

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:               (1) Cross-border supply                               (2) Consumption abroad                               (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>BUSINESS SERVICES</b>			
<b>A. Professional Services</b>			
All subsectors <b>(Except for Non-regulated/Non-licensed Services)</b>		(1) <b>Service Outputs:</b> For professions with specific service outputs (e.g., plans, specifications, audit reports), such outputs shall be recognised by the Philippine Government only if the foreign professional is registered with the Professional Regulation Commission (PRC).	
b. Bookkeeping services, except tax returns (CPC 86220)  (Note: Non-Regulated/Non-Licensed Services)	(1) None  (2) None  (3) None, except that only up to 70% foreign equity participation is allowed	(1) None  (2) None  (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Auditing Services - covers financial auditing and accounting review (CPC 86211) (CPC 86212)	(1) None (2) None (3) Single practitioners and partnerships for public accountancy practice shall be registered Certified Public Accountants in the Philippines; CPAs in public practice are required minimum of three-year experience in any area of public practice, including taxation, prior to issuance of Certificate of Accreditation	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                    (1) Cross-border supply                    (2) Consumption abroad                    (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Taxation Services (CPC 863)	(1) None  (2) None  (3) Single practitioners and partnerships for the practice of public accountancy shall be registered Certified Public Accountants in the Philippines; CPAs in public practice are required minimum of 3 years experience in any area of public practice including taxation, prior to issuance of Certificate of Accreditation.	(1) None  (2) None  (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Architectural Services (CPC 8671)	(1) None (2) None (3) A firm/company/partnership/ corporation/association may be registered for architectural practice provided: a) Only Filipino citizens who are properly registered/licensed Architects may, among themselves, or with allied technical professionals, form/obtain registration as firm/company/partnership/association/corporation for architectural practice. b) At least 75% of owners/shareholders/incorporators/directors/executive officers are registered/licensed architects. c) Such firm/partnership/association/corporation shall be registered with Securities and Exchange Commission and Board of Architecture.	(1) None (2) None (3) None.	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      **(1) Cross-border supply**                      **(2) Consumption abroad**                      **(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Engineering Services (CPC 8672) The disciplines/activities covered by Engineering Services are limited to:			
Civil Engineering	(1) None  (2) None  (3) A firm/partnership/corporation/ association may be registered for civil engineering practice provided: a) Only persons who are properly registered/licensed civil engineers may, among themselves, or with a person or persons properly registered and licensed as architects may form/ obtain registration as firm/ partnership/association for civil engineering practice  b) Members who are civil engineers shall only render work and services proper for a civil engineer and members who are architects shall only render work and services proper for an architect  c) Individual members of such firms/partnership/association shall be responsible for their own respective acts.	(1) None  (2) None  (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**

**(1) Cross-border supply**

**(2) Consumption abroad**

**(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Electrical Engineering	(1) None (2) None (3) Licensed professional electrical engineers may, among themselves, form a partnership/ association and collectively render electrical engineering service, provided individual members of such partnerships/associations shall be responsible for their own respective acts.	(1) None (2) None (3) None	
Geodetic Engineering	(1) None (2) None (3) Duly registered geodetic engineers may organise/establish/form firms/partnerships/ associations for practice of geodetic engineering pursuant to SEC rules.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**

**(1) Cross-border supply**

**(2) Consumption abroad**

**(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Mechanical Engineering	(1) None (2) None (3) Corporate practice is not allowed, however, Registered/licensed mechanical engineers may form/obtain SEC registration of firm/partnership/association.	(1) None (2) None (3) None	
Metallurgical Engineering	(1) None (2) None (3) A firm/co-partnership/company/corporation/association can practice metallurgical engineering in the Philippines, provided such practice is carried out by metallurgical engineers holding valid Certificates of Registration issued by the Board of Metallurgical Engineering and in the regular employ of said firm/co-partnership/ company/corporation or association.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**

**(1) Cross-border supply**

**(2) Consumption abroad**

**(3) Commercial presence**

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Mining Engineering	(1) None (2) None (3) Corporate practice is not provided in the mining engineering law.	(1) None (2) None (3) None	
Sanitary Engineering	(1) None (2) None (3) A firm/partnership/corporation/ association may engage in sanitary engineering practice, provided such practice is carried out under supervision of sanitary engineer/s holding valid Certificate issued by Board of Sanitary Engineering.	(1) None (2) None (3) None	
Industrial Engineering (CPC 8672( (Note: Non-Regulated/Non-Licensed Services)	(1) None (2) None (3) None, except that up to 70 % foreign equity participation is allowed	(1) None (2) None (3) None	



