# THAILAND

## Schedule of Specific Commitments

AC-TIS/SC3/THA

## EXPLANATORY NOTES

1. The classification of service sectors in this schedule is based on the 1991 provisional Central Product Classification (CPC) and CPC Version 1.1 of the United Nations Statistical Office unless otherwise indicated by the absence of a CPC number. The ordering reflects the services sectoral classification list as used in the GATT document MTN.GNS/W/120 dated 10 July 1991. The scheduling of specific commitments follows the guidelines stated in GATT documents MTN.GNS/W/164 dated 3 September 1993 and MTN.GNS/W/164/Add.1 dated 30 November 1993.

2. The use of "**" against individual CPC codes indicates that the specific commitment for that code shall not extend to the total range of services covered under that code. The entry "Unbound*" means unbound due to the lack of technical feasibility.

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**THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS**
For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **I. HORIZONTAL COMMITMENTS** | | | |
| ALL SECTORS INCLUDED IN THIS SCHEDULE | (1), (2), (3), (4) "All taxation measures are subject to domestic laws, rules and regulations, consistent with GATS".<br><br>(3) Commercial presence in sectors or subsectors in this schedule is permitted only through limited liability company which is registered in Thailand or the other type of legal entity as specified in the sector-specific commitments of which the company is incorporated and registered, pursuant to Thai laws and regulations and will have to meet one of the following condition as indicated in the sector-specific commitments:<br>3.1 a. Foreign equity participation must not exceed 49 per cent of the registered capital; and<br>b. The number of foreign shareholders must be less than half of the total number of shareholders of the company concerned; or<br>3.2 Foreign equity participation must not exceed 51 per cent of the registered capital and shall only operate through joint-venture with a juridical person of Thai national must meet the following conditions:<br>a. prior to obtaining a license or certificate, legal entity which is owned or controlled by foreigner(s) must meet the criteria required by | For 3.1, legal entity which is owned or controlled by foreigner(s) must meet the requirements as stipulated by laws and regulations regarding foreign investment.<br><br>For 3.2, prior to obtaining a license or certificate, legal entity which is owned or controlled by foreigner(s) must meet the criteria required by relevant authorities. In establishing its commercial presence, a legal entity which is owned or controlled by foreigner(s) must apply for a certificate of business operation pursuant to a treaty or obligation under section XI of the Foreign Business Act; Ministerial | |

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| | relevant authorities;<br>b. a minimum capital requirement rate referred to applicable laws and regulations of Thailand shall be applied to limited liability company or the legal entity of another Party;<br>c. entity of another party; board of directors including administrative and executive position or alike in a limited liability company or the legal entity must be of Thai national and have a domicile in Thailand; and<br>d. have a domicile in Thailand; and a person or representative of the limited liability company or the legal entity who applies for a license must be of Thai national; and<br>e. the number of foreign shareholders must be less than half of the total number of shareholders. | Regulation Prescribing Rules and procedures Pertaining to the Application for a Foreign Business certificate B.E. 2546 (2003). According to article XIV and XIV bis of GATS, service supplier is required to comply with section V of the Foreign Business Act.<br><br>For legal entity incorporated pursuant to Thai laws and regulations with foreign equity participation not exceeding 49 per cent of the registered capital: None<br><br>Unbound for the measures pertaining to subsidies or privileges, minimum capital requirements, acquisition and usage of land, taxation measures and nationality requirement. | |
| | (4) Temporary movement of natural persons is unbound except in the following categories:<br><br>I. Business Visitor (BV):<br>(a) Service sellers:<br>Representatives of a service supplier who enter and stay in Thailand temporarily without receiving remuneration from within Thailand for the sale of goods and services or entering into agreement for such sale for that service supplier. | (4) Unbound, except as provided in the MA column. | |

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| | (b) Persons responsible for establishing a commercial presence:<br>Representatives of a service supplier who enter and stay in Thailand temporarily for the purposes of:<br>- participating in business meetings or contracts,<br>- visiting of business establishments or other similar activities,<br>- entering with a purpose to establish a commercial presence of a service supplier in Thailand when the service supplier has no commercial presence in Thailand.<br><br><u>Conditions:</u><br>Representatives of such service suppliers or employees of such juridical person will not be engaged in making direct sales to the general public or in supplying services themselves.<br><br><u>Duration of stay:</u><br>Such temporary entry will be permitted and a work permit granted, when applied for, for an initial period of not more than 90 days and may be extended for a further period of not more than one year.<br><br>II. Intra-corporate Transferee (ICT):<br>Employees of a company established in the territory of another Party who are transferred temporarily for the supply of a service through commercial presence in Thailand. | | |

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| | The employees refer to Managers, Executives, or Specialists as defined below:<br><br>Manager is defined as :<br>A person within an organization who primarily directs the organization, or a department or sub-division of the organization; supervises and controls the work of other supervisory, professional or managerial employees; has the authority to hire or fire or recommend hiring, firing, or other personal actions (such as promotion or leave authorization); and exercises discretionary authority over day-to-day operations; does not include first-line supervisors, unless the employees supervised are professionals, does not include employee who primarily perform tasks necessary for the provision of the service.<br><br>Executive is defined as :<br>A person within an organization who primarily directs the management of the organization, exercises wide latitude in decision-making, and receives only general supervision or direction from higher-level executive would not directly perform tasks related to the actual provision of a service or services of the organization. | | |

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| | Specialist is defined as :<br>A person within an organization who possesses knowledge at an advanced level of continued expertise and possesses proprietary knowledge of the organization services, research equipment, techniques, or management.<br><br><u>Conditions:</u><br>Such a person has been employed by the company concerned outside Thailand for a period of not less than one year immediately preceding the date of his or her application for admission and has satisfied the criteria for management needs[1] stipulated by the Department of Employment.<br><br><u>Duration of stay:</u><br>The temporary stay is limited to one year period and may be extended for a further three terms of not more than one year each. | | |

[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 of the management.

