

ANNEX II
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
CAMBODIA

EXPLANATORY NOTES

1. This Schedule sets out Cambodia's commitments in accordance with Article 8.7 (Schedules of Specific Commitments).
2. The classification of services in this Schedule is based on the Services Sectoral Classification list (MTN.GNS/W/120 dated 10 July 1991) and is in accordance with the definition in the 1991 UN Provisional Central Product Classification (CPC), unless otherwise specified.
3. The use of (**) against individual CPC codes indicates that the specific commitments for that code shall not extend to total range of services covered under that code.
4. In accordance with paragraph 4 of Article 8.3 (Scheduling of Commitments), Cambodia is not making commitments under Article 8.6 (Most-Favoured-Nation Treatment) and 8.10 (Transparency List). In accordance with paragraph 5 of Article 8.7 (Schedules of Specific Commitments), Cambodia is not making any commitments under paragraph 3 of Article 8.7 (Schedules of Specific Commitments).
5. Notwithstanding subparagraph 3(e)(iv) through (vi) of Article 8.2 (Scope), Cambodia reserves the right to adopt or maintain any measure relating to specialty air services, ground handling services and airport operation services.
6. Unbound* means unbound due to lack of technical feasibility.

ANNEX II
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
CAMBODIA

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			
Subsidies		(3), (4), Unbound for subsidies, including for research and development.	
Tax Measures		(1), (2), (3), None with respect to taxes.	
Land		(3) Non-Cambodian natural and juridical persons may lease but not own land.	
Acquired rights	The conditions of ownership, management, operation, juridical form, and scope of activities as set out in a licence or other form of approval establishing or authorising the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than those in existence as of the date of Cambodia's accession to the WTO.		
Investment incentives	(3) Investors, seeking incentives under the provisions of the <i>Law on Investment</i> , shall have the obligation to provide adequate and consistent training to Cambodian staff, including for promotion to senior positions.	(3) None	

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
Presence of Natural Persons	(4) Unbound except for measures concerning the temporary entry and temporary stay of a natural person who falls in one of the categories referred to in Cambodia's Schedule in Annex IV (Schedules of Specific Commitments on Temporary Movement of Natural Persons). (1), (2), (3), (4) Cambodia remains unbound to all measures with respect to permanent residents.	(4) Unbound except for measures affecting the categories of natural persons referred to in the market access column. (1), (2), (3), (4) Cambodia remains unbound to all measures with respect to permanent residents.	

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
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional Services			
a) Legal Services (CPC 861)	(1) None (2) None (3) In commercial association with Cambodian Law Firms ¹ , and may not directly represent clients in courts. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

¹ If legal services provided in foreign law (including home country and third country law) and international law, the commercial association with Cambodian law firms is not required. Commercial association is understood to include any commercial arrangement and does not imply a specific juridical form.

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
a) Legal Services (CPC 861) Foreign legal consultancy on law of jurisdiction where service supplier is qualified as a lawyer (including home country law, third country law, and international law)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
b) Accounting, auditing, bookkeeping services (CPC 862) - Accounting, auditing, bookkeeping (CPC 86211, 86212, 86220)	(1) Must have commercial presence in Cambodia for auditing services. (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
c) Taxation services (CPC 8630)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
d) Architectural services (CPC 8671) (consulting, planning or design services)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
e) Engineering services (CPC 8672) f) Integrated engineering services (CPC 8673) g) Urban planning and landscape architectural services (CPC 8674)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
h) Medical and dental services (CPC 9312) - Specialised medical services (CPC 93122) - Dental services (CPC 93123**) These services are limited only to orthodontic services, oral surgery, and other specialised dental services.	(1) Unbound (2) None (3) Provision of services is permitted through a joint venture with Cambodian juridical persons. (4) Unbound except as indicated in the horizontal commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
B. Computer and Related Services			
a) Consultancy services related to the installation of computer hardware (CPC 841) b) Software implementation services (CPC 842) c) Data processing services (CPC 843) d) Database services (CPC 844) e) Other (CPC 845 + 849)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
C. Research and Development Services			
a) Research and Development Services on Natural Sciences (CPC 851) - Research and Experimental Development Services on Agricultural Sciences (CPC 85104) b) Research and Development Services on Social Sciences and Humanities (CPC 852) - Research and Experimental Development Services	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
on Economics (CPC 85202)			

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
E. Rental/Leasing Services without Operators					
d) Relating to other machinery and equipment (CPC 83106 – 83109) - Renting and leasing of studio recording equipment (CPC 83109**)		(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.		
F. Other Business Services					
a) Advertising services (CPC 871)		(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.		