**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Landscape Architectural Services (CPC 86742)	(1) None (2) None (3) Partnership/association/corporation may be formed/registered/licensed with SEC among registered/ licensed landscape architects or with other registered/licensed professionals in other fields (town/urban planning, civil engineering/architecture, interior design/forestry, etc.) provided: a) 80% of members of the partnership/association/ corporation are registered/ licensed landscape architects. b) Individual partners/stockholders/ members are personally/jointly responsible/liable to the partnership/association/corporation for their respective acts in their respective professional practice. c) The partnership/association/ corporation is responsible/liable for all other contractual obligations of the entity. The managing partner/president of corporation or authorised representatives are authorised to enter into contracts for services.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**

**(1) Cross-border supply**

**(2) Consumption abroad**

**(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
	However, only a registered/ licensed professional is responsible for and signs plans/documents involving his/her professional practice		

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

(1) Cross-border supply

(2) Consumption abroad

(3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Environmental (Urban Planning) Planning Services (CPC 86741, 91123)	(1) None (2) None (3) A consulting firm/partnership/ company/corporation may engage in environmental planning practice in the Philippines provided: a) Entity is registered as such with Board of Environmental Planning. b) At least 75% of Board members of corporation/partnership/firm/ association are registered environmental planners and at least 75% of total capitalisation is owned by them. c) The practice of consulting entity is carried out by duly registered environmental planner.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      **(1) Cross-border supply**                      **(2) Consumption abroad**                      **(3) Commercial presence**

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>B. Computer and Related Services</b>			
Consultancy services related to the installation of computer hardware* (CPC 841)	(1) None (2) None (3) 100% foreign equity participation is allowed	(1) None (2) None (3) None	
Software implementation services (CPC 842)**	(1) None (2) None (3) 100% foreign equity participation is allowed	(1) None (2) None (3) None	
Data Processing Services (CPC 843)  Data base services (CPC 844)  Others (CPC 845+849)	(1) None (2) None (3) 100% foreign equity participation is allowed	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:                   (1) Cross-border supply                   (2) Consumption abroad                   (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>C. Research and Development Services</b>			
a. R&D services on agricultural sciences (CPC 85104)	(1) None (2) None (3) None, except that up to 70% foreign equity participation is allowed	(1) None (2) None (3) None	
b. R&D services on economics (CPC 85202)	(1) None (2) None (3) None, except that up to 70% foreign equity participation is allowed	(1) None (2) None (3) None	
c. Interdisciplinary research and experimental development services on information and communications technology (CPC 853**) )	(1) None (2) None (3) None, except that up to 70% foreign equity participation is allowed	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                   **(1) Cross-border supply**                                   **(2) Consumption abroad**                                   **(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
<b>D. Real Estate Services</b>			
a. Renting or leasing services involving own or leased residential property (CPC 82101)	(1) Unbound* (2) None (3) None, except that only up to 70% foreign equity participation is allowed	(1) Unbound* (2) None (3) None	
b. Residential property management services on a fee or contract basis, excluding services of real estate consultants, appraisers, assessors, brokers and developers (CPC 82201)	(1) Unbound* (2) None (3) None, except that only up to 70% foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:           (1) Cross-border supply                           (2) Consumption abroad                           (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>E. Rental/Leasing Services without Operators</b>			
Relating to ships (CPC 83103)	(1) None  (2) None  (3) Up to 40% foreign equity participation is allowed. Bareboat charter or lease contract subject to approval by the Maritime Industry Authority (MARINA).	(1) None  (2) None  (3) None	
<p>Note:</p> <p>* Assistance services to the clients in the installation of computer hardware (i.e. physical equipment) and computer services</p> <p>** All services involving consultancy services on, development and implementation of software.</p> <p>*** All services provided from primarily structured databases through a communication network.</p>			
d. Relating to other machinery and equipment, except construction machinery and equipment (83106-83109**)	(1) None  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) None  (2) None  (3) None	
e. Leasing or rental services concerning televisions, radios, video cassette recorders, and related equipment and accessories (CPC 83201)	(1) Unbound*  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound*  (2) None  (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:                   (1) Cross-border supply                   (2) Consumption abroad                   (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>F. Other Business Services</b>			
a. Advertising services (CPC 871)	(1) None (2) None (3) Unbound, except that up to 30 percent foreign equity participation is allowed	(1) None (2) None (3) Unbound, except as indicated in the horizontal section	
b. Market research services (CPC 86401) c. General management consulting services, except for legal organization (86501) c. Other management consulting services (CPC 86509)	(1) None (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) None (2) None (3) None	
d. Project management services other than for construction (CPC 86601)	(1) Unbound* (2) None (3) Up to 70 per cent foreign equity is allowed.	(1) Unbound* (2) None (3) None	
e. Testing and analysis services of physical properties (CPC 86762) e. Technical inspection services (CPC 86764)	(1) None (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) None (2) None (3) None	



