3) None	

32 Public utility concession or licensing procedures may apply in case of occupation of the public domain.

		4) None except that the number of licences conferred to service suppliers may be limited in ports designated by the Government. ³²	4) None	
Maritime agency services (as defined in paragraph 4 of Note below)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
Maritime freight forwarding services (as defined in paragraph 5 of Note below)	SS	1) None except that: commercial presence is required; and an operation permit or governmental registration will be granted on reciprocal basis. 2) None 3) None except that an operation permit or governmental registration will be granted on reciprocal basis. 4) None except that: commercial presence is required; and an operation permit or governmental registration will be granted on reciprocal basis.	1) None except that an operation permit or governmental registration will be granted on reciprocal basis. 2) None 3) None except that an operation permit or governmental registration will be granted on reciprocal basis. 4) None except that an operation permit or governmental registration will be granted on reciprocal basis.	

Note to the Specific Commitments in the Sectors
of Maritime Transport Services and Maritime Auxiliary Transport Services

Notwithstanding the fact that road, rail, inland waterways and related auxiliary services are not fully covered in this Schedule of specific commitments, a multimodal transport operator^(Note 1) 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^(Note 2) for the purpose of carrying out multimodal transport

operations.

(Note 1) "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.

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

Definitions

1. "Other forms of commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service suppliers of Thailand to undertake in Japan all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the specific commitments undertaken in respect of services supplied under subparagraph (y)(i) of Article 73).

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any domestic transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, but excluding air, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the Annex on Telecommunications to the GATS);
- (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the commitments provided for in Chapter 9) with any locally established shipping agency; and
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

2. "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:

- (a) the loading/discharging of cargo to/from a ship;
- (b) the lashing/unlashing of cargo; and
- (c) the reception/delivery and safekeeping of cargoes before shipment or after discharge.

3. "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.

4. "Maritime agency services" means activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:

(a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information; and

(b) acting on behalf of the companies organising the call of the ship or taking over cargoes when required.

5. "Maritime freight forwarding services" means an activity consisting of organising and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information. Maritime freight forwarding services include those provided by a person on whose behalf the bill of lading or any other document evidencing a contract of carriage of goods is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

B. Internal Waterways Transport

d) Maintenance and repair of vessels (CPC 8868**)		1) Unbound* 2) None 3) None except that establishing or extending docks or berths which can be used to manufacture or repair the vessels beyond a fixed scale are subject to an economic needs test. 4) None	1) Unbound* 2) None 3) None 4) None	
e) Pushing and towing services (CPC 7224)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
f) Salvaging and refloating services, watering services, fuelling services and garbage collecting services (CPC 7454, 7459)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
f) Pilotage services		1) Unbound*	1) Unbound*	

(CPC 7452)		2) Unbound*	2) Unbound*	
		3) Unbound	3) Unbound	
		4) Unbound	4) Unbound	
f) Port and waterway operation services (excluding cargo handling services) (CPC 7451)		1) Unbound	1) Unbound	
Navigation aid services (CPC 7453)		2) Unbound	2) Unbound	
		3) Unbound	3) Unbound	
		4) Unbound	4) Unbound	
C. Air Transport Services				
d) Aircraft repair and maintenance services defined in subparagraph (a) of Article 73		1) Unbound*	1) Unbound*	
		2) None	2) None	
		3) None except that the number of licences conferred to service suppliers may be limited.	3) None	
		4) None	4) None	
e) Selling and marketing of air transport services defined in subparagraph (p) of Article 73	SS	1) None	1) None	
		2) None	2) None	
		3) None	3) None	
		4) None	4) None	
e) Computer reservation system services defined in subparagraph (d) of Article 73	SS	1) None	1) None	
		2) None	2) None	
		3) None	3) None	
		4) None	4) None	
D. Space transport (CPC 733)		1) Unbound	1) Unbound	

		2) None 3) Unbound 4) Unbound	2) None 3) Unbound 4) Unbound	
E. Rail Transport Services				
a) Passenger transportation (CPC 7111)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) None	
b) Freight transportation (CPC 7112)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) None	
c) Pushing and towing services (CPC 7113)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
d) Maintenance and repair services of rail transport equipment (CPC 8868**))		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	

d) Rental of rail transport equipment with operator	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
e) Supporting services for rail transport services (CPC 743)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) None	
F. Road Transport Services				
a) Passenger transportation (CPC 71211, 71212, 71213, 71214, 71221)		1) Unbound* 2) None 3) None except that limitations on the number of service suppliers, on the number of service operations or on the quantity of service output may be applied, on a temporary and non-discriminatory basis. 4) None except that: limitations on the number of service suppliers, on the number of service operations or on the quantity of service output may be applied, on a temporary and non-discriminatory basis; and commercial presence is required.	1) Unbound* 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) None	

<p>a) Other scheduled passenger transportation (CPC 71219)</p> <p>a) Rental services of passenger cars with operator (CPC 71222)</p> <p>a) Rental services of buses and coaches with operator (CPC 71223)</p> <p>a) Passenger transportation by man- or animal-drawn vehicles (CPC 71224)</p> <p>a) Other non-scheduled passenger transportation (CPC 71229)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>b) Freight transportation services (CPC 7123)</p>		<p>1) Unbound*</p> <p>2) None</p> <p>3) None except that limitations on the number of service suppliers, on the number of service operations or on the quantity of service output may be applied, on a temporary and non-discriminatory basis.</p> <p>4) None except that: limitations on the number of service suppliers, on the number of services operations or on the quantity of service output may be applied, on a temporary and non-discriminatory basis; and commercial presence is required.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>c) Rental of commercial vehicles with operator</p>	<p>SS</p>	<p>1) None</p>	<p>1) None</p>	

(CPC 7124)		2) None 3) None 4) None	2) None 3) None 4) None	
d) Maintenance and repair services of road transport equipment (including services supplied by mechanic) (CPC 6112, 8867)		1) Unbound* 2) None 3) None 4) None except that commercial presence is required.	1) Unbound* 2) None 3) None 4) None	
e) Supporting services for road transport services (CPC 744)	SS	1) None 2) None 3) None except that the number of licences conferred to services suppliers may be limited for motorway businesses. ³³ 4) None except that the number of licences conferred to services suppliers may be limited for motorway businesses.	1) None 2) None 3) None 4) None	
G. Pipeline Transport				
a) Transportation of fuels (CPC 7131) (a) transportation services of natural gas on a fee or contract basis		1) Unbound 2) None 3) None except that the number of licences conferred to service suppliers may be limited.	1) Unbound 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law.	

33 "Motorway business" means services of operating motorways, on a fee basis.

