

ASEAN – HONG KONG, CHINA

FREE TRADE AGREEMENT

CHAPTER 8 TRADE IN SERVICES

ANNEX 8-1

SCHEDULES OF SPECIFIC COMMITMENTS

SCHEDULE OF THAILAND

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 lack of technical feasibility.

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Only a limited liability company, or a type of legal entity as specified in this schedule, incorporated and registered in Thailand pursuant to Thai laws and regulations is permitted. Commercial presence must meet one of the following categories as indicated in the sector-specific commitments:</p> <p>3.1 Foreign equity participation must not exceed 49 per cent or unless otherwise specified in the sector-specific commitments, of the registered capital; and the number of foreign shareholders must be less than half of the total number of shareholders.</p> <p>3.2 Foreign equity participation must not exceed 70 per cent of the registered capital or unless otherwise</p>	<p>3) For a limited liability company, or a type of legal entity which is owned or controlled by foreigner(s) must meet the requirements as stipulated by laws and regulations regarding foreign investment.</p> <p>For 3.1, legal entity incorporated pursuant to Thai laws and regulations with foreign equity participation not exceeding 49 per cent of the registered capital: None</p> <p>For 3.2, a limited liability company or legal entity of another Party must apply for a certificate of business operation as stipulated by the Section XI of the Foreign Business Act B.E. 2542 and the Ministerial Regulation Prescribing Rules and Procedures Pertaining to the Application for a Foreign Business certificate B.E.</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>specified in the sector-specific commitments, owned, or controlled by foreigner(s) must meet the following conditions:</p> <p>a. Shall operate through joint-venture with juridical person of Thai national;</p> <p>b. 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;</p> <p>c. 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;</p> <p>d. a board of directors including</p>	<p>2546.</p> <p>Unbound for the measures pertaining to subsidies or privileges, minimum capital requirements, acquisition and usage of land, taxation measures, and nationality requirement.</p> <p>Other than additionally indicated in the specific commitments, the criteria and requirements stipulated by the Article XIV and XIV bis of the GATS, and Section V of the Foreign Business Act B.E. 2542 and as stipulated by any other law or regulation regarding foreign investment shall be applied.</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>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</p> <p>e. a person or representative of the limited liability company or the legal entity who apply for a license must be of Thai national; and</p> <p>Commercial presence in sectors or subsectors in this schedule must also meet additional conditions (if any) indicated in the sector-specific commitments.</p> <p>4) Other than additionally indicated or otherwise specified in the specific commitments, temporary movement of natural persons is unbound except in the following categories:</p>	<p>4) Unbound, except as provided in the MA column</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>a. Short-term Business Visitor:</p> <p>A natural person seeking to enter or stay in Thailand temporarily, whose remuneration and financial support for the duration of the visit is derived from outside Thailand</p> <p>(i) as a representative of a goods seller/service supplier, for the purpose of negotiating the sale of goods or supply of services or entering into agreements to sell goods or supply services for that goods seller/service supplier, where such negotiations do not involve direct sale of goods or supply of services to the general public;</p> <p>(ii) as an employee of a juridical person as defined in subparagraph (d) (juridical person) of Article 1 (Definitions) of Chapter 8 (Trade in</p>		

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Services) only for the purpose of establishing an investment or setting up a commercial presence, for the juridical person in the Area of another Party;</p> <p>(iii) for the purpose of participating in business negotiations or meetings; or</p> <p>(iv) for the purpose of establishing an investment or setting up a commercial presence in Thailand.</p> <p><u>Duration of stay:</u> Entry and temporary stay for a period not exceeding ninety (90) days shall be granted, when applied for, to a short-term business visitor</p> <p>b. Intra-corporate Transferee:</p> <p>A natural person who is an employee of a juridical person established in the</p>		

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Area of a Party, who is transferred temporarily for the supply of a service through commercial presence (either through a representative office, branch, subsidiary or affiliate) in the Area of another Party, and who has been an employee of the juridical person for a period as may be specified in the Schedule of Commitments, and who is:</p> <p>i) an Executive: a natural person within the organisation who primarily directs the management of the organisation and exercises wide latitude in decision making and receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the business; an executive would not directly perform tasks related to the actual provision of</p>		