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| | (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.<br><br>For 3.1 and 3.2, a natural person or juridical person of another member that acquires or gains ownership of land, shall be deemed ineligible to exercise rights and privileges under this Agreement. | (3), (4) The board of directors, including administrative and executive position or a like in the legal entity must be of Thai national and have permanent domicile in Thailand. The person or the representative of the juridical person who applies for a license must be of Thai nationality.<br><br>For 3.1 and 3.2 a natural person or a juridical person who receives other special privilege or incentives from Thai authority(ies) other than those provided under this Agreement may not claim benefits under this Agreement. | |

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|---|---|---|---|
| **II. SPECIFIC COMMITMENTS** | | | |
| **1. BUSINESS SERVICES** | | | |
| **A. Professional Services** | | | |
| (a) Legal services (CPC 86111+86119+86120+ 86130+86190) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound | |
| (b) Accounting, auditing and bookkeeping services (CPC 862) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound | |
| (c) Taxation Services (CPC 863 / 8630) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Tax filing must be authenticated by licensed tax auditor and/or licensed auditor in Thailand.<br>(2) None<br>(3) None<br>(4) Unbound | |
| (d) Architectural services (CPC 8671) | (1) None<br>(2) None<br>(3) Commercial presence is permitted either in the form of a limited liability company or limited partnership or registered ordinary partnership whose head office is registered in Thailand and which meets the following conditions:<br>(a) Foreign equity participation must not exceed 49 per cent of the | (1) Service must be authenticated by licensed architect in Thailand.<br>(2) None<br>(3) None | |

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| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | registered capital;<br>Limited Liability Company<br>(b) At least half of its director(s), or its managing director must be a person of Thai nationality and obtain a license from the Architects Council;<br>Limited Partnership or Registered Ordinary Partnership<br>c) The managing partner or manager must be the person of Thai nationality;<br>and<br>d) At least half of its partner(s), or its managing partner must be the person of Thai nationality and obtain a license from the Architects Council.<br>(4) Unbound | (4) Unbound | |

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|---|---|---|---|
| (e) Engineering services<br>(CPC 8672) | (1) None<br>(2) None<br>(3) Commercial presence is permitted either in the form of a limited liability company or limited partnership or registered ordinary partnership whose head office is registered in Thailand and which meets the following conditions:<br>(a) Foreign equity participation must not exceed 49 per cent of the registered capital;<br>Limited Liability Company<br>(b) At least half of its director(s), or its managing director must be a person of Thai nationality and obtain a license from Council of Engineers;<br>Limited Partnership or Registered Ordinary Partnership<br>c) The managing partner or manager must be the person of Thai nationality; and<br>d) At least half of its partner(s), or its managing partner must be the person of Thai nationality and obtain a license from the Engineers Council.<br><br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |

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|---|---|---|---|
| (g) Urban planning services<br>(CPC 86741) | (1) None<br>(2) None<br>(3) Commercial presence is permitted either in the form of a limited liability company or limited partnership or registered ordinary partnership whose head office is registered in Thailand and which meets the following conditions:<br>(a) Foreign equity participation must not exceed 49 per cent of the registered capital;<br>Limited Liability Company<br>(b) At least half of its director(s), or its managing director must be a person of Thai nationality and obtain a license from the Architects Council;<br>Limited Partnership or Registered Ordinary Partnership<br>c) The managing partner or manager must be the person of Thai nationality; and<br>d) At least half of its partner(s), or its managing partner must be the person of Thai nationality and obtain a license from the Architects Council.<br>(4) Unbound | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound | |

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| Landscape architectural services (CPC 86742) | (1) None<br><br>(2) None<br>(3) Commercial presence is permitted either in the form of a limited liability company or limited partnership or registered ordinary partnership whose head office is registered in Thailand and which meets the following conditions:<br>(a) Foreign equity participation must not exceed 49 per cent of the registered capital;<br>Limited Liability Company<br>(b) At least half of its director(s), or its managing director must be a person of Thai nationality and obtain a license from the Architects Council;<br>Limited Partnership or Registered Ordinary Partnership<br>c) The managing partner or manager must be the person of Thai nationality; and<br>d) At least half of its partner(s), or its managing partner must be the person of Thai nationality and obtain a license from the Architects Council.<br>(4) Unbound | (1) Service must be authenticated by licensed architect in Thailand.<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| (k) Other professional services<br><br>Weather forecasting and meteorological services (CPC Version 1.1: 83550) | (1) None<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |

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| **B. Computer and Related Services** | | | |
| (a) Consultancy services related to the installation of computer hardware (CPC 84100) | (1) Unbound<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section.<br>(4) Entry of contractual service suppliers may subject to numerical ceilings and specific qualification requirements set by Ministry of Information and Communications Technology (hereinafter "ICT" Ministry"), otherwise as indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Hardware consultancy services (CPC Version 1.1: part of 83141**) | (1) None<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (b) Software implementation services (Excluding programming and systems maintenance services) (CPC 84210+84220+84230) | (1) Unbound<br>(2) None<br>(3) None, other than that indicated in 3.1 of the horizontal section.<br>(4) Entry of contractual service suppliers may subject to numerical ceilings and specific qualification requirements set by ICT Ministry, otherwise as indicated in 3.1 of the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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|---|---|---|---|
| (c) Data processing services (excluding those provided over public telecommunications network) (CPC: 84310+84320+84330+84390) | (1) Unbound<br>(2) None<br>(3) None other than as indicated in the 3.1 of the horizontal section.<br>(4) Entry of contractual service suppliers may subject to numerical ceilings and specific qualification requirements set by ICT Ministry, otherwise as indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Data processing services (excluding those provided over public telecommunications network) (CPC version 1.1: 85960) | (1) None<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (d) Data base services (excluding those provided over public telecommunications network) (CPC 844) | (1) None<br>(2) None<br>(3) As indicated in the 3.2 of the horizontal section.<br>(4) Entry of contractual service suppliers may subject to numerical ceilings and specific qualification requirements set by ICT Ministry, otherwise as indicated in the horizontal section 3.1. | (1) None<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |
| (e) Other computer services: Maintenance and repair services of office machinery and equipment including computers (part of CPC 84500) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |