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
b) Market research and public opinion polling services (CPC 864) - Market research services (CPC 86401) c) Management consulting services (CPC 865) d) Services related to management consulting (CPC 866) e) Technical testing and analysis services (CPC 8676)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
h) Services incidental to mining (CPC 883 + 5115) - Services incidental to mining (CPC 883**) j) Services incidental to energy distribution (CPC 887) Exclusively covers only consultancy services related to the transmission and distribution on a fee or contract basis of electricity, gaseous fuels, and steam and hot water to household, industrial, commercial, and other users (CPC 887**)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
k) Placement and supply services of Personnel (CPC 872) m) Related scientific and technical consulting services (CPC 8675) - Engineering related scientific and technical consulting services (CPC 8675) q) Packaging services (CPC 876)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
2. COMMUNICATION SERVICES			
B. Courier Services			
Courier services (CPC 7512)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
C. Telecommunication Services These commitments are undertaken in accordance with "Notes for Scheduling Basic Telecom Services Commitments" (S/GBT/W/2/Rev.1) and Market Access Limitations on Spectrum Availability" (S/GBT/W/3).			
a) Voice telephone services (CPC 7521)	(1) None	(1) None	Cambodia undertakes additional commitments as indicated in the Attachment (Telecommunication Services Reference Paper).
b) Packet-switched data transmission services (CPC 7523**)	(2) None	(2) None	
c) Circuit-switched data transmission services (CPC 7523**)	(3) Subject to requirement for local share holding up to 49 per cent.	(3) None	
d) Telex services (CPC 7523**)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	
e) Telegraph services (CPC 7522)			
f) Facsimile services (CPC 7521** + 7529**)			
g) Private leased circuit services (CPC 7522** + 7523**)			

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
h) Electronic mail (CPC 7523**) i) Voice mail (CPC 7523**) j) On-line information and data base retrieval (CPC 7523**) k) Electronic Data Interchange (CPC 7523**) l) Enhanced or value added facsimile services, including store and forward, store and retrieve (CPC 7523**) m) Code and protocol conversion n) On-line information or data processing (including transaction processing) (CPC 843**)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
o) Other services: Mobile services	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	Cambodia commits to permit licensed suppliers of mobile telecommunications services choice of technology used in the supply of such services.

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
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. General Construction Work for Buildings (CPC 512)	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	
B. General Construction Work for Civil Engineering (CPC 513)	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	
C. Installation and Assembly Work (CPC 514 + 516)			
D. Building Completion and Finishing Work (CPC 517)			
E. Other (CPC 511 + 515 + 518)			
4. DISTRIBUTION SERVICES			
A. Commission agents' services (CPC 621)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
B. Wholesale trade services (CPC 622): - Wholesale trade services of motor vehicles (CPC 61111) - Sales of parts of motor vehicles (CPC 6113) - Sales of motorcycles and related parts (CPC 6121) - Wholesale trade services of radio and television equipment, musical instruments and records, music scores and tapes (CPC 62244)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
C. Retailing services (CPC 631 + 632; 6111 + 6113 + 6121) - Retail sales of motor vehicles (CPC 61112); - Sales of parts of motor vehicles (CPC 6113); - Sales of motorcycles and related parts (CPC 6121). For large supermarkets and department stores only ² : - Food and non-food retailing services (CPC 631 + 632), excluding sales of pharmaceutical goods, medical and orthopaedic goods (CPC 63211). - Retailing services of radio and television equipment, music instruments, music scores, and audio and video records and tapes (CPC 63234)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

² Large supermarket and department stores are those of floor space no less than 2,000 square metres.