**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      **(1) Cross-border supply**                      **(2) Consumption abroad**                      **(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
j. Services incidental to energy distribution (CPC 887)  Energy distribution networks such as pipelines for transmission, distribution and supply of natural gas, and power transmission and distribution systems	(1) Unbound*  (2) None  (3) Up to 40 percent foreign equity participation is allowed	(1) Unbound*  (2) None  (3) Unbound, except as indicated in the horizontal section	
Geology	(1) None  (2) None  (3) A firm/co-partnership/company/corporation/ association can practice geology in the Philippines, provided such practice is carried out by geologists holding valid Certificate of Registration issued by the Board of Geology and in regular employ of said firm/co-partnership/company/corporation/ association. The manager/ administrator/person in charge of management or administration of business shall be held personally liable for any violation of the geology law.	(1) None  (2) None  (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                   **(1) Cross-border supply**                   **(2) Consumption abroad**                   **(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
n. Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment)  Repair services of electrical household appliances (CPC 63302)	(1) None (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) None (2) None (3) None	
o. Window cleaning services (CPC 87402)	(1) Unbound* (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	
p. Portrait photography services (CPC 87501)	(1) Unbound* (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	
q. Packaging services (876)	(1) Unbound* (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound* (2) None (3) None,	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                    (1) Cross-border supply                    (2) Consumption abroad                    (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
r. Printing, publishing  Bookbinding services (CPC 88442**)	(1) Unbound*  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound*  (2) None  (3) None	
Other  Professional Congress Organisers	(1) None  (2) None  (3) 60% foreign equity is allowed	(1) None  (2) None  (3) None	
Other:  Translation and Interpretation services for private meetings/conferences (CPC 87905**)	(1) None  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) None  (2) None  (3) None	

PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Interior Design Services	(1) None (2) None (3) Registered/licensed interior designers may organise among themselves or with registered/licensed building architects/town planners/landscape architects/civil engineers/any other allied design professionals, form/register with the SEC a firm/partnership/association, provided interior designers shall only render work/services proper for an interior design as defined by law.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:                   (1) Cross-border supply                   (2) Consumption abroad                   (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>COMMUNICATION SERVICES</b>			
<b>A. Postal Services</b>			
a. Domestic Mail Services - Ordinary Mail - Registered Mail <sup>1</sup> - Express Mail - Domestic Parcel - Business Reply <sup>1</sup> - Printed Matters  b. International Mail Services - Ordinary Mail - Registered Mail <sup>1</sup> - Express Mail - Printed Matters - International Parcels  c. Money Order Service (Domestic and International) <sup>1</sup>	(1) Commercial presence is required.  (2) None  (3) Entry is subject to the following requirements: a) Foreign equity is permitted up to 40%; and b) Philippine Government authority to operate private express and/or messengerial delivery services.	(1) None  (2) None  (3) Entry is subject to the following requirements and conditions: a) The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital of that entity; and b) All executives and managers must be citizens of the Philippines.  Limitations listed in the horizontal section shall also apply.	

---

<sup>1</sup> Postal services that are only offered by the Philippine Postal Corporation (PPC)

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**

**(1) Cross-border supply**

**(2) Consumption abroad**

**(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
<b>B. Courier Services</b>	(1) Commercial presence is required (2) None (3) None	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>C. Telecommunication Services</b>			
<p>The following services are offered only on a facilities basis, for public use, using either wired or wireless technology except cable television (CATV).</p> <p>a. Voice telephone services (CPC 7521)</p> <ul style="list-style-type: none"> <li>- Local services</li> <li>- Toll services                             <ul style="list-style-type: none"> <li>• Domestic</li> <li>• International</li> </ul> </li> </ul> <p>b. Packet-switched data transmission services (CPC 7523**)</p> <p>c. Circuit-switched data transmission services (CPC 7523**)</p> <p>d. Telex Services (CPC 7523**)</p> <p>e. Telegraph Services (CPC 7522)</p>	<p>(1) Subject to commercial arrangement with licensed operators</p> <p>(2) None</p> <p>(3) Entry is subject to the following requirements and conditions:</p> <ul style="list-style-type: none"> <li>a) Franchise from Congress of the Philippines</li> <li>b) Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission</li> <li>c) Foreign equity is permitted up to 40%.</li> <li>d) Resale of private leased lines is not allowed<sup>2</sup>.</li> <li>e) Private leased circuit services shall not be connected to a public network (PSTN).</li> <li>f) Call back, dial back and other similar schemes, which result in the same operation, are not authorised.</li> </ul>	<p>(1) None</p> <p>(2) None</p> <p>(3) Entry is subject to the following requirements and conditions:</p> <ul style="list-style-type: none"> <li>a) The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital of that entity.</li> <li>b) All executives and managers must be citizens of the Philippines.</li> </ul> <p>Limitations listed in the horizontal section shall also apply.</p>	<p>The Philippine Reference Paper on Regulatory Principles will be reviewed in the future in accordance with the developments of its laws and regulations.</p>

<sup>2</sup> Enfranchised public telecommunications entities (PTE) may be authorized to sell/resell private leased lines.