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>the service or services of the organisation;</p> <p>(ii) a Manager: a natural person within the organisation who primarily directs the organisation/department/subdivision and exercises supervisory and control functions over other supervisory, managerial or professional staff; does not include first line supervisors unless employees supervised are professionals; does not include employees who primarily perform tasks necessary for the provision of the service; or</p> <p>(iii) a Specialist: a natural person within the organisation who possesses knowledge at an advanced level of expertise essential to the establishment/provision of the service and/or possesses proprietary</p>		

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>knowledge of the organisation's service, research equipment, techniques or management; may include, but is not limited to, members of a licensed profession.</p> <p><u>Duration of stay:</u></p> <ol style="list-style-type: none"> 1. Entry and temporary stay for an initial period not exceeding one (1) year from the arrival date shall be granted, when applied for, to an intra-corporate transferee who has been employed by a juridical person concerned outside Thailand for a period of not less than one (1) year immediately preceding the date of his application for admission. 2. Such temporary stay may be extended for a further three (3) terms of not more than one (1) 		

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p style="text-align: center;">(1) year each.</p> <p>4) Temporary movement of natural persons shall not include any type or category of foreign natural persons prohibited or not allowed by The Working of Aliens Act B.E. 2551 or by any other relevant law or regulation.</p> <p>A natural person shall meet criteria¹ stipulated by Ministry of Labour and relevant authorities in obtaining a license or permission in any sector or subsector where it is required by specific laws or regulations.</p> <p>3), 4) A natural person or juridical person of another Party that acquires or gains ownership of land, shall be deemed ineligible to exercise rights and privileges under this agreement.</p>	<p>3), 4) A natural person or juridical person of another Party are not allowed to purchase or own land in Thailand.</p> <p>The Land Code of Thailand B.E. 2497 shall be applied to acquisition and usage of</p>	

¹ The criteria may be included but not limited to: size of fully paid-up capital, employment creation, extent of foreign investment, export promotion, transfer of technology, and special of management.

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	A natural person or a juridical person who receives other special privileges or incentives from Thai authorities to supply services may not claim benefits under this agreement.	land of a natural person limited liability company, or a type of legal entity as specified in this schedule.	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional Services			
(a) Legal services (CPC 86111+86119+ 86120+86130+86190)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in horizontal section 4) Unbound	
Legal advisory for drafting of documents concerning only international commercial law, excluding local laws and regulations (part of CPC 1.1 : 82119)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	
Arbitration services (part of CPC 2.1: 82191)	1) Unbound 2) Unbound 3) Unbound 4) Unbound, except arbitrator; (a) Unbound for other	1) Unbound 2) Unbound 3) Unbound 4) Unbound, except as indicated in 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 Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	categories of Mode 4 (b) must comply with laws and regulations stipulated by Ministry of Labour and relevant authorities		
(b) Accounting, auditing and bookkeeping services (CPC 86211 to 86213 +86219+86220)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	
(d) Architectural services (CPC 86711 to 86714+86719)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 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 Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Engineering services (CPC 86721 to 86727 +86729)	1) None 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(g) Urban planning and landscape architectural services (CPC 86741 to 86742)	1) None 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	
(k) Other professional services: Weather forecasting and meteorological services (CPC Version 1.1:83550)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) None 2) None 3) As indicated in the horizontal section 4) Unbound	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Computer and Related Services			
(a) Consultancy services related to the installation of computer hardware (CPC 84100)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Hardware consultancy services (CPC Version 1.1:83141**)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) None 2) None 3) As indicated in the horizontal section 4) Unbound	
(b) Software implementation services (CPC 84210+84220+84230+84240+84250)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated 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 Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Software consultancy services (CPC Version 1.1:83142**)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) None 2) None 3) As indicated in the horizontal section 4) Unbound	
(c) Data processing services (excluding those provided over public telecommunications network) (CPC 84310+84320 +84330+84390)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Data processing services (excluding those provided over public telecommunications network) (CPC Version 1.1: 85960)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) None 2) None 3) As indicated in the horizontal section 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 Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(d) Data base services (excluding those provided over public telecommunications network) (CPC 84400)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(e) Other computer services: Software training services for staff of clients (part of CPC 849)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
C. Research and Development Services			
(b) Research and experimental development services in linguistics and languages (CPC Version 1.1:81240)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
E. Rental/Leasing Services without Operators			
(d) Rental and leasing services concerning agricultural machinery, construction machinery, office machinery, other machinery and equipment without operator (CPC 83106-83109)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
F. Other Business Services			
(a) Advertising services (CPC 87110 + 87120 + 87190)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Sales of internet advertising space (except on commission) (CPC 1.1:83633)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(b) Market research and public opinion polling services (CPC 86401 to 86402)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(c) General management consulting services (CPC 86501)	1) None 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section	1) None 2) None 3) As indicated in the horizontal section 4) As indicated 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 Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	(b) Unbound for legal and auditing consultants		
(e) Technical testing and analysis services (CPC 86761+86769)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(f) Services incidental to agriculture: Consultancy services on agricultural extension: - soil preparation - seed production - plant protection - harvesting - grading - packing	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
- storing			
Soil analysis laboratory	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Soil survey and land use Planning	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Cover crop seed multiplication	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	horizontal section	horizontal section	
(f) Services incidental to forestry (CPC 881): Forestry consultant services	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(g) Services incidental to fishing (CPC 882): International trading, exporting products services (broker)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Quality analysis services	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Canning process analysis services	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Technical services - Consulting - Research on marketing - Quality control	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(h) Services incidental to mining at oil and gas fields	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(n) Maintenance and repair services of office machinery and equipment including computers (CPC 84500)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(p) Photographic services: Specialty photography services except aerial photography</p>	<p>1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound</p>	<p>1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound</p>	
<p>(q) Packaging services (CPC 87600)</p>	<p>1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound</p>	<p>1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound</p>	
<p>(r) Publishing and printing services excluding publishing newspaper (CPC 88442)</p>	<p>1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound</p>	<p>1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(s) Convention services</p> <p>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 car parks, shops and restaurants/cafes to the exhibitors, participants and visitors)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) As indicated in 3.1 of the horizontal section</p> <p>4) Unbound</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) As indicated in the horizontal section</p> <p>4) Unbound</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(t) Other: Translation and interpretation services (CPC Version 1.1: 83910)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) As indicated in the horizontal section	1) None 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