		4) Unbound	4) Unbound	
(b) transportation services of petroleum on a fee or contract basis		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
b) Transport services of goods other than fuels (CPC 7139)	SS	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
H. Services Auxiliary to All Modes of Transport				
a) Cargo-handling services (excluding services relating to maritime transport services) (CPC 741)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
b) Storage and warehouse services (excluding services relating to petroleum and petroleum products) (CPC 742)		1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
b) Storage and warehouse services relating to petroleum and petroleum products (CPC 742)		1) Unbound* 2) None 3) None 4) Unbound	1) Unbound* 2) None 3) None except that prior notification is required in accordance with the Foreign Exchange and Foreign Trade Law. 4) Unbound	

c) Freight transport agency services (excluding services relating to maritime freight forwarding services) (CPC 748)	SS	1) None except that commercial presence is required. 2) None 3) None 4) None except that commercial presence is required.	1) None 2) None 3) None 4) None	
d) Other (a) Customs clearance agent services related to Japanese Customs	SS	1) None except that commercial presence is required. 2) None except that commercial presence is required. 3) None 4) None except that commercial presence is required.	1) None 2) None 3) None 4) None	
(b) Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
I. Other Transport Services		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
12. OTHER SERVICES NOT INCLUDED ELSEWHERE				
Thai spa services (excluding the medical related services)		1) Unbound* 2) None 3) None	1) Unbound* 2) None 3) None	

		4) None	4) None	
Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

Part 3
Schedule of Thailand

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Unless otherwise specified at the sector- specific level, commercial presence in sectors or subsectors in this Schedule is permitted only through a limited liability company which is registered in Thailand and which meets the following conditions:</p> <p>a) Foreign equity participation must not exceed 49 per cent of the registered capital; and</p> <p>b) The number of foreign shareholders must be less than half of the total number of shareholders of the company concerned.</p>	<p>3) Unless otherwise specified at the sector- specific level, for commercial entity incorporated pursuant to Thailand's laws and regulations with foreign equity participation not exceeding 49 per cent of the registered capital: None</p> <p>Others: Unbound</p>	<p>Unless otherwise specified at the sector-specific level, commercial entity not incorporated pursuant to Thailand's laws and regulations or commercial entity incorporated pursuant to Thailand's laws and regulations with foreign equity participation exceeding 49 per cent of the registered capital may acquire permission for commercial presence in sectors or subsectors in this Schedule, provided that such entity satisfies the criteria stipulated under the Foreign Business Act B.E. 2542 (1999), including those in Sections 5 and 18.</p>

	<p>3), 4) 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.</p> <p>4) Unless otherwise specified at the sector-specific level, unbound except:</p> <p>(a) intra-corporate transferees who have satisfied the criteria for management needs¹ and other criteria stipulated by the Department of Employment under the Working of Aliens Act B.E. 2521 (1978).</p>	<p>3), 4) Acquisition and usage of land: Unbound, except as provided in the Limitation on Market Access column (hereinafter referred to as "MA column")</p> <p>4) Unbound, except as provided in the MA column</p> <p>Natural persons of Japan who engage in business activities which require technology or knowledge at advanced level on the basis of a personal contract with public or private organisation in the territory of Thailand: Unbound</p>	<p>Pursuant to the Official Information Act B.E. 2540 (1997), by-laws, resolutions of the Council of Ministers, regulations, orders, circulars, Rules, work pattern, policies or interpretations only insofar as they are made or issued to have the same force as by-laws and intended to be of general application to private individuals concerned shall be published in the Government Gazette.</p>
--	---	--	---

1 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 for the management.

	<p>An intra-corporate transferee is a natural person of Japan who is an employee of the managerial or executive level or a specialist of a juridical person of Japan; who is transferred temporarily for the supply of service through commercial presence in Thailand; and who has been employed by the juridical person concerned outside Thailand for a period of not less than one year immediately preceding the date of his or her application for admission.</p>		
--	---	--	--

	<p>Manager is defined as:</p> <p>A person within an organisation who primarily directs the organisation, or a department or sub-division of the organisation, supervises and controls the work of other supervisory, professional or managerial employees, has the authority to hire and fire or recommend hiring, firing or other personnel actions (such as promotion or leave authorisation), and exercises discretionary authority over day-to-day operations. He or she must not be a first-line supervisor, unless the employees supervised are professionals, or an employee who primarily performs tasks necessary for the provision of the service.</p>		
--	--	--	--

	<p>Executive is defined as:</p> <p>A person within an organisation who primarily directs the management of the organisation, establishes the goals and policies of the organisation, exercises wide latitude in decision-making, and receives only general supervision or direction from higher-level executives, the board of directors, or shareholders of the businesses. An executive would not directly perform tasks related to the actual provision of a service or services of the organisation.</p> <p>Specialist is defined as:</p> <p>A person within an organisation who possesses knowledge at an advanced level of continued expertise and who possesses proprietary knowledge of the organisation's services, research equipment, techniques, or management.</p>		
--	---	--	--

	<p>(b) natural persons of Japan, who engage in business activities which require technology or knowledge at advanced level on the basis of a personal contract with public or private organisation in the territory of Thailand and have satisfied the criteria for management needs² and other criteria stipulated by the Department of Employment under the Working of Aliens Act in the following subsectors:</p> <ul style="list-style-type: none"> - Consultancy services related to the installation of computer hardware (CPC 84100); - Software implementation services (CPC 84210+84220+84240+84250); - Data processing services (excluding those provided over public telecommunications network) (CPC 84310+84320+84330+84390); - Data base services (excluding those provided over public telecommunications network) (CPC 84400); 		
--	---	--	--

2 See footnote 1.

	<ul style="list-style-type: none">- Other computer services: Software training services for staff of clients (part of CPC 84900);- General management consulting services (CPC 86501);- Engineering services (CPC 86721 to 86727 + 86729) (except civil engineer);- Hotel loding services (CPC 64110); and- Restaurant services (CPC 64210). <p>Such natural person must be employed under an employment contract by a limited liability company registered under Thai law and engaged in substantive business operation in Thailand.</p>		
--	---	--	--

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons				
Sector or Subsector	SS	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS				
1. BUSINESS SERVICES				
A. <u>Professional Services</u>				
(a) Legal services (CPC 86111+86119+ 86120+86130+86190)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
(b) Accounting, auditing and bookkeeping services (CPC 86211 to 86213 +86219+86220)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
(c) Taxation Services (CPC 863)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(d) Architectural services (CPC 86711 to 86714+86719)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
(e) Engineering services (CPC 86721 to 86727 +86729)		1) Unbound 2) None	1) Unbound 2) None	

		<ul style="list-style-type: none"> 3) None 4) (a) As indicated in the horizontal section <li style="padding-left: 20px;">(b) Unbound for civil engineer 	<ul style="list-style-type: none"> 3) None 4) Unbound, except as provided in the horizontal section 	
(f) Integrated engineering services (CPC 8673)		<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 4) Unbound 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 4) Unbound 	
(g) Urban planning and landscape architectural services (CPC 86741 to 86742)		<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound 	
(h) Medical services (CPC 93121 to 93122)		<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 4) Subject to approval by the Medical Council of Thailand pursuant to Section 26 (6) of the Medical Profession Act B.E. 2525 (1982), Japanese medical doctor may accompany Japanese patient(s) coming for medical treatment in Thailand 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 4) Unbound 	
(h) Dental services (CPC 93123)		<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 	

		4) Unbound	4) Unbound	
(i) Veterinary services (CPC 932)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(j) Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(k) Other (including extraction of Thai herbs)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. <u>Computer and Related Services</u> (a) Consultancy services related to the installation of computer hardware (CPC 84100)		1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed.	1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent.	