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      **(1) Cross-border supply**                      **(2) Consumption abroad**                      **(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
f. Facsimile services (CPC 7521**+7529**)  g. Private Leased Circuit Services (CPC 7522**+7523)  h. Other <ul style="list-style-type: none"> <li>- Cellular Mobile Telephone Service (CPC 75213)</li> <li>- Satellite services</li> </ul>	g) Subject to the availability and efficient utilisation of radio frequencies.  h) Only duly enfranchised and certificated telecommunications, broadcast and/or cable TV entities can access satellite space segment service providers.  i) Philippine satellite operators shall be given the preference to provide the space segment capacity requirements of enfranchised entity after all factors are equally considered.  j) Satellite space segment service provisioning in the Philippines shall be on the basis of reciprocal arrangements.		



**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
i) voice mail (CPC 7523**)	(1) Only through duly enfranchised and certificated domestic public telecommunications carriers	(1) None	
j) on-line information and database retrieval (CPC 7523**)	(2) None	(2) None	
k) electronic data interchange	(3) Operation subject to securing of : a) Franchise from Congress of the Philippines	(3) None	
l) Videotext	b) Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commissions		

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Value added services i.e. m) electronic mail (CPC 7523**) n) value added facsimile service (CPC 7523**) o) code and protocol conversion p) on-line information and/or data processing (CPC 843**)	(1) Unbound <sup>3</sup> (2) None (3) Entry is subject to the following requirements: a) Foreign equity is permitted up to 40% b) Must register with the Philippines regulatory body but is not allowed to build its own network.	(1) None (2) None (3) Entry is subject to the following requirements and conditions: a) The number of non-Filipino citizens on the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital of that entity. b) All executives and managers must be citizens of the Philippines  Limitations listed in the horizontal section shall also apply.	
Other Telecommunication services:  Content development services sold to telecommunications companies	(1) Subject to commercial arrangement with licensed operators (2) None (3) None, except that only up to 70% foreign equity participation is allowed	(1) None (2) None (3) None	

<sup>3</sup> Shall be reviewed in the future in accordance with the developments of its laws and regulations.

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Data and message transmission services  Data network services (CPC 75231)  Electronic message and information services (CPC 75232)	(1) Unbound  (2) None  (3) Entry is subject to the following requirements and conditions: a) Franchise from Congress of the Philippines b) Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission c) Foreign equity is permitted up to 40%. d) Resale of private leased lines is not allowed <sup>4</sup> e) Private leased circuit services shall not be connected to a public network (PSTN). f) Call back, dial back and other similar schemes, which result in the same operation, are not authorised. g) Subject to the availability and efficient utilisation of radio frequencies.	(1) None  (2) None  (3) Entry is subject to the following requirements and conditions: a) The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital of that entity. b) All executives and managers must be citizens of the Philippines.  Limitations listed in the horizontal section shall also apply.	

---

<sup>4</sup> Enfranchised public telecommunications entities (PTE) may be authorised to sell/resell private leased lines.

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**

**(1) Cross-border supply**

**(2) Consumption abroad**

**(3) Commercial presence**

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>h) Only duly enfranchised and certificated telecommunications, broadcast and/or cable TV entities can access satellite space segment service providers.</p> <p>i) Philippine satellite operators shall be given the preference to provide the space segment capacity requirements of enfranchised entity after all factors are equally considered.</p> <p>j) Satellite space segment service provisioning in the Philippines shall be on the basis of reciprocal arrangements.</p> <p>Limitations listed in the horizontal section shall also apply.</p>		
Paging services (CPC 75291)	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Entry is subject to the following requirements and conditions: franchise from Congress foreign equity is limited to 40% subject to the availability and efficient utilisation of radio frequencies</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital of that entity.</p>	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      **(1) Cross-border supply**                      **(2) Consumption abroad**                      **(3) Commercial presence**

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
<b>D. Audiovisual Services</b>			
a. Production services of animated cartoons of any kind (CPC 96112**)	(1) None (2) None (3) Up to 70 per cent foreign equity participation is allowed, provided the services provider exports 70% or more of its output.	(1) None (2) None (3) None	
b. Motion picture projection services in private screening rooms (CPC 9612)	(1) None (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) None (2) None (3) None	
e. Sound Recording  Recording of music on records, tapes and compact discs	(1) None (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 9<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

**Modes of Supply:**                      (1) Cross-border supply                      (2) Consumption abroad                      (3) Commercial presence

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Other:  Colour correction services (i.e., adding, modifying or excluding colour of audio visual works)	(1) None  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) None  (2) None  (3) None	

## **Philippine Reference Paper on Regulatory Principles in Telecommunications Services**

The commitments in telecommunication services are in accordance with the General Agreement on Trade in Services and its Annex on Telecommunications. In support of market access commitments undertaken, the following principles will form the basis for the regulatory framework in basic telecommunications.

### 1. Competitive safeguard

Appropriate measures shall be maintained for the purpose of preventing suppliers from engaging in or continuing anti-competitive practices.