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
D. Franchising (CPC 8929)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
E. Other - Retail sales of motor fuel (CPC 613)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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		
5. EDUCATIONAL SERVICES											
C. Higher education services (CPC 923) D. Adult education (CPC 924) E. Other education services (CPC 929)			(1)	None	(1)	None	Cambodia will seek to establish an independent national accrediting process for market purposes in education and professional services which is in keeping with global practice.				
			(2)	None	(2)	None					
			(3)	None	(3)	None					
			(4)	Unbound except as indicated in the horizontal commitments.	(4)	Unbound except as indicated in the horizontal commitments.					
6. ENVIRONMENTAL SERVICES											
A. Sewage services (CPC 9401) B. Refuse disposal services (CPC 9402) C. Sanitation and similar services (CPC 9403) D. Other - Cleaning of exhaust gases (CPC 9404) - Noise abatement services (CPC 9405) - Nature and landscape protection services (CPC 9406) - Other environmental services not elsewhere classified (CPC 9409)			(1)	None	(1)	None					
			(2)	None	(2)	None					
			(3)	None	(3)	None					
			(4)	Unbound except as indicated in the horizontal commitments.	(4)	Unbound except as indicated in the horizontal commitments.					

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
7. FINANCIAL SERVICES			
A. All insurance and insurance-related services (CPC 812**)			
a) Life, accident, and health insurance services (CPC 8121) - Life insurance services (CPC 81211)	(1) Natural or juridical persons can enter into contracts only with the insurance companies that are licensed to carry out insurance business in Cambodia. (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
b) Non-life insurance services (CPC 8129)	(1) None for marine, aviation, and transport insurance. Marine, aviation, and transport insurance services may be supplied by insurance companies licensed to carry out insurance business in Cambodia. For all other non-life insurance services, natural or juridical persons can enter into contract only with the insurance companies licensed to carry out insurance business in Cambodia. (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
c) Reinsurance and retrocession (CPC 81299*)	(1) None (2) None (3) Companies must reinsure 20 per cent of their risk with Cambodia Re. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
d) Services auxiliary to insurance (including broking and agency services) (CPC 8140)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
B. Banking and other Financial services (excl. insurance)			
The commitments for subsectors a), b), and d) refer to commercial banking only. a) Acceptance of deposits and other repayable funds from the public (CPC 81115 – 81119) b) Lending of all types, including consumer credit, mortgage credit, factoring, and financing of commercial transaction (CPC 8113) d) All payment and money transmission services (CPC 81339**) - All payment and money transmission service, including credit, charge and debit cards, traveller cheques, and bankers drafts (CPC 81339**)	(1) Deposits from the public must be reinvested in Cambodia. (2) None (3) Only permitted through authorised financial institutions as banks. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
The commitments for subsectors c) and e) refer to commercial banking only. c) Financial leasing (CPC 8112) e) Guarantees and commitments (CPC 81199**)	(1) Unbound (2) None (3) Unbound until related laws and regulations are established. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following - money market instruments (including cheques, bills, certificates of deposits) (CPC 81339**); - foreign exchange (CPC 81333); - derivative products including futures and options (CPC 81339**); - exchange rate and interest rate instruments, including products such as swaps, forward rate agreements (CPC 81339**); - transferable securities (CPC 81321*); - other negotiable instruments and financial assets, including bullion (CPC 81339**) g) Participation in issues of all kinds of securities, including underwriting and placement as agency (whether publicly	(1) Unbound (2) None (3) Unbound for subsectors f)-l), until the Government of Cambodia determines what types of entities can supply these services, the related laws and regulations are established, and such business is authorised by the Government of Cambodia or other relevant designated authority. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
or privately) and provision of services related to such issues (CPC 8132) h) Money broking (CPC 81339**) i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository, and trust services (CPC 8119** + 81323*) j) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC 81339** or 81319**) k) Advisory, intermediation, and other auxiliary financial services on all the activities listed in subparagraph (b)(v) through (xv) in Article 1 of Annex 8A (Financial Services), including credit reference and analysis, investment and portfolio research and advice, advice			

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
on acquisitions and on corporate restructuring and strategy (CPC 8131 or 8133) I) Provision of financial information, and financial data processing and related software by suppliers of other financial services (CPC 8131)			

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
8. HEALTH RELATED AND SOCIAL SERVICES			
A. Hospital services (CPC 9311) Ownership and management of private hospitals and clinics only	(1) None	(1) None	
	(2) None	(2) None	
	(3) At least one director for technical matters must be Cambodian.	(3) None	
	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	

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
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and Restaurants (including catering) (CPC 641-643) - Hotels (CPC 64110)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None, for three-star hotel or higher ³	(3) None	
	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	

³ Three-star hotel is defined in Cambodia's Hotel Rating Classification.