2. COMMUNICATION SERVICES

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

- Any person or juridical person who intends to operate a telecommunication business in Thailand shall obtain a license from designated national authority(s).
- Licences are granted only to service suppliers duly constituted according to the Thai legislation, which requires head office and management located in the Thai Area.
- The service provider shall operate for public use through existing facilities licensed by the designated national authority(s).
- The designated national authority(s) 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.
- Basic necessary new telecommunication acts are now in force. Commitments on public telecommunication services will be introduced and carried out in accordance with the implementing rules and regulations to be issued by virtue of those acts.

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. Telecommunication Services			
Public local, domestic long distance and international services: (a) Fixed-line voice telephone services	1) None, other than - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends.	1) None	Thailand will introduce into its Schedule of Specific Commitments (SOC) on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources
	2) None, other than - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends	2) None	
	3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section	
	4) As indicated in the horizontal section	4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments		
(d) Telex services (CPC 7523**)	1) None, other than <ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. 	1) None	Thailand will introduce into its SOC on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.		
				(e) Telegraph services	
					(f) Facsimile services (CPC 7521**+7529**)
3) As indicated in 3.2 of the horizontal section	3) As indicated in the horizontal section				
4) Unbound	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 Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(h) Electronic mail (CPC 7523**)	1) None, other than	1) None	Thailand will introduce into its SOC on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.
(i) Voice mail (CPC 7523**)	<ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. 	2) None	
	2) None, other than	2) None	
	<ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends 	3) As indicated in the horizontal section	
	3) As indicated in 3.2 of the horizontal section	3) As indicated in the horizontal section	
	4) Unbound	4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(j) On-line information and data base retrieval (CPC 7523**)	1) None, other than <ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. 	1) None	Thailand will introduce into its SOC on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.
	2) None, other than <ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends 	2) None	
	3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital	3) As indicated in the horizontal section	
(n) On-line information and/or data processing services provided over public telecommunications network (part of CPC 843, excluding transaction processing)	1) None, other than <ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. 	1) None	Thailand will introduce into its SOC on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.
2) None, other than <ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends 	2) None		
3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital	3) As indicated in the horizontal section		