### 2. Interconnection

In order to achieve viable, efficient, reliable and universal telecommunications services, a fair and reasonable interconnection of facilities of authorised public network operators and other providers of telecommunications services shall be provided.

Interconnection shall be at any technically feasible point in the network, under non-discriminatory terms and conditions, in a timely fashion, and on terms and conditions that are fair, transparent and reasonable.

A service supplier requesting interconnection with another supplier will have recourse after a reasonable period of time which has been made publicly known to an independent domestic body, which may be a regulatory body referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

### 3. Universal Service

Universal service obligations, as may be defined by the appropriate Authority, shall be administered in a transparent, non-discriminatory and competitively neutral manner.

Authorised international gateway and mobile cellular telephone service providers are required by law to install a set number of local exchange lines in designated areas.

### 4. Public availability of licensing criteria

Where a license is required, the following shall be made publicly available:

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

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

#### 5. Independent regulators

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

The regulation of telecommunication suppliers shall rely principally on an administrative process that is stable, transparent and fair, giving due emphasis to technical, legal, economic and financial considerations, and with due regard to the observance of due process at all times.

A national consultative forum shall be maintained to allow interaction among the telecommunications industries, user groups, and academic and research institutions on important issues in the field of communications.

#### 6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, which are frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.



**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
<p>A. General construction work for buildings (CPC 512)</p> <p>B. General construction work for civil engineering (CPC 513)</p> <p>C. Installation and assembly work (CPC 514+CPC 516)</p> <p>D. Building completion and finishing work (CPC 517)</p> <p>E. Other (CPC 511+ CPC 515)</p>	<p>(1) Unbound due to lack of technical feasibility</p> <p>(2) None</p> <p>(3) a) 40% foreign equity for construction of locally funded private projects b) The limitations on foreign equity in the Horizontal section does not apply for foreign-funded/ assisted internationally-bid construction projects</p>	<p>(1) Unbound due to lack of technical feasibility.</p> <p>(2) None</p> <p>(3) a) Unbound</p> <p>b) Foreign Contractors are required to secure a Special Contractor's License form the Philippine Contractors Accreditation Board on a per project basis</p> <ul style="list-style-type: none"> <li>- Foreign Contractors are required to employ qualified Filipino Sustaining Technical Employees (STE) who meet the minimum requirements for the category and classifications applied for</li> <li>- Foreign Contractors are required to have a Resident Alien Representative (RAR) in the Philippines who is a holder of an Alien Certificate of Registration (ACR) and a working visa to receive summons and act for and in behalf of the company</li> </ul>	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Renting services related to equipment for const. or demolition of building or civil engineering works, with operator (CPC 518)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Up to 40% Foreign Equity is allowed	(3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>DISTRIBUTION SERVICES</b>			
A. Commission Agents' Services except rice and corn industry (CPC 621)	(1) None (2) None (3) The limitations on foreign equity in the Horizontal section does not apply.	(1) None (2) None (3) None	
B. Wholesale trade services  Wholesale trade services of fur articles (CPC 62234)	(1) None (2) None (3) None, except that foreign equity participation is limited to a maximum of 70%	(1) None (2) None (3) None	
C. Retailing Services  Wholesaling services of snowmobiles and related parts and accessories (CPC 6121**)	(1) Unbound* (2) None (3) None, except that foreign equity participation is limited to a maximum of 70%.	(1) Unbound* (2) None (3) None	
D. Franchising Services (CPC 8929)	(1) None (2) None (3) None, except that foreign equity participation is limited to a maximum of 70%.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>E. Others</p> <p>Petroleum product retail outlets</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Up to 70% foreign equity is allowed in the operation of a petroleum product retail outlet provided that the minimum paid in capital of US\$2.5 million is complied and maintained; provided further that pre qualification requirements are complied in accordance with rules and regulations of appropriate government agencies.</p> <p>Up to 70% foreign equity is also allowed in branches provided that the minimum paid in capital of US\$830,000 per retail outlet is complied and maintained.</p> <p>Foreign nationals may become members of the Board of Directors to the extent of the foreign participation in the equity of the enterprise.</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Prior notification for cessation of operation and for opening and closing of outlets.</p> <p>Provided further that 30 percent local inventory requirement, public offering requirement under certain conditions and prohibition to engage in certain retailing activities are complied.</p> <p>Every registered foreign retail outlets are to submit to the Department of Trade and Industry (DTI)</p>	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>EDUCATION SERVICES</b>			
C. Higher Education Services	(1) Unbound (2) None (3) Up to 51% foreign participation for religious orders and mission boards, provided they are previously existing in the country of origin, duly recognised as a religious order or mission board; foreign student population shall not be more than 1/3 of the total Filipino student population per program/discipline; the operation and administration shall remain with Filipino citizens; and regulations of the CHED on the operation of higher degree programs	(1) Unbound (2) None (3) None	
C. Higher Education Services Post-secondary technical and vocational educational institutions established by religious groups and mission boards (CPC 923**)	(1) Unbound (2) None (3) Up to 70% foreign equity participation is allowed provided that the control and administration of educational institutions shall be vested in citizens of the Philippines	(1) Unbound (2) None (3) None, except that no educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third of the enrolment in any school; and unless incorporated as a stock or non-stock educational corporations pursuant to the Corporation Code of Philippines.	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>D. Adult Education Services</p> <p>Educational institutions established by religious groups and mission boards (CPC 924**)</p> <p>E. Other Education Services</p> <p>Educational institutions established by religious groups and mission boards (CPC 929**)</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) Up to 70% foreign equity participation is allowed provided that the control and administration of educational institutions shall be vested in citizens of the Philippines</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) None, except that no educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third of the enrolment in any school; and unless incorporated as a stock or non-stock educational corporations pursuant to the Corporation Code of Philippines.</p>	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>ENVIRONMENTAL SERVICES</b>			
a. Sewerage services (CPC 9401)	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) For participation in public and/or private sewerage services, up to 40% foreign equity participation is allowed.</p> <p>For participation in public and/or private sewerage services in Metro Manila, it is subject to negotiations and agreement with concessionaires (i.e., Manila Water and Maynilad) and approval/regulation by the Metropolitan Waterworks and Sewerage System (MWSS). If the parties agreed (MWSS &amp; the two concessionaires), amendment of the Concession Agreement shall be made.</p> <p>For areas outside Metro Manila, entry into public and/or private sewerage services is subject to the following:</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) None</p>	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
	<p>a) Where Local Water Districts (LWDs) exist, participation or entry should be in the form of partnership or corporation which may then enter into a BOT Scheme or other similar schemes or other forms of contractual agreements/ arrangements with the LWDs.</p> <p>b) In the absence of existing LWDs, entry should still be in the form of partnership or corporation; however, the contractual agreements/arrangements that may be entered into will be with local government unit/s concerned.</p>		