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|---|---|---|---|
| **C. Research and development services** | | | |
| (a) Research and development on natural sciences: research and experimental development services on:<br>- physical sciences (CPC 85101)<br>- chemistry & biology (CPC 85102)<br>- engineering & technology CPC 85103) | (1) None<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |
| Research and experimental development services on physical sciences (CPC Version 1.1: 81110) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (b) Research and experimental development services on:<br>- economics (CPC 85202)<br>- laws (CPC 85203)<br>- linguistics and languages (CPC 85204) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |
| Research and experimental development services in linguistics and languages (CPC Version 1.1: 81240) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (c) interdisciplinary research and experimental development services (CPC Version 1.1: 81300) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |

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| **D. Real Estate Services** | | | |
| (a) Involving own or leased property<br><br>Renting or leasing services involving own or leased residential property (CPC 82101) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| (b) On a fee or contract basis<br><br>Residential property management services on a fee or contract basis (CPC 82201) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| Residential condominium management services on a fee or contract basis (part of CPC Version 1.1 : 72211) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| **E. Rental/Leasing Services without Operator** | | | |
| (a) Relating to ships:<br><br>Leasing or rental services concerning vessels (CPC 83103) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br><br>(4) Unbound | (1) None<br>(2) None<br>(3) Vessels registered under Thai flag may be granted rights and privileges in accordance with relevant Thai laws<br>(4) Unbound | |

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| (a) Relating to ships:<br><br>Leasing or rental services concerning non-Thai flag vessels without operator (CPC Version 1.1: 73115)<br><br>This subclass does not include:<br>- leasing, renting or hiring services concerning vessels for coastal and transoceanic water transport with operator, (CPC Version 1.1 : 65130)<br>- leasing, renting or hiring services concerning cabotage and inland water vessels with operator (CPC Version 1.1 : 65230)<br>- leasing, renting or hiring services concerning pleasure craft (CPC Version 1.1 : 73240) | (1) None<br>(2) None<br>(3) As indicated in 3.2 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| (c) Relating to other transport equipment :<br><br>Private car (CPC 83101) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |

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| (c) Relating to other transport equipment :<br>Leasing or rental services concerning space transport without operator. | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(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<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (e) Other<br>Leasing or rental services concerning pleasure and leisure equipment (CPC 83204) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (e) Other<br>Rental services concerning furniture (CPC Version 1.1: 73230**) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |

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| **F. Other Business Services** | | | |
| (a) Advertising services (CPC 87110+87120+87190) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (b) Market research and public opinion polling services (CPC 86401 to 86402) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (c) General management consulting services (CPC 86501) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for legal and auditing consultants. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (c) Management consulting services: Financial management consulting services (CPC 86502 except business tax and except as indicated in financial services sector) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |
| Human resource management consulting services (CPC Version 1.1: 83113) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (d) Services related to management consulting:<br><br>Project management services other than for construction (CPC 86601) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| (d) Services related to management consulting:<br><br>Planning related to production management (CPC Version 1.1: 83115)<br><br>This subclass does not include consulting services for:<br>- Human resources management consulting services<br>- Marketing management consulting services<br>- Financial management consulting services<br>- General management consulting services<br>- Other management consulting services | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| - Other technical testing and analysis services (CPC 86769) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (e) Technical testing and analysis services (CPC 86761+86769) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (f) Services incidental to agriculture:<br>Consultancy services on agricultural extension:<br>- soil preparation<br>- seed production<br>- plant protection<br>- harvesting<br>- grading<br>- packing<br>- storaging | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Soil analysis laboratory | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Soil survey and land use Planning | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Cover crop seed multiplication | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (f) Services incidental to forestry: Forestry consultant services | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (g) Services incidental to fishing : International trading, exporting products services (broker) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As provided in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Quality analysis services | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Canning process analysis services | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS
For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Technical services<br>- Consulting<br>- Research on marketing<br>- Quality control | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (h) Services incidental to mining at oil and gas fields | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (k) Placement and supply services of personnel<br><br>Executive search services only for local employment (part of (CPC 87201) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section. The managing partner and/or manager must be the person of Thai Nationality.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (m) Related scientific and technical consulting services:<br><br>Scientific consulting services from mathematicians and statisticians (CPC Version 1.1: part of 83139) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) Unbound | (1) Unbound*<br>(2) None<br>(3) None<br>(4) Unbound | |



# THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (n) Maintenance and repair services of office machinery and equipment including computers (CPC 84500) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Entry of contractual service suppliers may subject to numerical ceilings and specific qualification requirements set by ICT Ministry, otherwise as indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (o) Building and cleaning services: Disinfecting and exterminating services (CPC 87401) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (o) Building and cleaning services: Window cleaning services (CPC Version 1.1: 85320) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound*<br>(2) None<br>(3) None<br>(4) Unbound | |
| (p) Photographic services:<br>Specialty photography services except aerial photography (part of CPC 87504) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| (p) Photographic services:<br>Photography processing services (CPC Version 1.1: part of 83820) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (q) Packaging services (CPC 87600) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound | |
| (q) Packaging services (CPC Version 1.1: 85400)<br><br>This subclass does not include:<br>- packing and crating services incidental to transport, cf. 64-67<br>- package design services, cf. 83490<br>- solely printing information on packaging materials, cf. 89121<br>- packaging services including processing of client owned materials into a different product (e.g. mixing water and concentrate to produce soft drinks, cooking fish prior to canning, blending creams and colouring materials into cosmetics), cf. 88 and 89 | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) Unbound | (1) Unbound*<br>(2) None<br>(3) None<br>(4) Unbound | |
| (r) Publishing and printing services excluding publishing newspaper ( CPC 88442) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Book Binding Services (CPC Version 1.1 part of 89121) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound*<br>(2) None<br>(3) None<br>(4) Unbound | |
| (s) Convention services<br><br>Convention centre over 2,000 participants (The development of a building that consists of Exhibition Halls, Meeting Rooms, a conference hall with more than 2,000 seating capacity, a banquet and a business centre equipped with state of the art telecommunication and teleconferencing facilities to cater for the needs of the convention industry. The centre will also provide adequate carparks, shops and restaurants/cafes to the exhibitors, participants and visitors) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound*<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |
| Annual international trade fair and exhibition organization services on a fee or contract basis (CPC Version 1.1: part of 85970) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound*<br>(2) None<br>(3) None<br>(4) Unbound | |
| (t) Other<br>Translation and interpretation services (CPC 87905) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As provided in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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# THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **2. COMMUNICATIONS SERVICES**<br>Telecommunications Services | | | |
| Commitments undertaken in this offer are subject to the following general conditions:<br>- Any person or juridical person who intends to operate a telecommunication business in Thailand shall obtain a license from the designated national authority(ies).<br>- Licenses are granted only to service suppliers duly constituted according to the Thai legislation, which requires head office and management located in the Thai territory.<br>- The service provider shall operate for public use through existing facilities licensed by the designated national authority(ies).<br>- The designated national authority(ies) may prohibit the license application or terminate the license of any telecommunication businesses which deemed to have any act of "business control" by a juridical person who is not of Thai national. | | | |
| Public local, domestic long distance and international services:<br>(a) Voice telephone services<br>(b) Telex services<br>(c) Telegraph services<br>(d) Facsimile services | (1), (2) None, other than traffic shall be routed through gateways in Thailand operated by a supplier duly licensed; the provision of concerned services shall be agreed by the supplier duly licensed of both ends.<br>(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.<br>(4) Unbound as indicated in the horizontal section | (1) None, (2) None<br>(3) Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year 2006, Thailand will introduce the national treatment element as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.<br>(4) Unbound, except as provided in the horizontal section | Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year 2006, Thailand will introduce into its Schedule of Specific Commitments on public communication 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. |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS
For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (h) Electronic mail (CPC 7523**)<br><br>(i) Voice mail (CPC 7523**) | (1) None, other than<br>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;<br>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.<br>(2) None, other than<br>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;<br>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br><br>(2) None<br><br>(3) None<br><br>(4) As provided in the horizontal section. | |
| (j) Database access services (part of CPC 7523) | (1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;<br>1.2 Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company.<br>(b) Such company shall be permitted under the built-transferred-operated concept. | (1) None<br><br>(2) None<br>(3) No limitations as long as foreign equity participation does not exceed 40 per cent. | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | c) Must use public telecommunication network under national telecommunication authorities.<br>(4) As indicated in the Horizontal Section. | (4) Unbound, except as provided in the horizontal section. | |
| (l) Enhance/ Value added facsimile Services including store and forward, store and retrieve (CPC 7523*)<br><br>(m) Code and protocol conversion | (1) None, other than<br>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;<br>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.<br>(2) None, other than<br>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;<br>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br><br>(2) None<br><br>(3) None<br><br>(4) Unbound | |
| (n) On-line information and/or data processing services (part of CPC 843) | (1) 1.1 Services providers must use telecommunication network under national telecommunication authorities;<br>1.2 Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not | (1) None<br><br>(2) None<br>(3) No limitations as long as foreign equity participation does not exceed 40 per cent | |

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# THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS
## For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | exceed 40 per cent of the total number of shareholders of the company.<br>(b) Such company shall be permitted under the built-transferred-operated concept.<br>c) Must use public telecommunication network under national telecommunication authorities.<br>4) As indicated in the horizontal section. | (4) Unbound, except as provided in the horizontal section. | |
| (o) Other: Telecommunications terminal equipment leasing services (CPC 75410) | (1) None, subject to commercial arrangement with licensed operator.<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, as provided in the horizontal section. | |
| Domestic VSAT | (1) (a) Service providers must use public telecommunication network under national telecommunication authorities.<br>(b) Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company.<br>(b) Such company shall be permitted | (1) None<br>(2) None<br>(3) No limitation as long as foreign equity participation does not exceed 40 per cent. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | under the built-transferred-operated concept by national telecommunication authorities2.<br>c) Must use public telecommunication network under national telecommunication authorities.<br>(4) As indicated in the horizontal section. | (4) As indicated in the horizontal section. | |
| (o) Other: Telecommunications terminal equipment sales services (CPC 75420) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Telecommunications consulting services (CPC 75440) | (1) Unbound<br>(2) None<br>(3) None other than that indicated in 3.1 the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Domestic VSAT | (1) (a) Service providers must use public telecommunication network under national telecommunication authorities.<br>(b) Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Shall be a Thai registered company with foreign equity participation not | (1) None<br>(2) None<br>(3) No limitation as long as foreign equity participation does not exceed 40 | |

[2] This condition will be applied for at least 10 years.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company.<br>(b) Such company shall be permitted under the built-transferred-operated concept by national telecommunication authorities3.<br>c) Must use public telecommunication network under national telecommunication authorities.<br>(4) As indicated in the horizontal section. | percent.<br><br>(4) As indicated in the horizontal section. | |
| Dedicated network services (CPC 75222) | (1) None, other than<br>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;<br>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.<br>(2) None, other than<br>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;<br>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.<br>(3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 25 per cent of the registered | (1) None<br><br>(2) None<br><br>(3) Telecommunication acts are now in force. However, regulatory rule and regulations are gradually introduced | Telecommunication acts are not in force. However, regulatory rules and regulations are gradually introduced 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 operation functions, and the allocation and use of scarce resources. |

[3] This condition will be applied for at least 10 years.