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
A. Hotels and Restaurants (including catering) (CPC 641-643) - Restaurants (CPC 642, 643)	(1) Unbound* (2) None (3) Permit is granted taking into account characteristics of the areas ⁴ (4) Unbound except as indicated in the horizontal commitments.	(1) Unbound* (2) None (3) Unbound (4) Unbound except as indicated in the horizontal commitments.	

⁴ The main criteria are: the number of and impact on existing restaurants, historical and artistic characteristics of the location, geographic spread, impact on traffic conditions, and creation of new employment.

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
B. Travel agencies and tour operators services (CPC 7471)	(1) None (2) None (3) Foreign equity participation is limited to 51 per cent for travel agencies. (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	
C. Tourist guides services (CPC 7472)	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
A. Entertainment services (including theatre, live bands and circus services) (CPC 9619) - Other entertainment services not elsewhere classified (CPC 96199): - Cinema theatre services, including cinema projection services	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal commitments.	

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
11. TRANSPORT SERVICES			
A. Maritime Transport Services			
a) Passenger transportation (CPC 7211)	(1) Unbound (2) Unbound	(1) Unbound (2) Unbound	Where not otherwise made available to international maritime transport suppliers pursuant to subparagraph (g)(ii) of Article 8.1 (Definitions), no measure shall be applied which deny reasonable and non-discriminatory access to the following services: 1. Towing and tug assistance; 2. Provisioning, fueling, and watering; 3. Garbage collecting and ballast waste disposal; 4. Emergency repair facilities; 5. Lightering and water taxi services; 6. Ship agencies; 7. Custom brokers; 8. Stevedoring and terminal services; 9. Surveying and classification services.
b) Freight transportation (CPC 7212)	(3) Unbound (4) Unbound	(3) Unbound (4) Unbound	
- International transport (Freight and passengers) (CPC 7211 and 7212), excluding cabotage			

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		
C. Air Transport Services											
d) Maintenance and repair of aircraft (CPC 8868**)			(1)	None		(1)	None				
			(2)	None		(2)	None				
- Aircraft repair and maintenance services (CPC 8868**)			(3)	None		(3)	None				
			(4)	Unbound except as indicated in the horizontal commitments.		(4)	Unbound except as indicated in the horizontal commitments.				
e) Supporting services for air transport (CPC 746)											
- Selling and marketing of air transport services											
- Computer Reservation System Services (CRS)											
F. Road Transport Services											
a) Passenger transportation (CPC 7121 + 7122)			(1)	None		(1)	None				
			(2)	None		(2)	None				
b) Freight transportation (CPC 7123)			(3)	None		(3)	None				
			(4)	Unbound except as indicated in the horizontal commitments.		(4)	Unbound except as indicated in the horizontal commitments.				
c) Rental of commercial vehicles with operator (CPC 7124)											
d) Maintenance and repair of road transport equipment (CPC 6112 + 8867)											

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
e) Supporting services for road transport services (CPC 744)			

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
G. Pipeline Transport			
a) Transportation of fuels (CPC 7131)	(1) Services must be provided through a contract of concession granted by the State on case-by-case basis.	(1) None	
b) Transportation of other goods (CPC 7139)	(2) None	(2) None	
	(3) Services must be provided through a contract of concession granted by the State on case-by-case basis.	(3) None	
	(4) Unbound except as indicated in the horizontal commitments.	(4) Unbound except as indicated in the horizontal commitments.	

ATTACHMENT

TELECOMMUNICATION SERVICES REFERENCE PAPER

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

“Users” means service consumers and service suppliers.

“Essential facilities” means facilities of a public telecommunications transport network or service that:

- a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- b) cannot feasibly be economically or technically substituted in order to provide a service.

“A major supplier” is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in relevant market for basic telecommunications services as a result of:

- a) control over essential facilities; or
- b) use of its position in the market.

1. Competitive safeguards

1.1. Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose 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 above shall include in particular:

- a) engaging in anti-competitive cross-subsidisation;

- b) using information obtained from competitors with anti-competitive results; and
- c) not making available to other services suppliers on timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1. This section applies to linking with suppliers, providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2. Interconnection to be ensured

Interconnection with a major supplier will 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 favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for 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 so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- 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. Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4. Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5. Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will 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 below, 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

Any Party has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided 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 the Party.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
- b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic 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, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.