**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>B. Refuse Disposal Services</p> <ul style="list-style-type: none"> <li>- Establishment of recycling center/facility and TSD (treatment, storage and disposal) facility under the BOT scheme (CPC 94020**)</li> </ul>	<p>(1) None</p> <p>(2) None</p> <p>(3) The limitations on foreign equity in the horizontal section do not apply for projects under the BOT scheme. However, a Special Contractor's License is required to be secured by foreign companies to undertake construction activities.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
C. Sanitation and similar services	(1) Unbound*	(1) Unbound*	
Sanitation and similar services limited to hail-clearing services (CPC 9403**)	(2) None (3) Up to 70 percent foreign equity participation is allowed	(2) None (3) None	
D. Other	(1) None	(1) None	
Cleaning services of exhaust gases for a factory (CPC 9404)	(2) None (3) Up to 51 percent foreign equity participation is allowed	(2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>HEALTH RELATED AND SOCIAL SERVICES</b>			
A.Hospital services (CPC 9311)	(1) Unbound*	(1) Unbound*	
B. Other human health services n.e.c.	(2) None	(2) None	
Laboratory services	(3) The limitations on foreign equity in the horizontal section do not apply.	(3) None	
i. Veterinary Services	(1) None	(1) None	
Other veterinary services-	(2) None	(2) None	
Specialised Hospital services for pets (CPC 93201**)	(3) Up to 70 percent foreign equity participation is allowed.	(3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
i. Veterinary medicine (CPC 932)	(1) None (2) None (3) Corporate practice is not allowed.	(1) None (2) None (3) None	A foreigner may be admitted to take the exams or be registered as veterinarians if the country of which he/she is citizen permits Filipino citizens to practice the profession without need for registration, or allows them to practice after an examination on terms of strict / absolute equality with nationals of said country. This limitation also applies to national treatment.
Services relating to ergotherapy, speech therapy, homeopathy and acupuncture provided by para-medical personnel  (CPC 93191**)	(1) None (2) None (3) Up to 70 percent foreign equity participation is allowed.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
C. Social Services  Welfare services delivered through residential institutions to old persons and the adult handicapped/differently-abled persons excluding social work practice (CPC 93311**)	(1) Unbound*  (2) None  (3) None, except that foreign equity participation is limited to a maximum of 70%	(1) Unbound*  (2) None  (3) None	
D. Other  Ambulance services ancillary to private hospitals (i.e., operated and owned by private hospitals for the benefit of their patients and not for hire) (CPC 93192**)	(1) Unbound*  (2) None  (3) Up to 70% foreign equity participation is allowed	(1) Unbound*  (2) None  (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>TOURISM AND TRAVEL RELATED SERVICES</b>			
Hotel, resort, pension houses, tourist inns apartelles lodging services (CPC 64110)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Meal Serving Services with Full Restaurant Service (CPC 64210)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Beverage Serving Services for consumption on the premises (CPC 6431 - 6431(2))	(1) None (2) None (3) None	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
B. Travel agencies and tour operators services	(1) None	(1) None	
Travel Agencies and Tour Operator (CPC 7471)	(2) None	(2) None	
	(3) Up to 70% foreign equity is allowed	(3) None	
D. Other:	(1) None	(1) None	
Hotel management services for all hotel categories including boutique and specialty hotels	(2) None	(2) None	
	(3) Up to 70% foreign equity is allowed	(3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b>			
A. Entertainment services (including theatre, live bands and circus services)  Singer group and band entertainment services (CPC 96191**)	(1) None  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) None  (2) None  (3) None	
A. Entertainment Services (including theater, live bands and circus services)  Other entertainment services:  - Certified ballroom dance instructor and/or degree-licensed dance teacher services - (CPC 96195**)	(1) None  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) None  (2) None  (3) None	
B. News Agency Services  Supply services of news pictures to printed book businesses (CPC 96212**)	(1) None  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) None  (2) None  (3) None	