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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | capital.<br>(b) The number of foreign shareholders must be less than half of the total number of shareholders of the company concerned.<br>c) Must use networks operated by suppliers duly licensed. Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce the national treatment elements as contained in relevant legislation into its schedule of Specific Commitments relating to the supply of public telecommunication services.<br>(4) As indicated in the horizontal section | commencing from the year of 2006. Thailand will introduce the national treatment elements as contained in relevant legislation into its schedule of Specific Commitments relating to the supply of public telecommunication services.<br>(4) As indicated in the horizontal section. | |
| Videotext (part of CPC 75299) | (1) 1.1 Service providers must use Public Telecommunication network under national Telecommunication authorities;<br>1.2 Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Shall be Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company. | (1) None<br>(2) None<br>(3) No limitations as long as foreign equity participation does not exceed 40 per cent. | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | (b) Such company shall be permitted under built-transferred-operated concept by national telecommunication authority(-ies)4<br>c) Must use public telecommunication network under national telecommunication authority(-ies).<br>d) Selection of service providers shall be based on open tender.<br>(4) As indicated in the horizontal section. | (4) Unbound, except as provided in the horizontal section. | |
| Teleconference (part of CPC 75292) | (1) 1.1 Service providers must use Public Telecommunication network under national Telecommunication authorities;<br>1.2 Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Shall be Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company.<br>(b) Such company shall be permitted under built-transferred-operated concept by national telecommunication authority(-ies)5<br>c) Must use public telecommunication network under national | (1) None<br>(2) None<br>(3) No limitations as long as foreign equity participation does not exceed 40 per cent. | |

[4] This condition will be applied for at least 10 years.
[5] This condition will be applied for at least 10 years.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | telecommunication authority(-ies).<br>d) Selection of service providers shall be based on open tender.<br>(4) As indicated in the horizontal section. | (4) Unbound, except as provided in the horizontal section. | |
| Domestic leased circuits (part of CPC 75299) | (1) 1.1 Service providers must use Public Telecommunication under national Telecommunication authorities;<br>1.2 Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Shall be Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company.<br>(b) Such company shall be permitted under built-transferred-operated concept by national telecommunication authority(-ies)6<br>c) Must use public telecommunication network under national telecommunication authority(-ies).<br>d) Selection of service providers shall be based on open tender.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) No limitations as long as foreign equity participation does not exceed 40 per cent.<br>(4) Unbound, except as provided in the horizontal section. | |

[6] This condition will be applied for at least 10 years.

## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **D. Audiovisual Services** | | | |
| (a) Film/video production and distribution services, excluding promotion or advertising services (CPC 96112+96113) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Video tape production services for scientific education (CPC Version 1.1: 96121**) | (1)None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br><br>(4) As provided in the horizontal section | |
| Radio/television services only for production of radio/TV programmes (CPC 96131**+96132**) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Repair services of electrical household appliances (CPC Version 1.1: 87151) | (1) None<br>(2) None<br>(3) As indicated in 3.2 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| E. Other<br>Communication equipment maintenance services on a fee or contract basis (CPC 75450) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **3. CONSTRUCTION AND RELATED ENGINEERING SERVICES** | | | |
| Pre-erection Work at Construction Site (CPC 511) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Construction Work for Buildings (CPC 512) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Construction work for civil engineering (CPC 513) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Assembly and Erection of Prefabricated Constructions (CPC 514) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Special Trade Construction (CPC 515) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Installation Work (CPC 516) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section.<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Building Completion and Finishing Work (CPC 517) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Renting services related to equipment for construction or demolition of building or civil engineering works with operator. (CPC 518) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) (a) As indicated in the horizontal section<br>(b) Unbound for civil engineer | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS
For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **4. DISTRIBUTION SERVICES** | | | |
| A. Commission Agents' services (CPC 62111 to 62118) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| **5. EDUCATION SERVICES** | | | |
| Commitments undertaken in this offer are subject to the following general conditions:<br>- Specific commitments on Market Access and National Treatment through any mode of supply shall not be construed to apply to the recognition of degrees for the purpose of admission, registration and qualification for a higher education, employment or professional practice in Thailand;<br>- Services suppliers may be subject to notification or registration with the authority concerned. | | | |
| A. Primary education services:<br><br>Preschool education services (CPC 92110) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section. At least half of its director(s), and if applicable its managing director must be the person of Thai nationality.<br><br>(4) Unbound | (1) None<br>(2) None<br>(3) - The manager or the representative of the juristic person must be a Thai national, only who can apply for school license.<br>- The school director and deputy director must be Thai nationals.<br>- The school manager/executive manager must be a Thai national.<br>(4) Unbound | |
| B. Secondary Education Services<br><br>A+B International and national school education services excluding adult and other education (CPC 9219+9221, 9222) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Foreign natural persons may enter Thailand to supply education services provided that:<br>- The natural persons are invited or employed by education institutions duly established and registered in Thailand; | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section.<br>The person who applies for the license to operate must have a domicile in Thailand. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | - 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.<br><br>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.<br><br>Others : As indicated in the horizontal section. | | |
| B. Technical and vocational education services (CPC 9223, 9224) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Foreign natural persons may enter Thailand to supply education services provided that:<br>1) the natural persons are invited or employed by education institutions duly established and registered in Thailand;<br>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.<br>The initial temporary stay shall be one year or the duration employment period, whichever is shorter, with possibility of | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | extension.<br>Others: As indicated in the horizontal section. | | |
| D. Professional and/ or Short Courses Education Services (CPC 92400) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound | |
| E. Other education services (92900)<br><br>Chinese language tuition services (part of CPC 92900) | (1) Unbound<br>(2) None<br>(3) Unbound<br>(4) Foreign natural persons may enter Thailand to supply Chinese language tuition services provided that:<br>1) the natural persons are invited or employed by education institutions duly established and registered in Thailand;<br>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 he initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.<br><br>Others: As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) Unbound<br>(4) Unbound | |