		<p>4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the Ministry of Information and Communication Technology (hereinafter referred to as the "ICT Ministry"), otherwise as indicated in the horizontal section.</p>	<p>4) Unbound, except as provided in the horizontal section</p>	
<p>(b) Software implementation services (CPC 84210+84220+84230+84240+84250)</p>		<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed. 4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.</p>	<p>1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent. 4) Unbound, except as provided in the horizontal section</p>	

<p>(c) Data processing services (excluding those provided over public telecommunications network) (CPC 84310+84320 +84330+84390)</p>	<ol style="list-style-type: none"> 1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed. 4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent. 4) Unbound, except as provided in the horizontal section 	
<p>(d) Data base services (excluding those provided over public telecommunications network) (CPC 84400)</p>	<ol style="list-style-type: none"> 1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed. 4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent. 4) Unbound, except as provided in the horizontal section 	

<p>(e) Maintenance and repair services of office machinery and equipment including computers (CPC 84500)</p>		<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed. 4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.</p>	<p>1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent. 4) Unbound, except as provided in the horizontal section</p>	
<p>(e) Other computer services Data preparation services (CPC 84910)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>Software training services for staff of clients (part of CPC 84990)</p>		<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed.</p>	<p>1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent.</p>	

		4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.	4) Unbound, except as provided in the horizontal section	
Others (the rest of CPC 84990)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C. <u>Research and Development Services</u>				
(a) R&D services on natural science (CPC 851) (including extraction of Thai herbs)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(b) R&D services on social sciences and humanities (CPC 852)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Interdisciplinary R&D services (CPC 853)		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
D. <u>Real Estate Services</u>				
(a) Real Estate services involving own or leased property (CPC 821)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(b) Real Estate services on a fee or contract basis (CPC 822)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Rental/Leasing Services without Operators				
(a) Relating to ships (CPC 83103)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(b) Relating to aircraft (CPC 83104)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Relating to other transport equipment (CPC 83101+83102+83105)		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
(d) Rental and leasing services concerning agricultural machinery, construction machinery, office machinery, other machinery and equipment without operator (CPC 83106-83109)		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
(e) Other (CPC 832)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
F. <u>Other Business Services</u>				
(a) Advertising services (CPC 87110+87120 +87190)		1) Unbound 2) None 3) Foreign equity participation of not exceeding 50 per cent is allowed as long as a loan to capital ratio of 3:1 or lower is maintained; and no limitation on the number of foreign shareholders. 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitation as long as (1) foreign equity participation does not exceed 50 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound, except as provided in the horizontal section	
(b) Market research and public opinion polling services (CPC 86401 to 86402)		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	

<p>(c) Management consulting services</p> <p>General management consulting services (CPC 86501)</p>		<p>1) None</p> <p>2) None</p> <p>3) Foreign equity participation of up to 100 per cent is allowed as long as (1) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower is maintained</p> <p>4) (a) As indicated in the horizontal section</p> <p>(b) Unbound for legal and auditing consultants</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitation as long as (1) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower is maintained</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Financial management consulting services (except business tax) (CPC 86502)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Marketing management consulting services (CPC 86503)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	
<p>Human resources management consulting services (CPC 86504)</p>		<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

		3) None 4) Unbound	3) None 4) Unbound	
Production management consulting services (CPC 86505)		1) Unbound 2) Unbound 3) None 4) Unbound	1) Unbound 2) Unbound 3) None 4) Unbound	
Public relations services (CPC 86506)		1) Unbound 2) Unbound 3) None 4) Unbound	1) Unbound 2) Unbound 3) None 4) Unbound	
Logistics consulting services (excluding all transport services) (part of CPC 86509) Advisory and guidance services concerning logistics for the purpose of seeking the utmost efficiency in delivering and/or collecting goods. All transport and related communication services are excluded.		1) Unbound 2) Unbound 3) Foreign equity participation of not exceeding 51 per cent is allowed as long as a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	1) Unbound 2) Unbound 3) No limitation as long as (1) foreign equity participation does not exceed 51 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	
Other management consulting services (the rest of CPC 86509)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

<p>(d) Services related to management consulting (CPC 866)</p> <p>Project management services other than for construction (CPC 86601)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	
<p>Arbitration and conciliation services (CPC 86602)</p> <p>Other management services (CPC 86609)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(e) Technical testing and analysis services (CPC 8676)</p> <p>Composition and purity testing and analysis services and other technical testing and analysis services (CPC 86761+86769)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Technical testing and analysis services of physical properties, integrated mechanical and electrical system, and technical inspection services (CPC 86762 to 86764)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

<p>(f) Services incidental to agriculture (CPC 881):</p> <p>Consultancy services on agricultural extension:</p> <ul style="list-style-type: none"> - soil preparation - seed production - plant protection - harvesting - grading - packing - storaging 		<ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
<p>Soil analysis laboratory</p>		<ol style="list-style-type: none"> 1) None 2) None 3) None 4) As indicated in the horizontal section 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
<p>Soil survey and land use planning</p>		<ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
<p>Cover crop seed multiplication</p>		<ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ol style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	

Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(f) Services incidental to hunting (CPC 881)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(f) Services incidental to forestry (CPC 881): Forestry consultant services		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(g) Services incidental to fishing (CPC 882): International trading, exporting products services (broker)		1) Unbound 2) None 3) None	1) Unbound 2) None 3) None	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
Quality analysis services		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
Canning process analysis services		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
Technical services - Consulting - Research on marketing - Quality control		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(h) Services incidental to mining (CPC 883+5115)				

<p>- at oil and gas fields (part of CPC 883+5115)</p> <p>- others</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) (a) As indicated in the horizontal section</p> <p>(b) Unbound for civil engineer</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(i) Services incidental to manufacturing (CPC 884+885, except for 88442)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(j) Services incidental to energy distribution (CPC 887)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(k) Placement and supply services of personnel (CPC 872)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(l) Investigation and security (CPC 873)</p>	<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
(m) Related scientific and technical consulting services (CPC 8675) - Oil and gas exploration (part of CPC 8675)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
- Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633+8861 to 8866)				
Maintenance and repair services by a Japanese enterprise established in Thailand relating to the		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