**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
C. Private museum services, except for historical sites and buildings (CPC 96321**)	(1) Unbound* (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	
D. Sporting and other Recreational Services  Sporting services  - Sport event organization services by private sports clubs (CPC 96412**)	(1) Unbound* (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>TRANSPORT SERVICES</b>			
All Subsectors	(3) No franchise, certificate, or any other form of authorisation for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organised under the Laws of the Philippines at least 60 per cent of whose capital is owned by such citizens.  Limitations listed in the horizontal section shall also apply		

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>A. Maritime Transport Services</b>			
International Transport passenger, except cabotage transport, and government own cargoes.	(1) None (2) None (3) None	(1) None (2) None (3) None	
International transport (freight), except cabotage transport and government own cargoes	(1) None (2) None (3) None	(1) None (2) None (3) None	
Maritime cargo freight services by foreign registered shipping companies (CPC 7212**)	(1) None (2) None (3) None. Except that up to 70% foreign equity participation is allowed	(1) None (2) None (3) None	
Leasing/Rental of vessel without crew	(1) None (2) None (3) Bareboat charter or lease contract subject to approval by the Maritime Industry Authority (MARINA)	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maintenance of vessels	(1) Unbound due to lack of technical feasibility  (2) Any repairs, conversion or drydocking of Philippine-owned or registered vessels are required to be done at domestic repair yards registered with the Maritime Industry Authority (MARINA)  (3) None	(1) Unbound due to lack of technical feasibility  (2) None  (3) None	
Repair of vessels	(1) Unbound due to lack of technical feasibility  (2) Any repairs, conversion or drydocking of Philippine-owned or registered vessels are required to be done at domestic repair yards registered with the Maritime Industry Authority (MARINA)  (3) None except that up to 70% foreign equity participation is allowed	(1) Unbound due to lack of technical feasibility  (2) None  (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Pushing and towing services (CPC 72140)	(1) Unbound* (2) None (3) Up to 40% foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	
Supporting services for maritime transport (CPC 745**) Container yard and depot services	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	
Port and waterway operation services (CPC 74510)	(1) Unbound* (2) None (3) Up to 40% foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	
Maritime agency services (CPC 7454)	(1) None (2) None (3) None	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Other supporting services for water transport (CPC 74590)	(1) Unbound* (2) None (3) Up to 40% foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	
Classification societies	(1) None (2) None (3) Unbound, except up to 40 per cent foreign equity is allowed	(1) None (2) None (3) Unbound	
Vessel and salvage refloating services provided in oceans and seas (CPC 745**)	(1) None (2) None (3) Up to 70% foreign equity participation is allowed	(1) None (2) None (3) Subject to issuance of permits and supervision by the Philippine Coast Guard for the salvage of vessels and marine salvage operation, respectively, within the maritime jurisdiction of the Philippines	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>E. Rail Transport Services</b>			
a. Passenger transportation (CPC 7111)	(1) Unbound* (2) None	(1) Unbound* (2) None	
b. Freight transportation (CPC 7112)	(3) Up to 40% foreign equity participation is allowed.	(3) None.	
e. Supporting services (CPC 743) Railroad, street railway, traction railway			
d. Maintenance and repair of rail transport equipment (CPC 8868**)	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>F. Road Transport Services</b>			
a. Passenger transportation (CPC 7121+ CPC 7122)	(1) Unbound*  (2) None	(1) Unbound*  (2) None	
b. Freight transportation (CPC 7123)	(3) Up to 40% foreign equity participation is allowed.	(3) None	
c. Rental of commercial vehicles with operator(CPC 7124)			
d. Maintenance and repair of road transport equipment (CPC 8867)	(1) Unbound*  (2) None  (3) None	(1) Unbound*  (2) None  (3) None	
Routine cleaning and maintenance services limited to vehicle laundry and car-wash services (CPC 6112**)	(1) Unbound*  (2) None  (3) Up to 70% foreign equity participation is allowed	(1) Unbound*  (2) None  (3) None	
e. Supporting services for road transport services  Parking services (CPC 7443)	(1) Unbound*  (2) None  (3) Up to 70 per cent foreign equity participation is allowed.	(1) Unbound*  (2) None  (3) None, except	