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(b) The number of foreign shareholders must be less than half of the total number of shareholders</p> <p>(c) Must use networks operated by suppliers duly licensed</p> <p>4) As indicated in the horizontal section</p>	<p>4) As indicated in the horizontal section</p>	
Data base access services (part of CPC 7523)	<p>1) Service providers must use networks operated by suppliers duly licensed</p> <p>2) None</p> <p>3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 25 per cent of the registered capital</p> <p>(b) The number of foreign shareholders must be less than half of the total number of shareholders</p> <p>(c) Must use networks operated by suppliers</p>	<p>1) None</p> <p>2) None</p> <p>3) As indicated in the horizontal section</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	duly licensed 4) As indicated in the horizontal section	4) As indicated in the horizontal section	
o) Other: Telecommunications terminal equipment leasing services (CPC 75410)	1) None, subject to commercial arrangement with licensed operators 2) None 3) (a) As indicated in 3.1 of the horizontal section (b) Must use networks operated by suppliers duly licensed 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) None 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Telecommunications equipment sales services (part of CPC 75420)	1) None, subject to commercial arrangement with licensed operators 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for Civil engineer	1) None 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Telecommunication Consulting Services (CPC 75440)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for Civil engineer	1) None 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Dedicated network services (CPC 75222)</p>	<p>1) None, other than</p> <ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. <p>2) None, other than</p> <ul style="list-style-type: none"> - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends <p>3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 25 per cent of the registered capital</p>	<p>1) None</p> <p>2) None</p> <p>3) As indicated in the horizontal section</p>	<p>Thailand will introduce into its SOC on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.</p>