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# THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **6. ENVIRONMENTAL SERVICES** | | | |
| A. Environmental Consultancy on Sewage System, Refuse Disposal, Hazardous Waste Management, Air Pollution and Noise Management, Sanitation and Other Environmental Management Services (CPC 9401) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Environmental Protection and Environmental Abatement Services (CPC 9401) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Sewage services (including industrial waste water treatment system) (CPC 9401) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| B. Refuse Disposal Services (including hazardous waste management and incinerator) (CPC 9402) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| C. Sanitation and Similar Services (CPC 9403) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS
For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| D. Other:<br>- Cleaning services of exhaust gases (including industrial emission abatement) (CPC 9404)<br>- Noise abatement services (CPC 9405)<br>- Nature and landscape protection services (CPC 9406)<br>- Other environmental protection services (CPC 9409) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |



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# THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **7. FINANCIAL SERVICES** | | | |
| - With regard to the scope of operation and types of financial services that can be provided, each type of financial institution will be permitted to operate the sector or sub-sector of banking and other financial services only to the extent that their respective governing legislation permit them to do so.<br>- All commitments in this sector are subject to horizontal commitments in Thailand's GATS schedule of specific commitments. | | | |
| A. Insurance including Reinsurance and retrocession<br>(a) Life insurance services (CPC 81211) | (1) None<br>(2) None<br><br><br><br>(3) (a) Foreign equity participation limited to 25 per cent of registered share capital.<br>(b) New establishment is subject to license approved by the Minister with the consent of the Cabinet<br>(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner. | (1) None<br>(2) Life insurance premium is tax deductible up to a certain amount for holders of policies issued by local companies.<br>(3) None other than that indicated in the MA column.<br><br><br><br>(4) Unbound, except as provided in the horizontal section. | |
| (b) Non-life insurance services (CPC 8129) | (1) Unbound except for international marine, aviation and transit and all classes of reinsurance.<br>(2) None<br>(3) (a) Foreign equity participation limited to 25 per cent of registered share capital.<br>(b) New establishment is subject to license approved by the Minister with the consent of the Cabinet.<br>(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner. | (1) Unbound<br><br>(2) None<br>(3) None other than that indicated in the MA column.<br><br><br><br>(4) Unbound, except as provided in the horizontal section. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (d) Services auxiliary to insurance (excluding pension funding services)<br><br>Insurance broking and agency services (CPC 81401) (Brokers shall not induce, advise or do any acts so as to cause any person to enter into insurance contracts with insurers abroad, except for reinsurance contracts) | (1) Unbound<br>(2) Unbound<br>(3) Foreign equity participation not to exceed 25 per cent.<br>(4) (a) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.<br>(b) Unbound for individual broker and agent. | (1) Unbound<br>(2) Unbound<br>(3) None other than that indicated in the MA column.<br>(4) Unbound, except as provided in the horizontal section. | |
| Insurance consultancy services excluding pension consulting services (CPC 81402) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Average and loss adjustment services (CPC 81403) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Actuarial Services (CPC 81404)<br><br>Services auxiliary to financial intermediation other than to Insurance and pension funding services. | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Credit card services (CPC 81133) (Mobilizing funds from the public is prohibited, unless licensed under a financial law) | (1) None<br>(2) None<br>(3) (a) As indicated in B(3)(j) below.<br>(b) Financial institutions must obtain prior approval from the Bank of Thailand.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Financial consultancy services (CPC 81332) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| B. Banking and Other Financial Services<br><br>Acceptance of deposits and other repayable funds from the public<br><br>Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions | (1) None for financial advisory and financial data processing. Unbound for all other services.<br>(2) None for financial advisory and financial data processing. Unbound for all other services.<br>(3) (a) Representative office of banks : None<br>(b) Foreign bank branches :<br>I. None for existing foreign bank branches | (1) None<br><br>(2) None<br><br>(3) (a) Representative office of banks : None<br>(b) Foreign bank branches :<br>None, except as provided in the MA | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Financial leasing<br><br>Payment and money transmission services including credit, charge and debit cards, travellers cheques and bankers drafts<br><br>Guarantees and commitments<br><br>Trading for own account, or for account of customers in the following:<br>(a) money market instruments<br>(b) foreign exchange<br>(c) exchange rate and interest rate instruments<br>(d) transferable securities.<br><br>Participation in issues of all kinds of securities, including under writing and placement as agents (whether publicly or privately) and provision of services related to such issues.<br><br>Asset management as follows:<br>- cash or portfolio management<br>- collective investment management<br>- custodian and depository services<br><br>Advisory, intermediation and other auxiliary financial services<br><br>Provision and transfer of financial information, and financial data processing and related software. | under present shareholding structure. New establishment is subject to license approved by the Minister of Finance with the consent of the Cabinet.<br>II. ATM operations permitted under the following conditions only:<br>(i) joining ATM pools operated by Thai banks; or<br>(ii) operation within own premises or sharing the facilities with other commercial banks in Thailand.<br>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.<br>IV. None for participation in cheque clearing and settlement system.<br>(c) Locally incorporated banks<br>I. Market access limited to the acquisition of shares of existing banks.<br>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 register capital.<br>(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 | column.<br><br>(c) Locally incorporated banks<br>None, except as provided in the MA column. | |