**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
<b>G. Pipeline Transport (CPC 713)</b>	(1) Unbound* (2) None (3) Up to 40% foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>H. Services auxiliary to all modes of transport</b>			
a. Cargo handling services	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	
Cargo handling services at the Subic Bay Freeport Zone (CPC 741**)	(1) Unbound* (2) None (3) None, except that up to 70% foreign equity participation is allowed	(1) Unbound* (2) None (3) None	
b. Storage and warehousing services	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	
Storage and warehouse services at the Subic Bay Freeport Zone (CPC 742**)	(1) Unbound* (2) None (3) None, except that up to 70% foreign equity participation is allowed	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
c. Freight transport agency services (CPC 74800**) International freight forwarding by sea	(1) None (2) None (3) Up to 100% foreign equity participation is allowed, provided that paid-in equity capital is not less than \$200,000. Otherwise maximum foreign equity participation is 40%.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Domestic freight forwarding by sea	(1) None (2) None (3) Up to 40% foreign equity participation is allowed.	(1) None (2) None (3) None	
Other  Packing and crating and unpacking and de-crating services (CPC 749**)	(1) None (2) None (3) Up to 70 per cent foreign equity participation is allowed.	(1) None (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>OTHER SERVICES NOT INCLUDED ELSEWHERE</b>			
Services related to the supply of energy Oil Terminals/Depot	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	
Oil refinery	(1) Unbound* (2) None (3) Initial public offering for 10 percent of common stock is required on commencement of refinery operation	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Oil and gas exploration and development	(1) Unbound* (2) None (3) Up to 100 percent foreign equity participation is allowed subject to approval of the President.  The Constitution allows the President to enter into service contract agreements with foreign-owned corporations for technical, financial or other forms of assistance involving large-scale exploration, development and utilization of petroleum.	(1) Unbound* (2) None (3) None	
Geothermal exploration and development  Coal exploration and development	(1) Unbound* (2) None (3) Up to 40 percent foreign equity participation is allowed.	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
<b>Services related to power generation</b>			
Construction of power plants under BOT scheme	(1) Unbound* (2) None (3) The limitation on foreign equity in the horizontal section does not apply under the BOT scheme. However, a Special Contractor's License is required to be secured by foreign companies to undertake construction activities.	(1) Unbound* (2) None (3) None	

**PHILIPPINES – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 8<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services**

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

<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Operation of Power Plants under BOT schemes	(1) Unbound* (2) None (3) Electric cooperative operation is limited to Filipinos	(1) Unbound* (2) None (3) None	
Religious services (CPC 95910)	(1) None (2) None (3) Up to 70 per cent foreign equity is allowed	(1) None (2) None (3) None	



## **Notes to the Specific Commitments in the Sectors of Transport Services:**

### Maritime Transport Services

1. <<Maritime Agency Services>> means activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:
  - (a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
  - (b) acting on behalf of the companies organising the call of the ship or taking over cargoes when required.
2. <<Pushing and towing services>> on the high seas and on coastal waters shall mean the business of pulling a vessel with the help of a watercraft/vessel, which is equipped with powerful engines and deck mounted winches to perform towing and pushing services. This is a service provided to ships, which are difficult to maneuver to berth or during bad weather conditions to assure their safety. These services are generally provided by vessels, which do not themselves carry freight or passengers.
3. <<Maritime cargo handling services>> means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:
  - the loading/discharging of cargo to/from ship;
  - the lashing/unlashing of cargo;
  - the reception/delivery and safekeeping of cargoes before shipment or after discharge
4. <<Port and waterway operation services>> shall mean the operation services of Ferry Terminals under the Road Roll-On/Roll-Off Terminal System (RRTS) of the Philippines' Strong Republic Nautical Highway (SRNH). The Guidelines on the Development, Construction, Management and Operation of Ferry Terminals under the Road Roll-on Roll-Off Terminal System (RRTS) is contained in Philippine Ports Authority (PPA) Administrative Order No. 03-2004.

### Freight Forwarding Services

1. Notwithstanding the fact that road, rail, inland waterways and related auxiliary services are not fully covered in this schedule of specific commitments, a multimodal transport operator shall have the ability to rent or lease trucks, railway carriages or barges, and related equipment, for the purposes 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 purposes of carrying out multimodal transport operations.

Note1 <<Multimodal transport operator>> means any person who on his own or behalf or through another person acting on his behalf concludes a multimodal transport contract and who acts as a principal, not as an agent or on behalf of the consignor or of the carriers participating in the multimodal transport operations, and who assumes responsibility for the performance of the contract.

Note2 <<Reasonable and non-discriminatory terms and conditions>> means, for the purposes of multimodal transport operations, the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date.