3. As defined in Article 73 (g) of Chapter 7.

<p>maintenance and repair of:</p> <ul style="list-style-type: none"> - household electrical appliances it wholesales in Thailand that are manufactured in Thailand by it, or by its group companies in Thailand under the same brand; or - household electrical appliances manufactured in Japan by its group companies under the same brand. <p>Note: "group companies" means companies registered in Japan or Thailand that are owned³ directly, or through another company registered in Japan or in Thailand, by a company registered in Japan and entitled to benefits under this Agreement.</p>	<p>3) Foreign equity participation of not exceeding 60 per cent is allowed as long as (1) service supplier is registered in Thailand with a minimum capital of 100 million baht; (2) a loan to capital ratio of 3:1 or lower is maintained; (3) the members of the board of directors of Thai nationality is in accordance with the ratio of Thai equity participation; (4) at least half of the senior mechanics⁴ are of Thai nationality; (5) amongst the non-Thai members of the board of directors, at least one is a Thai resident; (6) at least one senior manager is of Thai nationality; (7) there is no more than one service center; and (8) transfer of technology⁵ is provided to Thai persons, such as on-the-job training, and necessary information and know-how is provided to the Thai employees.</p> <p>4) Unbound</p>	<p>3) No limitation as long as (1) foreign equity participation does not exceed 60 per cent; (2) service supplier is registered in Thailand with a minimum capital of 100 million baht; (3) a loan to capital ratio of 3:1 or lower is maintained; (4) the members of the board of directors of Thai nationality is in accordance with the ratio of Thai equity participation; (5) at least half of the senior mechanics are of Thai nationality; (6) amongst the non-Thai members of the board of directors, at least one is a Thai resident; (7) at least one senior manager is of Thai nationality; (8) there is no more than one service center; and (9) transfer of technology⁵ is provided to Thai persons, such as on-the-job training, and necessary information and know-how is provided to the Thai employees.</p> <p>4) Unbound</p>	
<p>Others</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

4. Senior mechanics are those persons whose duties include supervisory functions.

5. The transfer of technology includes transfer of technical know-how, technology alternatives and technology procedures from Japanese companies and their engineers or technicians to Thai engineers or technicians of such Japanese companies to the extent of their activities. Such transfer shall not be construed to include intellectual property rights.

<p>(o) Building-cleaning services (CPC 874)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>(p) Photographic services (CPC 875)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>(q) Packaging services (CPC 87600)</p>		<p>1) Unbound 2) None 3) None 4) Unbound</p>	<p>1) Unbound 2) None 3) None 4) Unbound</p>	
<p>(r) Publishing and printing services excluding publishing newspaper (CPC 88442)</p>		<p>1) Unbound 2) None 3) None 4) Unbound</p>	<p>1) Unbound 2) None 3) None 4) Unbound</p>	
<p>(s) Convention services (CPC 87909**)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	

<p>(t) Other</p> <p>Credit reporting services, collection agency services, telephone answering services, duplicating services, mailing list compilation and mailing services, special design services, and other business services (CPC 87901 to 87904+87906+87907+the rest of CPC 87909)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Translation and interpretation services (CPC 87905)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>2. COMMUNICATION SERVICES</p> <p>A. Postal services (CPC 7511)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>B. Courier services (CPC 7512)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

C. Telecommunications Services⁶

Commitments undertaken in this Schedule are subject to the following general conditions:

- Each service to be supplied in Thailand requires a specific licence issued by the National Telecommunications Commission (NTC). The number of licences may be limited.
- Licences are granted only to service suppliers duly constituted according to the Thai legislation, which requires head office and management located in the Area of Thailand.
- The telecommunications services in the Schedule of Specific Commitments shall be on facilities basis.
- Unless otherwise specified at subsector level, the service provider shall be a Thai registered company with foreign equity participation not exceeding 20 per cent of the registered capital. The NTC or other competent authorities specified by law may, from time to time and in pursuant to the right recognised by paragraph 4 of the preamble of the General Agreement on Trade in Services (GATS), prescribe a prohibition that it sees fit to meet national policy objectives and, given asymmetries existing with respect to the degree of development of telecommunications sector and regulatory practice in Thailand, adopt measures which the NTC deems appropriate in furtherance of its responsibility under the relevant telecommunications laws.
- Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, commitments on public telecommunications services will be introduced, and carried out in accordance with the implementing regulations to be issued by virtue of those acts.

6. Thailand's commitments under the WTO Agreement for this sector as per Documents GATS/SC/85 (15 April 1994) and GATS/S/85/Suppl.2 (11 April 1997), unless otherwise specifically stipulated, are incorporated herein. Until the review under Article 89, Thailand does not accept to renegotiate such commitments or negotiate any further commitments on this sector.

<p>Public local, domestic long distance and international services:</p> <p>(a) Voice telephone services</p> <p>(b) Telex services</p> <p>(c) Telegraph services</p> <p>(d) Facsimile services</p>	<p>1), 2) None, other than</p> <ul style="list-style-type: none"> - traffic shall be routed through a gateway in Thailand operated by a supplier duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. <p>3) Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the market access elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>4) Unbound as indicated in the horizontal section</p>	<p>1), 2) None</p> <p>3) Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the national treatment elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce into its Schedule of Specific Commitments on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.</p>
<p>(j) Data base access services (part of CPC 7523)</p>	<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;</p> <p>1.2 Radio application service is subject to frequency availability.</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>	

		<p>3) (a) Shall be a Thai registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>4) As indicated in the horizontal section</p>	<p>3) No limitations as long as foreign equity participation does not exceed 25 per cent</p> <p>4) None</p>	
<p>(n) On-line information and/or data processing services (part of CPC 843)</p>		<p>1) 1.1 Services providers must use telecommunication network under national telecommunication authorities; 1.2 Radio application service is subject to frequency availability</p> <p>2) None</p> <p>3) (a) Shall be a Thai registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 25 per cent</p>	

		<p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>4) As indicated in the horizontal section</p>	<p>4) None</p>	
<p>(o) Other</p> <p>Telecommunications equipment sales services (part of CPC 75420)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section</p> <p>4) (a) As indicated in the horizontal section</p> <p>(b) Unbound for civil engineer</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	
<p>Telecommunications consulting services (CPC 75440)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section</p> <p>4) (a) As indicated in the horizontal section</p> <p>(b) Unbound for civil engineer</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	
<p>Videotext (part of CPC 75299)</p>		<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;</p>	<p>1) None</p>	

		<p>1.2 Radio application service is subject to frequency availability</p> <p>2) None</p> <p>3) (a) Shall be a Thai registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>(c) Selection of service providers shall be based on open tender</p> <p>4) As indicated in the horizontal section</p>	<p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 25 per cent</p> <p>4) None</p>	
<p>Teleconference (part of CPC 75292)</p>		<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;</p> <p>1.2 Radio application service is subject to frequency availability</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>	

		<p>3) (a) Shall be a Thai registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>(c) Selection of service providers shall be based on open tender</p> <p>4) As indicated in the horizontal section</p>	<p>3) No limitations as long as foreign equity participation does not exceed 25 per cent</p> <p>4) None</p>	
<p>Domestic leased circuits (part of CPC 75299)</p>		<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;</p> <p>1.2 Radio application service is subject to frequency availability</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>	