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | his/her related persons, subject to the terms and conditions announced by the Minister of Finance, including the following:<br>- the relaxation is deemed necessary to improve the condition or business of the commercial bank;<br>- such equity participation will be authorized for a period of 10 years, with foreign shareholders who enter in this period being grandfathered thereafter with respect to the absolute amount of their equity holding.<br>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.<br>(d) International Banking Facility[7]. New establishment is subject to license approved by Minister of Finance.<br>(e) Finance companies and credit foncier companies.<br>I. None for representative offices.<br>II. Market access limited to the acquisition of shared of existing companies.<br>III. (i) Maximum foreign equity anticipation limited to 25 per cent of paid-up | (d) International banking Facility.<br>None, except as provided in the MA column.<br>(e) Finance companies and credit foncier companies.<br>None, except as provided in the MA column. | |

[1]BF 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.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | registered capital. Combined shareholding of an individual and his/her related persons not to exceed 10 per cent.<br>(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:<br>- the relaxation is deemed necessary to improve the condition or business of the finance company and credit foncier;<br>- such equity participation will be authorized for a period of 10 years, with foreign shareholders who enter in this period being grandfathered thereafter with respect to the absolute amount of their equity holding.<br>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.<br>(f) Securities companies, securities brokerage, securities dealing, investment advisory service and | (f) Securities companies<br>None, except as provided in the MA column. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | securities underwriting:<br>I. None for representative offices.<br>II. Market access limited to share acquisition of existing companies only. Unbound for new licenses.<br>III. Maximum foreign equity participation limited to 49 per cent of paid-up registered capital.<br>IV. At least one-half of the directors of a locally incorporated securities firm must be Thai national.<br>(g) Asset management companies:<br>I. None for representative offices.<br>II. Market access limited to share acquisition of existing companies.<br>III. During the first five years after the license has been granted, maximum foreign equity participation is limited to 25 per cent of paid-up registered capital and at least three of fourths of the directors must be of Thai nationals<br>IV. After five years, maximum foreign equity participation limited to 49 per cent of paid-up registered capital and at least one-half of the directors must be of Thai national.<br>(h) Financial leasing services 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 | (h) Financial leasing services<br>None | |

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| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | capital , except in (e) III(iii). | | |
| | (i) Factoring services can only be provided by factoring companies which are subject fo 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(iii). | (i) Factoring services<br>None | |
| | (j) Credit, charge and debit cards Credit, charge and debit cards can only be provided by companies which are subject fo maximum foreign equity participation of 49 per cent of paid-up registered capital, or locally incorporated banks and foreign bank branches. | (j) Credit, charge and debit cards<br>None | |
| | The conduct of businesses under (h), (i), (j) will be subject to licensing and regulations to be announced. | | |
| | (4) Limitations on the number of foreign personnel per foreign bank office:<br>(a) two persons for banks operating as representative office;<br>(b) six persons for each full licensed branch;<br>(c) four persons for each BIBF branch;<br>(d) two persons for each PIBF branch;<br>(e) eight persons for banks operating as full licensed and BIBF branch; | (4) Unbound, except as provided in the horizontal section. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | For finance companies:<br>(a) two persons for a representative office;<br>(b) maximum of four directors permitted for Finance companies;<br><br>For securities companies and asset and management companies: two persons for representative office. | | |
| **8. TOURISM AND TRAVEL RELATED SERVICES** | | | |
| A. Hotel Lodging Services (CPC 64110) | (1) None<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Restaurant services (CPC 64210) | (1) None<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Camping and Caravan site Services (CPC 64195) | (1) None<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |
| Catering services (CPC 64230) | (1) Unbound<br>(2) None<br>(3) As indicated in the 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br><br>(4) Unbound, except as provided in the horizontal section. | |

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# THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| B. Travel Agencies and Tour Operator Services (CPC 7471) | (1) Unbound<br>(2) None<br>(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 nationality.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| D. Other:<br>Hotel management services | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| **RECREATIONAL, CULTURAL AND SPORTING SERVICES** | | | |
| A. Entertainment Services:<br>Theme parks and amusement parks (CPC 96194) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound*<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |
| Amusement park<br>(CPC Version 1.1: part of 96910) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) Unbound*<br>(2) None<br>(3) None<br>(4) Unbound | |
| B. News agency services:<br><br>Picture supply services (CPC 96212) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Picture supply services provided to National News agency (Part of CPC 96212) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| D. Sporting Services (excluding other sporting services specified in CPC 96419)<br>(CPC 96411+96412+96413) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Recreation Park and Beach Services (CPC 96491) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| E. Other:<br>Marina Facilities<br>(A small sea, lake, or river harbour with docking facilities for motor and sailing boats, Marina provide berths for long and short term use and some also offer boat charter) | (1) Unbound*<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section<br>(4) As indicated in the horizontal section | (1) Unbound*<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| **TRANSPORT SERVICES** | | | |
| **A. Maritime Transport Services** | | | |
| (a) Passenger transportation (CPC 7211 less cabotage transport : as defined below - 3.1) | (1) None<br>(2) None<br>(3) (a) Unbound for establishment of juristic person for the purpose of operating a fleet under the national flag of Thailand.<br>(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.<br>(4) (a) Ship's crews: Unbound<br>(b) Other personnel: As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) (a) Unbound<br>(b) None<br>(4) (a) Unbound<br>(b) Unbound, except as provided in the horizontal section. | |
| (b) Freight transportation (CPC 7212 less cabotage transport : as defined below - 3.1) | (1) None<br>(2) None<br>(3) (a) Unbound for establishment of juristic person for the purpose of operating a fleet under the national flag of Thailand.<br>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined below - 3.2) except branch office | (1) None<br>(2) None<br>(3) (a) Unbound<br>(b) None other than:<br>(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.<br>(ii) Exporters or importers of goods shipped from or to Thailand by Thai flag vessels may be | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| | | 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. | |
| | (4) (a) Ship's crews: Unbound<br>(b) Other personnel: As indicated in the horizontal section | (4) (a) Unbound<br>(b) Unbound, except as provided in the horizontal section | |
| (d) Maintenance and repair of vessels exceeding 100,000 DWT (Part of CPC 8868) | (1) None<br>(2) None<br>(3) As indicated in 3.2 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| Maritime agency services (as defined below - 3.6) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section8.<br>(4) As indicated in the horizontal section | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Custom clearance services (as indicated below-3.5) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>A customs broker must be natural person of Thai nationality and must obtain a license from the Customs Department.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) A customs broker must be natural person of Thai nationality and must obtain a license from the Customs Department.<br>(4) As provided in the horizontal section. | |

