

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 subsector	Limitation on market access	Limitation on national treatment	Additional commitments
<p>1. MARITIME TRANSPORT</p> <p>a) Freight Transportation (CPC 7212)</p> <p>(less cabotage transport: as defined below 3.1)</p>	<p>1) None</p> <p>2) None</p> <p>3) a) Unbound for establishment juristic person for the purpose of operating a fleet under the national flag of Thailand.</p> <p>b) Other forms of commercial presence for the supply of international maritime transport services (as defined below –3.2 except branch office: As indicated in the horizontal section.</p> <p>4) a) Ship’s crews: Unbound b) Other personnel: As indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) a) Unbound b) None other than :</p> <p>i) Shareholders of Thai maritime transport companies with ownership of Thai flag vessels may be granted exemption or reduced rates of income tax leviable on dividends paid by such companies.</p> <p>ii) Exporters or importers of goods shipped from or to Thailand by Thai flag vessels may be entitled to special deduction of not more than 50% of the freight values or other expenses paid in the ordinary course of carriage of such goods from their net income for the purpose of calculation of income tax.</p> <p>4) a) Unbound b) None</p>	

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<p>b) Customs Clearance Services</p> <p>(Activities consisting of carrying out on behalf of another party customs formalities concerning the import, export or through transport of cargoes, whether this service is the main activities of the supplier or a usual complement of its main activities.)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) As indicated in the horizontal section. In addition a customs broker must be natural person of Thai nationality and must obtain a license from the Customs Department.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does exceed 49 per cent. In addition a customs broker must be natural person of Thai nationality and must obtain a license of Customs Department.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	

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<p>2. TOURISM</p> <p>a) Motel lodging Services (CPC 64120)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section.</p> <p>4) As indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	
<p>b) Other Lodging Services</p> <p>(i) Holiday center and holiday home services (CPC 64192)</p> <p>(ii) Camping and caravan site services (CPC 64195)</p> <p>(iii) Theme Parks, Amusement Parks (CPC 96194)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section.</p> <p>4) As indicated in the horizontal section.</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section.</p> <p>4) As indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p> <p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	

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<p>(iv) Marina Facilities</p> <p>(A small sea, lake or river harbour with docking facilities for motor and sailing boats, with maintenance and supply services Marina provide berths for long and short term use and some also offer boat charter)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section.</p> <p>4) As indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	

1. Where road, rail, inland waterways and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator shall have the ability to rent or lease trucks, railway carriages or barges, and related equipment, for the purpose of inland forwarding of cargoes, or have access to and use of these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations.
2. “**Reasonable and non-discriminatory terms and conditions**” means, for the purpose of multimodal transport operations, the ability of multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which enter the port at a later date.
3. Definitions:
 - 3.1 “**Cabotage**” : for the purpose of this schedule, means the transportation or towage of passengers or goods, between a port or place located in Thai waters and another port or place located in Thai waters.
 - 3.2 “**Other forms of commercial presence for the supply of international maritime transport services**” : for the purpose of this schedule, means the ability for international maritime transport service suppliers of other members to undertake locally the following:
 - a) Marketing and sales of maritime transport services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself;
 - b) The procurement, on their own account of any transport and related services, necessary for the supply of the integrated services;
 - 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 activities consisting of organizational and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information.