		<p>3) (a) Shall be a Thai registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>(c) Selection of service providers shall be based on open tender</p> <p>4) As indicated in the horizontal section</p>	<p>3) No limitations as long as foreign equity participation does not exceed 25 per cent</p> <p>4) None</p>	
<p>D. <u>Audiovisual Services</u></p> <p>(a) Motion picture and video tape production and distribution services (CPC 9611)</p> <p>Promotion or advertising services (CPC 96111)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Film/video production and distribution services excluding promotion or advertising services (CPC 96112+96113)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
(b) Motion picture projection service (CPC 9612)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Radio and television services (CPC 9613) Radio/television services only for production of radio/TV programmes (CPC 96131+96132) Combined programme making and broadcasting services (CPC 96133)		1) Unbound 2) None 3) None 4) As indicated in the horizontal section 1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(d) Radio and television transmission services (CPC 75241+75242)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e) Sound recording		1) Unbound 2) Unbound 3) Unbound	1) Unbound 2) Unbound 3) Unbound	

		4) Unbound	4) Unbound	
(f) Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES				
A. Construction Work for Buildings (CPC 51210+51220+51230+51240+51250+51260+51270+51280+51290)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
B. Construction Work for Civil Engineering (CPC 51310+51320+51330+51340+51350+51360+51371+51372+51390)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	

<p>C. Installation Work (CPC 51610+51620+51630+51641+ 51642+51643+51644+51649+ 51650+51660+51691+51699)</p>		<p>1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>Assembly Work (CPC 514)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>D. Building completion and finishing work (CPC 517)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>E. Other (CPC 511+CPC 515 to 518)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>4. DISTRIBUTION SERVICES A. Commission Agents' Services (CPC 62111 to 62118)</p>		<p>1) Unbound 2) None 3) None; and no limitation on the number of foreign shareholders</p>	<p>1) Unbound 2) None 3) None</p>	

		4) Unbound	4) Unbound	
Trading and auctioning Thai antiques or national historical objects		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Trading antiques or art objects being Thai arts and handicraft		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Auction		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. Wholesale Trade Services Wholesale trade services by a Japanese enterprise established in Thailand relating to the distribution and installation of: - products manufactured by such Japanese enterprise or by its group companies in Thailand under the same brand; or		1) Unbound 2) Unbound 3) Except for distilled liquor distribution services, no limitation on the number of foreign shareholders and foreign equity participation not exceeding 75 per cent is allowed as long as loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	1) Unbound 2) Unbound 3) No limitations as long as (1) foreign equity participation does not exceed 75 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	

<p>- automobiles manufactured in Japan by its group companies under the same brand.</p> <p>Note: "group companies" means companies registered in Japan or Thailand that are owned⁷ directly, or through another company registered in Japan or in Thailand, by a company registered in Japan and entitled to benefits under this Agreement.</p>				
<p>Others</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>C. Retailing Services</p> <p>Retailing services by a Japanese enterprise established in Thailand relating to the distribution and installation of:</p>		<p>1) Unbound 2) Unbound 3) Except for distilled liquor distribution services, no limitation on the number of foreign shareholders and foreign equity participation not exceeding 75 per cent is allowed as long as a loan to capital ratio of 3:1 or lower is maintained.</p>	<p>1) Unbound 2) Unbound 3) No limitations as long as (1) foreign equity participation does not exceed 75 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained.</p>	

7 As defined in Article 73 (g) of Chapter 7.

<ul style="list-style-type: none"> - products manufactured by such Japanese enterprise or by its group companies in Thailand under the same brand; or; - automobiles manufactured in Japan by its group companies under the same brand. <p>Note: "group companies" means companies registered in Japan or Thailand that are owned⁸ directly, or through another company registered in Japan or in Thailand, by a company registered in Japan and entitled to benefits under this Agreement.</p>		4) Unbound	4) Unbound	
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. Franchising (CPC 8929)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

8 As defined in Article 73 (g) of Chapter 7.

E. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
5. EDUCATIONAL SERVICES A + B. International and National School Education Services (excluding adult and other education services) (part of CPC 9219+ CPC 9221 +9222)		1) Unbound 2) None 3) None 4) Supply of education services is allowed, provided that: (1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and (2) 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. Others: As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound	
A. Primary education services (CPC 9211 + the rest of CPC 9219)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

<p>B. Technical and Vocational Education Services (CPC 9223+9224)</p>	<p>1) None 2) None 3) None 4) Supply of education services is allowed, provided that:</p> <p>(1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and</p> <p>(2) 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>Others: As indicated in the horizontal section</p>	<p>1) None 2) None 3) None 4) Unbound</p>	
<p>C. Higher education services (CPC 923)</p>	<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed, provided that at least half of the Members of the University Council must have Thai nationality and that service suppliers in this sector must comply with the Private Higher Education Institution Act B.E. 2546 (2003). 4) Supply of education services is allowed, provided that:</p>	<p>1) Unbound 2) None 3) No limitation as long as (1) foreign equity participation is less than 50 per cent; and (2) at least half of the Members of the University Council must have Thai nationality and that service suppliers in this sector must comply with the Private Higher Education Institution Act. 4) Unbound</p>	

		<p>(1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and</p> <p>(2) 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>Others: As indicated in the horizontal section</p>		
<p>D. Professional and/or Short Courses Education Services (CPC 92400)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Supply of education services is allowed, provided that:</p> <p>(1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and</p> <p>(2) 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>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	

		Others: As indicated in the horizontal section		
E. Other education services (CPC 92900) Foreign language tuition services (part of CPC 92900)		1) Unbound 2) None 3) None 4) Supply of education services is allowed, provided that: (1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and (2) 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. Others: As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound	
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
6. ENVIRONMENTAL SERVICES				

<p>A. Sewage Services (including industrial waste water treatment system) (CPC 9401)</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>B. Refuse Disposal Services (including hazardous waste management and incinerator) (CPC 9402)</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>C. Sanitation and Similar Services (CPC 9403)</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>D. Other Environmental Consultancy on Sewage System, Refuse Disposal, Hazardous Waste Management, Air Pollution and Noise Management, Sanitation and Other Environmental Management Services</p>		<p>1) None 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>Environmental Protection and Environmental Abatement Services</p>		<p>1) None 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	

<p>Cleaning services of exhaust gases (including industrial emission abatement) (CPC 9404)</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>Noise abatement services (CPC 9405)</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>Nature and landscape protection services (CPC 9406)</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>Other environmental protection services (CPC 9409)</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	

7. FINANCIAL SERVICES ⁹				
<ul style="list-style-type: none"> - 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 subsector of banking and other financial services only to the extent that their respective governing legislation permit them to do so. - All commitments in this sector are subject to horizontal commitments in Thailand's 1995 GATS Schedule of specific commitments. 				
A. <u>Insurance including reinsurance and retrocession</u> ¹⁰				
(a) Life insurance services (CPC 81211)	1) None	1) None		
	2) None	2) Life insurance premium is tax deductible up to a certain amount for holders of policies issued by local companies.		
	3) (a) Foreign equity participation limited to 25 per cent of registered share capital.	3) None		
	(b) New establishment is subject to licence approved by the Minister with the consent of the Cabinet.			
	4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.	4) None		

9 Thailand's commitments under the WTO Agreement for this sector as per Document GATS/sc/85/Suppl.3 (26 February 1998), is incorporated herein. Until the review under Article 89, Thailand does not accept to renegotiate such commitments or negotiate any further commitments on this sector.