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>(b) The number of foreign shareholders must be less than half of the total number of shareholders</p> <p>(c) Must use networks operated by suppliers duly licensed</p> <p>4) As indicated in the horizontal section</p>	<p>4) As indicated in the horizontal section</p>	
<p>Videotext</p> <p>Teleconference</p>	<p>1) a) Service providers must use networks operated by suppliers duly licensed</p> <p>b) Radio application service is subject to frequency availability</p> <p>2) None</p> <p>3) (a) Shall be a Thai registered company with foreign equity participation not exceeding 40% of the registered capital and the number of foreign shareholders must not exceed 40% of the total</p>	<p>1) None</p> <p>2) None</p> <p>3) As indicated in the horizontal section</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>(c) Selection of service providers shall be based on open tender</p> <p>4) As indicated in the horizontal section</p>	<p>4) As indicated in the horizontal section</p>	
D. Audiovisual Services			
<p>(a) Motion picture and video tape production and distribution services:</p> <p>Film/video production and distribution services, excluding promotion or advertising services (CPC 96112**+96113**)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) As indicated in 3.1 of the horizontal section</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) As indicated in the horizontal section</p> <p>4) As indicated in the horizontal section</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Video tape production services for scientific education (CPC Version 1.1: 96121**)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	
(c) Radio and television services (CPC 9613): Radio/television services only for production of radio/TV programmes (CPC 96131**+96132**)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Sound recording services: Production of sound recording only (exclude all broadcasting and AV services)	1) None 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) None 2) None 3) As indicated in the horizontal section 4) Unbound	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. <u>Construction work for buildings</u> (CPC 512)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
General construction services of mines and industrial plant (CPC 1.1: 54260)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	
B. <u>Construction work for civil engineering</u> (CPC 513)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
General construction work of harbours, waterways, dams, irrigation and other water works (CPC Version 1.1: 54230)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	
C. <u>Installation Work</u> (CPC 516)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
4. DISTRIBUTION SERVICES			
A. <u>Commission agents' services</u> (CPC 62111 to 62118)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	
B. <u>Wholesale trade services:</u> Wholesale trade services of sports goods (including bicycles) (CPC 62266)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>D. <u>Franchising services:</u></p> <p>Other non-financial intangible assets (CPC 8929)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) As indicated in 3.1 of the horizontal section</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) As indicated in the horizontal section</p> <p>4) Unbound</p>	
<p>E. <u>Other:</u></p> <p>Mail order retail trade services of Books, newspapers, magazines and stationery (CPC Version 1.1: part of 623)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) As indicated in 3.1 of the horizontal section</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) As indicated in the horizontal section</p> <p>4) Unbound</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>5. EDUCATIONAL SERVICES</p> <p><u>Commitments undertaken in this schedule are subject to the following general conditions:</u></p> <ul style="list-style-type: none"> - 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 - Services suppliers may be subject to notification or registration with the authority concerned 			
<p>A. <u>Primary education services</u> (CPC 921**) International and national school education services (CPC 9219)</p>	<p>1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound</p>	<p>1) Unbound 2) None 3) (a) the person of the representative of the juridical person who apply for a license must be of Thai national. (b) the school director and deputy director must be Thai nationals. (c) the school manager/executive manager must be Thai nationals. 4) Unbound</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>B. <u>Secondary education services</u> (CPC 922**)</p> <p>General secondary education services (CPC 9221)</p> <p>Higher secondary education services (CPC 9222)</p> <p>Technical and vocational education services (CPC 9223)</p> <p>Technical and vocational education services for handicapped students (CPC 9224)</p>	<p>1) None</p> <p>2) None</p> <p>3) As indicated in 3.1 of the horizontal section</p> <p>4) Unbound</p>	<p>1) None</p> <p>2) None</p> <p>3 (a) the person of the representative of the juridical person who apply for a license must be of Thai national.</p> <p>(b) the school of director and deputy director must be Thai nationals</p> <p>(c) the school manager/executive manager must be Thai nationals</p> <p>4) Unbound</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Higher education services</u> (CPC923)	1) Unbound 2) None 3) Unbound 4) Unbound	1) Unbound 2) None 3) Unbound 4) Unbound	
C. Higher education Services			
Science and technology faculty (part of CPC 92390)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) Unbound 2) None 3) At least half of the Members of the University Council must have Thai nationality and that services suppliers in this sector must comply with Private Higher Education Institution Act B.E. 2546 (2003) 4) Unbound	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. Adult education services			
Professional and/or Short Courses Education Services (CPC 92400)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) (a) the person of the representative of the juridical person who apply for a license must be of Thai national. (b) the school director and deputy director must be Thai nationals. (c) the school manager/executive manager must be Thai nationals. 4) Unbound	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>E. <u>Other education services:</u> (CPC 92900)</p> <p>Foreign language tuition services (CPC 92900**)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) (a) As indicated in 3.1 of the horizontal section</p> <p style="padding-left: 20px;">(b) At least half of its director(s), and if applicable its managing director, must be the person of Thai nationality</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) (a) the person of the representative of the juridical person who apply for a license must be of Thai national.</p> <p style="padding-left: 20px;">(b) the school director and deputy director must be Thai nationals.</p> <p style="padding-left: 20px;">(c) the school manager/executive manager must be Thai nationals.</p> <p>4) Unbound</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
6. ENVIRONMENTAL SERVICES			
A. Sewage services			
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 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) None 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Environmental protection and environmental abatement services (CPC 9401**)	1) None 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) None 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Sewage Services (including industrial waste water treatment system) (CPC 9401**)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
B. <u>Refuse disposal services</u> (including hazardous waste management and incinerator) (CPC 9402)	1) Unbound* 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
B. <u>Refuse disposal services</u> Hazardous waste treatment and disposal services (CPC Version 1.1:94222)	1) Unbound* 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) Unbound* 2) None 3) As indicated in the horizontal section 4) Unbound	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. <u>Sanitation and similar services</u> (CPC 9403)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
Beach Cleaning services and drain unblocking services (CPC 1.1: 94390**)	1) None 2) None 3) As indicated in 3.2 of the horizontal section 4) Unbound	1) None 2) None 3) As indicated in the horizontal section 4) Unbound	
D. Other			
Cleaning services of exhaust gases (including industrial emission abatement) (CPC 9404) Noise abatement services (CPC 9405)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Nature and landscape protection services (CPC 9406) Other environmental protection services (CPC 9409)			
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and restaurants (including catering)			
Hotel lodging services (CPC 64110) Camping and caravan site Services (CPC 64195) Meal serving with full restaurant services (CPC 64210) Catering Services (CPC 64230)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Travel agency and tour operators services			
Travel agency and tour operator services (CPC 74710)	1) Unbound 2) None 3) (a) As indicated in 3.1 of the horizontal section (b) Not less than half of the board of directors of the company must be Thai nationality 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
D. Other			
Hotel management Services (CPC Version 1.1 part of 63110)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
A. Entertainment services			
Amusement parks (CPC 1.1:96910**)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
B. New agency services			
Picture supply services (CPC96212)	1) None 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) None 2) None 3) As indicated in the horizontal section 4) Unbound	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. Libraries, archives, museums and other cultural services			
Private library services (CPC 96311**)	1) Unbound 2) None 3) As indicated in 3.2 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
D. <u>Sporting services</u> (excluding other sporting services specified in CPC 96419) (CPC 96411 + 96412 + 96413)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
<u>Other recreational services</u> (CPC 9649**) Recreation Park and Beach Services (CPC 96491)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES			
A. Maritime Transport Services			
(a) Passenger transportation (CPC 7211 less cabotage transport: as defined below - 3.1)	1) None 2) None 3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand (b) Other forms of commercial presence for the supply of international maritime transport services (as defined below - 3.2) except branch office: As indicated in 3.1 of the horizontal section. 4) (a) Ships' crews: Unbound (b) Other personnel: As indicated in the horizontal section	1) None 2) None 3) (a) Unbound (b) As indicated in the horizontal section 4) (a) Unbound (b) As indicated in the horizontal section	The following services at the port provided by the government or government enterprise are made available, to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage ² 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port captain's service 6. Navigation aids 7. Shore-based operational services essential to ship operations, water and electrical supplies 8. Emergency repair facilities