[8] For transparency purpose, domestic regulations may require registration of service suppliers, minimum paid-up capital, experienced personnel, etc., on a non-discriminatory basis.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (e) International towing (CPC 7214) | (1) None<br>(2) None<br>(3) (a) Unbound for establishment of juristic person for the purpose of operating a fleet under the national flag of Thailand<br>(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.<br>(4) (a) Ship's crews: Unbound<br>(b) Other personnel: As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) (a) Unbound<br>(b) None<br>(4) (a) Unbound<br>(b) Unbound, except as provided in the horizontal section. | |
| (f) Supporting Services for maritime transport (CPC 745)<br>Shore reception facilities (collection of waste/oily water from ships) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Port captain's services attached to specific foreign vessels. | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Marine surveys and classification Societies for purpose of providing accurate documentation and certification of vessels. | (1) None other than those under regulations stipulated by the Harbour Department.<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the MA column. | |
| Vessels salvage and refloating services - not applicable in habour. | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) As indicated in the horizontal section. | |
| - Vessels salvage and refloating services (CPC Version 1.1 : 67630)<br>This sub=class does not include:<br>• towing services supplied to distressed vessels:<br>- on coastal waters or on open sea, cf. 65140<br>- on inland waters, cf. 65240<br>• lifeboat services, marine fireboat services and other marine search and rescue services:<br>- police services, cf. 91260<br>- marine fireboat services, cf. 91260<br>- other public order and safety affairs related services, cf. 91290 | (1) None<br>(2) None<br>(3) As indicated in 3.2 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |

# THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS
For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Freight forwarding services | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Maritime cargo handling services[9] | (1) Unbound<br>(2) None<br>(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 Acts B.E. 2494 (1951).<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| **A. AIR TRANSPORT SERVICES** | | | |
| (d) Aircraft repair and maintenance services (CPC 8868) | (1) None<br>(2) None<br>(3) Services providers must perform their services outside the prescribed apron.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (e) Supporting services for air transport (CPC 746)<br><br>Selling and marketing of air transport services. | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) Unbound<br>(3) None<br>(4) Unbound | |

[9] 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 organized independently of the stevedoring or terminal operator companies. The activities include the organization and supervision of:
- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the receptive/delivery and safekeeping of cargoes before shipment or after discharge.

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Computer reservation system services | (1) None other than:<br>(a) Service providers must use public telecommunication network under national telecommunication authorities.<br>(b) Radio application service is subject to frequency availability.<br>(2) None<br>(3) (a) Distribution through CRS is allowed for airlines offices and one General Sales Agent office.<br>(b) Service providers must use Thai public telecommunication network under national telecommunication authorities and have to comply with terms and conditions set out in Thailand's GATS offer on Telecommunication.<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) Unbound<br>(4) Unbound | |
| **E. Rail Transport Services** | | | |
| (d) Maintenance and repair of rail transport equipment on a fee or contract basis (CPC 8868) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (e) Supporting Services for rail transport services (CPC 743)<br><br>Passenger and freight car cleaning services. | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, as provided in the horizontal section. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| Security services at railway station | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| Railway car cleaning services under the service contract of railway authority | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) Unbound | (1) None<br>(2) None<br>(3) None<br>(4) Unbound | |
| **F. Road Transport Services**<br>**Other non-scheduled passenger transportation** | | | |
| (b) Freight transportation only for frozen or refrigerated goods, bulk liquids or gases and containerized freight (CPC 71231 to 71233) | (1) Unbound<br>(2) None<br>(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.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (c) Rental services of passenger cars with operator (CPC 71222) | (1) Unbound<br>(2) None<br>(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.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (c) Rental services of buses and coaches with operator (CPC 71223) | (1) Unbound<br>(2) None<br>(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.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| (e) Supporting services for road transport services<br>Parking services (CPC 7443) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound | |
| **H. Services Auxiliary to All Modes of Transport** | | | |
| (a) Maritime cargo handling services (as defined below 3.6) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>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 (1954)<br>(4) As indicated in the horizontal section. | (1) None<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |
| (b) Storage and warehouse services (CPC 742) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |

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For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

| SECTOR OR SUBSECTOR | LIMITATION ON MARKET ACCESS | LIMITATION ON NATIONAL TREATMENT | ADDITIONAL COMMITMENTS |
|---|---|---|---|
| (c) Maritime Agency Services (as defined below 3.7) | (1) Unbound<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) Unbound, except as provided in the horizontal section. | |
| **OTHER SERVICES NOT INCLUDED** | | | |
| Skill training services (not classified undereducation services, incl. educational institution) related to alternativeenergy production, on a fee or contract basis (CPC 97090) | (1) None<br>(2) None<br>(3) As indicated in 3.1 of the horizontal section.<br>(4) As indicated in the horizontal section. | (1) Unbound<br>(2) None<br>(3) None<br>(4) As provided in the horizontal section. | |

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### NOTE TO THE SCHEDULE

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

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

3. Definitions

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

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

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

3.4 "freight forwarding services" means the activity consisting of 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.

3.5 "customs clearance services" means activities consisting of carrying out on behalf of another party customs formalities concerning the import, export or through transport of cargoes, whether this service is the main activities of the service supplier or a usual

3.6 "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 organization and supervision of:

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

3.7 "Maritime agency services" means activities consisting of representing as an agent, the business interests of one or more shipping lines, for the following purposes:

- 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;
- acting on behalf of the shipping lines organising the call of a ship or taking over cargoes when required.

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