10 Paragraph 5 of Article 77 does not apply to sectors or subsectors that do not exist under Thai law at the date of entry into force of this Agreement.

<p>(b) Non-life insurance services (CPC 8129)</p>		<p>1) Unbound except for international marine, aviation and transit and all classes of reinsurance.</p> <p>2) None</p> <p>3) (a) Foreign equity participation limited to 25 per cent of registered share capital.</p> <p>(b) New establishment is subject to license approved by the Minister with the consent of the Cabinet.</p> <p>4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>(d) Services auxiliary to insurance (excluding pension funding services)</p> <p>Insurance broking and agency services (CPC 81401)</p> <p>(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>1) Unbound</p> <p>2) Unbound</p> <p>3) Foreign equity participation not to exceed 25 per cent.</p> <p>4) (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>1) Unbound</p> <p>2) Unbound</p> <p>3) No limitations as long as foreign equity participation does not exceed 25 per cent.</p> <p>4) None</p>	

<p>Insurance consultancy services excluding pension consulting services (CPC 81402)</p>		<p>1) None 2) None 3) None other than that indicated in the horizontal section. 4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>1) None 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None</p>	
<p>Average and loss adjustment services (CPC 81403)</p>		<p>1) None 2) None 3) None other than that indicated in the horizontal section. 4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>1) None 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None</p>	
<p>Actuarial services (CPC 81404)</p>		<p>1) None 2) None 3) None other than that indicated in the horizontal section. 4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>1) None 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None</p>	

<p>Services auxiliary to financial intermediation other than to insurance and pension funding services</p> <p>Credit card services (CPC 81133) (Mobilising funds from the public is prohibited, unless licensed under a financial law)</p>		<p>1) None</p> <p>2) None</p> <p>3) (a) As indicated in B(3)(j) below.</p> <p>(b) Financial institutions must obtain prior approval from the Bank of Thailand.</p> <p>4) As indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	
<p>Financial consultancy services (CPC 81332)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section.</p> <p>4) As indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	
<p>B. <u>Banking and other financial services</u> (excluding insurance)</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>1) None for financial advisory and financial data processing. Unbound for all other services.</p> <p>2) None for financial advisory and financial data processing. Unbound for all other services.</p>	<p>1) None</p> <p>2) None</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> <p>(a) money market instruments</p> <p>(b) foreign exchange</p> <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"> - cash or portfolio management - collective investment management 	<p>3) (a) Representative office of banks</p> <p>None.</p> <p>(b) Foreign bank branches</p> <p>I. None for existing foreign bank branches under present shareholding structure. New establishment is subject to licence approved by the Minister of Finance with the consent of the Cabinet.</p> <p>II. ATM operations permitted under the following conditions only:</p> <p>(i) joining ATM pools operated by Thai banks; or</p> <p>(ii) operation within own premises or sharing the facilities with other commercial banks in Thailand.</p> <p>III. Existing foreign banks which already had the first branch office in Thailand prior to July 1995 will each be permitted to open no more than two additional branches.</p>	<p>3) (a) Representative office of banks</p> <p>None.</p> <p>(b) Foreign bank branches</p> <p>None, except as indicated in the market access column.</p>	
--	--	--	--

<p>- custodian and depository services</p> <p>Advisory, intermediation and other auxiliary financial services</p> <p>Provision and transfer of financial information, and financial data processing and related software</p>		<p>IV. None for participation in cheque clearing and settlement system.</p> <p>(c) Locally incorporated banks</p> <p>I. Market access limited to the acquisition of shares of existing banks.</p> <p>II. (i) Maximum foreign equity participation limited to 25 per cent of paid-up registered capital. Combined shareholding of an individual and his/her related persons not to exceed 5 per cent of bank's paid-up registered capital.</p>	<p>(c) Locally incorporated banks</p> <p>None, except as indicated in the market access column.</p>	
--	--	---	---	--

		<p>(ii) The Minister of Finance upon recommendation of the Bank of Thailand may relax the above-mentioned limits on maximum foreign equity participation and combined shareholding of an individual and his/her related persons, subject to the terms and conditions announced by the Minister of Finance, including the following:</p> <ul style="list-style-type: none">- the relaxation is deemed necessary to improve the condition or business of the commercial bank;		
--	--	---	--	--

		<ul style="list-style-type: none">- such equity participation will be authorised for a period of up to 10 years, with foreign shareholders who enter in this period being grandfathered thereafter with respect to the absolute amount of their equity holding. <p>III. 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 same terms and conditions as stated in II (ii) above.</p>		
--	--	---	--	--

		<p>(d) International Banking Facility¹¹</p> <p>New establishment is subject to licence approved by the Minister of Finance.</p> <p>(e) Finance companies and credit foncier companies</p> <p>I. None for representative offices.</p> <p>II. Market access limited to the acquisition of shares of existing companies.</p> <p>III. (i) Maximum foreign equity participation limited to 25 per cent of paid-up registered capital. Combined shareholding of an individual and his/her related persons not to exceed 10 per cent.</p>	<p>(d) International Banking Facility</p> <p>None, except as indicated in the market access column.</p> <p>(e) Finance companies and credit foncier companies</p> <p>None, except as indicated in the market access column.</p>	
--	--	---	---	--

11 IBF units permitted to operate only the banking and investment banking business as specified in the Ministerial Order issued on 16 September 1992, and Notification of the Bank of Thailand dated 14 December 1993.

		<p>(ii) The Minister of Finance upon recommendation of the Bank of Thailand may relax the above-mentioned limits on maximum foreign equity participation and combined shareholding of an individual and his/her related persons, subject to the terms and conditions announced by the Minister of Finance, including the following:</p> <ul style="list-style-type: none">- the relaxation is deemed necessary to improve the condition or business of the finance company and credit foncier company.		
--	--	--	--	--

		<p style="text-align: center;">- such equity participation will be authorised for a period of up to 10 years, with foreign shareholders who enter in this period being grandfathered thereafter with respect to the absolute amount of their equity holding</p> <p>IV. 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 same terms and conditions as stated in III (ii) above.</p> <p>(f) Securities companies</p>	<p>(f) Securities companies</p>	
--	--	---	---------------------------------	--

		<p>Securities brokerage, securities dealing, investment advisory service and securities underwriting:</p> <ul style="list-style-type: none"> I. None for representative offices. II. Market access limited to share acquisition of existing companies only. Unbound for new licences. III. Maximum foreign equity participation limited to 49 per cent of paid-up registered capital. IV. At least one-half of the directors of a locally incorporated securities firm must be Thai national. <p>(g) Asset management companies:</p> <ul style="list-style-type: none"> I. None for representative offices. II. Market access limited to share acquisition of existing companies. 	<p>None, except as indicated in the market access column.</p> <p>(g) Asset management companies:</p> <p>None, except as indicated in the market access column.</p>	
--	--	---	--	--