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

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
			<p>9. Anchorage, berth and berthing services</p> <p>10. Inland transports services (internal waterways transport services, rail transport services and road transport services)</p>
<p>(b) Freight transportation (CPC 7212 less cabotage transport: as defined below - 3.1)</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined below - 3.2) except branch office: As indicated in 3.1 of the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound</p> <p>(b) None other than:</p> <p>(i) Shareholders of Thai maritime transport companies with ownership of Thai flag vessels may be granted exemption or reduced rates of income tax leviable on dividends paid by such</p>	<p>1) See Note to the Schedule below</p> <p>3) (b) See Note to the Schedule below</p>

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>companies</p> <p>(ii) Exporters or importers of goods shipped from or to Thailand by Thai flag vessels may be entitled to special deduction of not more than 50 per cent of the freight values or other expenses paid in the ordinary course of carriage of such goods from their net income for the purpose of calculation of income tax</p>	
	<p>4) (a) Ships' crew: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p>	<p>4) (a) Unbound</p> <p>(b) As indicated in the horizontal section</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) International towing (CPC 7214)	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound for establishment of juristic person for the purpose of operating a fleet under the national flag of Thailand</p> <p style="padding-left: 20px;">(b) Other forms of commercial presence for the supply of international towing service (as defined below - 3.2) except branch office: As indicated in 3.1 of the horizontal section</p> <p>4) (a) Ships' crews: Unbound</p> <p style="padding-left: 20px;">(b) Other personnel: As indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound</p> <p style="padding-left: 20px;">(b) As indicated in the horizontal section</p> <p>4) (a) Unbound</p> <p style="padding-left: 20px;">(b) As indicated in the horizontal section</p>	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(f) Supporting services for maritime transport (CPC 745**) Shore reception facilities (collection of waste/oily water from ships)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
E. Rail Transport Services			
(d) Maintenance and repair of rail transport equipment (CPC 8868)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) None 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Supporting Services for rail transport services (CPC 743**) Passenger and freight car cleaning services Security services at railway station	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
F. Road Transport Services			
F. <u>Road Transport Services</u> (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 2) None 3) As indicated in 3.1 of the horizontal section and not less than half of the board of directors of the company must have Thai nationality 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(c) Rental services of passenger cars with operator (CPC 71222)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section and not less than half of the board of directors of the company must have Thai nationality 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	
(c) Rental services of buses and coaches with operator (CPC 71223)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section and not less than half of the board of directors of the company must have Thai nationality 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
H. Services Auxiliary to All Modes of Transport			
(b) Storage and warehousing services (CPC 742)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section	

Reference Paper

NOTE TO THE SCHEDULE

1. Where road, rail, inland waterways and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent or lease trucks, railway carriages or barges, and related equipment, for the purpose of inland forwarding of cargoes, or have access to and use of these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations.
2. "Reasonable and non-discriminatory terms and conditions" means, for the purpose of multimodal transport operations, the ability of multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which enter the port at a later date.
3. Definitions:
 - 3.1 "cabotage": for the purpose of this schedule, means the transportation or towage of passengers or goods, between a port or place located in Thai waters and another port or place located in Thai waters.
 - 3.2 "Other forms of commercial presence for the supply of international maritime transport services": for the purpose of this schedule, means the ability for international maritime transport service suppliers of other Parties to undertake locally the following:
 - (a) Marketing and sales of maritime transport services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself;
 - (b) The procurement, on their own account of any transport and related services, necessary for the supply of the integrated service;
 - (c) The preparation of documentation concerning transport documents, customer documents, or other document related to the origin and character of the goods transported;
 - (d) Setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally with any locally established shipping agency: As indicated in the horizontal section.
 - 3.3 "Multimodal transport operator" means the person on whose behalf the bill of lading/multimodal transport document, or any other document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.
 - 3.4 "Freight forwarding services" means the activity consisting of organizing and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information.