		<p>III. During the first five years after the licence has been granted, maximum foreign equity participation is limited to 25 per cent of paid-up registered capital and at least three-fourths of the directors must be Thai national.</p> <p>IV. After five years, maximum foreign equity participation is limited to 49 per cent of paid-up registered capital and at least one-half of the directors must be Thai national.</p> <p>(h) Financial leasing services</p> <p>Can only be provided by leasing companies which are subject to maximum foreign equity participation of 49 per cent of paid-up registered capital, or by finance companies which are subject to maximum foreign equity participation of 25 per cent of paid-up registered capital, except in (e) III (ii).</p> <p>(i) Factoring services</p>	<p>(h) Financial leasing services</p> <p>None</p> <p>(i) Factoring services</p> <p>None</p>	
--	--	--	---	--

		<p>Can only be provided by factoring companies which are subject to maximum foreign equity participation of 49 per cent of paid-up registered capital, or by finance companies which are subject to maximum foreign equity participation of 25 per cent of paid-up registered capital, except in (e) III (ii).</p> <p>(j) Credit, charge and debit cards</p> <p>Credit, charge and debit cards can only be provided by companies which are subject to maximum foreign equity participation of 49 per cent of paid-up registered capital or locally incorporated banks and foreign bank branches.</p> <p>The conduct of businesses under h), i) and j) will be subject to licensing and regulations to be announced.</p> <p>4) Limitations on the number of foreign personnel per foreign bank office:</p> <p>(a) two persons for banks operating as representative office;</p> <p>(b) six persons for each full-licensed branch;</p> <p>(c) four persons for each BIBF branch;</p>	<p>(j) Credit, charge and debit cards</p> <p>None</p> <p>4) None</p>	
--	--	--	--	--

		<p>(d) two persons for each PIBF branch;</p> <p>(e) eight persons for banks operating as full-licensed and BIBF branch;</p> <p>For finance companies:</p> <p>(a) two persons for a representative office;</p> <p>(b) Maximum of four directors permitted for finance companies;</p> <p>For securities companies and asset and management companies:</p> <p>two persons for a representative office.</p>		
<p>Trading for own account, or for account of customers in the following:</p> <ul style="list-style-type: none"> - derivative products incl., but not limited to, futures and options - other negotiable instruments and financial assets, incl. bullion 		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Money broking</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

Settlement and clearing services for financial assets, incl. securities, derivative products, and other negotiable instruments		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
8. HEALTH RELATED AND SOCIAL SERVICES (other than those listed under 1.A.h-j.)				
A. Hospital services (CPC 9311)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. Other Human Health Services (CPC 9319, other than 93191)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C. Social services (CPC 933)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

<p>D. Other (including extraction of Thai herbs)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>9. TOURISM AND TRAVEL RELATED SERVICES</p> <p>A. <u>Hotel and Restaurant Services (including catering)</u> (CPC 641 to 643)</p> <p><u>Hotel Lodging Services</u> (CPC 64110)</p>		<p>1) Unbound 2) None 3) (a) For luxury hotel and resort with facility having a minimum of 100 rooms and service supplier having a minimum paid-up registered capital of 800 million baht, foreign equity participation of not exceeding 60 per cent is allowed, provided that (1) the service supplier is an enterprise registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower shall be maintained; and no limitation on the number of foreign shareholders;</p> <p>(b) For others: None</p>	<p>1) Unbound 2) None 3) For luxury hotel and resort services, no limitations as long as (1) foreign equity participation does not exceed 60 per cent; (2) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (3) a loan to capital ratio of 3:1 or lower is maintained; (4) service supplier has a minimum paid-up registered capital of 800 million baht; and (5) the facility has a minimum of 100 rooms.</p>	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
Restaurant Services (CPC 64210)		<p>1) Unbound</p> <p>2) None</p> <p>3) (a) For full restaurant services (food and beverage preparation and serving with or without entertainment) with the facility having a minimum area of 450 square metres and service supplier having a minimum paid-up registered capital of 50 million baht, foreign equity participation of not exceeding 60 per cent is allowed, provided that (1) the service supplier is an enterprise registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower shall be maintained; and no limitation on the number of foreign shareholders;</p> <p>(b) For others: None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) For full restaurant services (food and beverage preparation and serving with or without entertainment), no limitations as long as (1) foreign equity participation does not exceed 60 per cent; (2) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; (3) a loan to capital ratio of 3:1 or lower is maintained; (4) the facility has a minimum area of 450 square metres; and (5) service supplier has a minimum paid-up registered capital of 50 million baht.</p> <p>4) Unbound, except as provided in the horizontal section</p>	
Catering Services (CPC 64230)		<p>1) Unbound</p> <p>2) None</p> <p>3) None; no restriction of the number of foreign shareholders</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
Others (CPC 6412 + 6419 + 6422 + 6429 + 6431 + 6432)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. <u>Travel Agency and Tour Operator Services</u> (CPC 74710)		1) Unbound 2) None 3) In addition to that indicated in the horizontal section not less than half of the board of directors of the company must be Thai nationals. 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
C. Tourist Guides Services		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

<p>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</p> <p>A. Entertainment services (including theatre, live bands and circus services) (CPC 9619)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>B. News agency services (CPC 962)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>C. Libraries, archives, museums and other cultural services (CPC 963)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>D. Sporting and Other Recreational Services (CPC 964)</p> <p>Sporting Services (excluding other sporting services specified in CPC 96419) (CPC 96411+96412+96413)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Recreation Park and Beach Services (CPC 96491)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
Other recreational services (CPC 96419+96492+96499)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
11. TRANSPORT SERVICES A. <u>Maritime Transport Services</u>				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: 1. Pilotage ¹² 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal

12. 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.

<p>(a) Passenger transportation (CPC 7211 less cabotage transport: as defined below - 3.1)</p>		<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined below - 3.2) except branch office: As indicated in the horizontal section.</p> <p>4) (a) Ships' crews: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound</p> <p>(b) None</p> <p>4) (a) Unbound</p> <p>(b) Unbound, except as provided in the horizontal section</p>	<p>5. Port captain's service</p> <p>6. Navigation aids</p> <p>7. Shore-based operational services essential to ship operations, water and electrical supplies</p> <p>8. Emergency repair facilities</p> <p>9. Anchorage, berth and berthing services</p>
--	--	--	--	--

<p>(b) Freight transportation (CPC 7212 less cabotage transport: as defined below - 3.1)</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined below - 3.2) except branch office: As indicated in the horizontal section</p> <p>4) (a) Ships' crews: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound</p> <p>(b) None other than:</p> <p>(i) Shareholders of Thai maritime transport companies with ownership of Thai flag vessels may be granted exemption or reduced rates of income tax leviable on dividends paid by such companies</p> <p>(ii) Exporters or importers of goods shipped from or to Thailand by Thai flag vessels may be entitled to special deduction of not more than 50 per cent of the freight values or other expenses paid in the ordinary course of carriage of such goods from their net income for the purpose of calculation of income tax</p> <p>4) (a) Unbound</p> <p>(b) Unbound, except as provided in the horizontal section</p>	<p>1) See Note to the Schedule below</p> <p>3) (b) See Note to the Schedule below</p>
<p>(c) Rental of vessels with crew (CPC 7213)</p>	<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
(d) Maintenance and repair of vessels (part of CPC 8868)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e) International towing (CPC 7214)		1) None 2) None 3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand (b) Other forms of commercial presence for the supply of international towing service (as defined below - 3.2) except branch office: As indicated in the horizontal section 4) (a) Ships' crews: Unbound (b) Other personnel: As indicated in the horizontal section	1) None 2) None 3) (a) Unbound (b) None 4) (a) Unbound (b) Unbound, except as provided in the horizontal section	
(f) Supporting Services for maritime transport (CPC 745) Shore reception facilities (collection of waste/oily water from ships)		1) Unbound 2) None	1) Unbound 2) None	

		<ul style="list-style-type: none"> 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 3) None 4) Unbound, except as provided in the horizontal section 	
Port captain's services attached to specific foreign vessels		<ul style="list-style-type: none"> 1) None 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
Marine surveys and classification societies for the purpose of providing accurate documentation and certification of vessels		<ul style="list-style-type: none"> 1) None other than those under regulations stipulated by the Marine Department 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound, except as provided in the MA column 	
Freight forwarding services (as defined below - 3.4)		<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
Maritime cargo handling services (as defined below - 3.5)		<ul style="list-style-type: none"> 1) Unbound 2) None 	<ul style="list-style-type: none"> 1) Unbound 2) None 	

		<p>3) Supplying of services in the area under the jurisdiction of the Port Authority of Thailand is subject to certain conditions set up by the Ministerial Regulations issued under the Port Authority of Thailand Act B.E.2494 (1951).</p> <p>4) As indicated in the horizontal section</p>	<p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
Maritime agency services (as defined below - 3.6)		<p>1) Unbound</p> <p>2) None</p> <p>3) None¹³</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Port and waterway operation services (excl. cargo handling) (CPC 74510)</p> <p>Marina facilities (a small sea, lake or river harbour with docking facilities for motor and sailing boats used for private and recreational purpose with maintenance and supply services and berths for long and short term use)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound, except as provided in the horizontal section</p>	
Others		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	

13. Domestic regulations may require registration of service suppliers, minimum paid-up capital, experienced personnel, etc., on a non-discriminatory basis.

	4) Unbound	4) Unbound	
<p style="text-align: center;"><u>NOTE TO THE SCHEDULE</u></p> <p>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.</p> <p>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.</p> <p>3. <u>Definitions:</u></p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> (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; or (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. <p>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.</p> <p>3.4 "Freight forwarding services" means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information.</p> <p>3.5 "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers when this workforce is organised independently of the stevedoring or terminal operator companies. The activities include the organisation and supervision of:</p> <ul style="list-style-type: none"> - the loading/discharging of cargo to/from a ship; - the lashing/unlashing of cargo; and 			

<p>- the reception/delivery and safekeeping of cargoes before shipment or after discharge.</p> <p>3.6 "Maritime agency services" means activities consisting of representing as an agent, the business interests of one or more shipping lines, for the following purposes:</p> <p>- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuing of bill of lading of the shipping lines; procurement and resale of the necessary related services, preparation of documentation, and provision of business information; or</p> <p>- acting on behalf of the shipping lines organising the call of a ship or taking over cargoes when required.</p>				
B.	<u>Internal Waterways Transport</u>			
(d)	Maintenance and repair of vessels (part of CPC 8868)	1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e)	Pushing and towing (CPC 7224)	1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(f)	Supporting services for internal waterway transport (CPC 745**)	1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C.	<u>Air Transport Services</u>			
(d)	Aircraft repair and maintenance services (CPC 8868)	1) None 2) None 3) Unbound	1) None 2) None 3) Unbound	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
(e) Supporting services for air transport (CPC 746) Selling and marketing of air transport services		1) Unbound 2) Unbound 3) 1. Distribution through CRS is allowed only for airlines offices and one General Sales Agent office 2. Service suppliers must use Thai public telecommunication network under national telecommunication authorities 4) As indicated in the horizontal section	1) Unbound 2) Unbound 3) The value added tax in use comprises 3 rates, namely 7 per cent, 0 per cent and exempted. VAT collection is based on a reciprocal basis. 4) Unbound	
Computer reservation system services		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. <u>Space Transport</u> (CPC 733)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. <u>Rail Transport Services</u> (a) Passenger transportation		1) Unbound	1) Unbound	

		2) Unbound 3) Unbound 4) Unbound	2) Unbound 3) Unbound 4) Unbound	
(b) Freight transportation (CPC 7112)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Pushing and towing services (CPC 7113)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(d) Maintenance and repair of rail transport equipment (CPC 8868)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
(e) Supporting Services for rail transport services (CPC 743) Passenger and freight car cleaning services		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	

<p>Security services at railway station</p>		<p>1) Unbound 2) None 3) None 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>F. <u>Road Transport Services</u> <u>Other non-scheduled</u> <u>passenger transportation</u></p> <p>(a) Passenger transportation (CPC 7121+7122)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>(b) Freight transportation only for frozen or refrigerated goods, bulk liquids or gases and containerised freight (CPC 71231 to 71233)</p>		<p>1) Unbound 2) None 3) In addition to that indicated in the horizontal section, not less than half of the board of directors of the company must have Thai nationality 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section</p>	
<p>(c) Rental services of passenger cars with operator (CPC 71222)</p>		<p>1) Unbound 2) None 3) In addition to that indicated in the horizontal section, not less than half of the board of directors of the company must have Thai nationality</p>	<p>1) Unbound 2) None 3) None</p>	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
(c) Rental services of buses and coaches with operator (CPC 71223)		1) Unbound 2) None 3) In addition to that indicated in the horizontal section, not less than half of the board of directors of the company must have Thai nationality 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
(d) Maintenance and repair of road transport equipment (CPC 6112 + 8868)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e) Supporting services for road transport services (CPC 744)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
G. <u>Pipeline Transport</u>				
(a) Transportation of fuels		1) Unbound	1) Unbound	
(b) Transportation of other goods		2) Unbound 3) Unbound 4) Unbound	2) Unbound 3) Unbound 4) Unbound	

<p>H. <u>Services Auxiliary to All Modes of Transport</u></p> <p>(a) Cargo-handling services (CPC 741)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(b) Storage and warehousing services (CPC 742)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>(c) Freight transport agency services (CPC 748)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(d) Other (CPC 749)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>I. Other transport services</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

<p>12. OTHER SERVICES NOT INCLUDED ELSEWHERE (CPC 95+97+98+99)</p> <p>Newspaper publishing services</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Services involved electric power generating</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Others</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	