



**BRUNEI DARUSSALAM – SCHEDULE OF COMMITMENTS**

For the 10<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
		<ul style="list-style-type: none"> <li>vi) The Institute of Chartered Accountants of Ireland</li> <li>vii) The Institute of Chartered Accountants of Scotland</li>   <li>b) Relevant audit practical experience of not less than three (3) years cumulatively within five (5) year period.</li>   <li>c) Fulfil 40 unit/hours of Continuous Professional Education (CPE) requirement.</li>   <li>d) Must be a member of Brunei Institute of Certified Public Accountants (BICPA) as National Accountancy Bodies.</li> </ul>	

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	<p>(2) Foreign-based auditors public accountants) are allowed to provide public accountancy services in Brunei Darussalam in accordance to Accountants Order 2010 and approved by the Ministry of Finance through the Public Accountants Oversight Committee (PACC).</p>	<p>(2) Professional accountants who intend to become a Public Accountant must possess the following prescribe by Ministry of Finance:</p> <p>a) Passed examination in accountancy from any recognised professional accountancy body listed below:</p> <ul style="list-style-type: none"> <li>i) CPA Australia</li> <li>ii) ACCA</li> <li>iii) The Institute of Chartered Accountants of Australia</li> <li>iv) The Institute of Chartered Accountants of Canada</li> <li>v) The Institute of England and Wales</li> <li>vi) The Institute of Chartered Accountants of Ireland</li> <li>vii) The Institute of Chartered Accountants of Scotland</li> </ul> <p>b) Relevant audit practical experience of not less than three (3) years cumulatively within five (5) year period.</p> <p>c) Fulfil 40 unit/hours of Continuous Professional Education (CPE) requirement.</p> <p>d) Must be a member of Brunei Institute of Certified Public Accountants (BICPA) as National Accountancy Bodies.</p>	

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	<p>(3) A Public Accountant who intend to set up a business in Brunei Darussalam must adhere to Part V of the Accountants Order and it is subject to approval by Ministry of Finance.</p>	<p>(3) a) To maintain a localisation programme.</p> <p>b) For applicants who are not citizens or permanent residents of Brunei:</p> <ul style="list-style-type: none"> <li>i) must be residing in Brunei for at least 90 days in one year</li> <li>ii) must have at least one local partner who is a Public Accountant at the same firm</li> </ul> <p>c) For foreign applicants who cannot fulfil requirements in (b) above may be considered if he/she satisfies other requirements with regards to any other requirements prescribed by the Ministry of Finance.</p>	

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<b>Sector or Subsector</b>	<b>Limitation on Market Access</b>	<b>Limitation on National Treatment</b>	<b>Additional Commitments</b>
Architectural Services (CPC 8671)	(1) None, other than plans should be submitted by licensed practicing Architects in Brunei Darussalam*.  (2) None  (3) Foreign Equity Participation should not exceed 70%.	(1) None  (2) None  (3) None	

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Engineering Services (CPC 8672)	(1) None, other than plans should be submitted by licensed practicing Engineers and registered company/partnership in Brunei Darussalam*.  (2) None  (3) Foreign Equity Participation should not exceed 70%.	(1) None  (2) None  (3) None	
Integrated Engineering Services (CPC 8673)  - for Transportation Infrastructure Turnkey Projects (CPC 86731)  - for Water Supply and Sanitation Works Turnkey Projects (CPC 86732)  - for the Construction of Manufacturing Turnkey Projects (CPC 86733)  - for Other Turnkey Projects (CPC 86739)	(1) None, other than plans should be submitted by licensed practicing Engineers and registered company/partnership in Brunei Darussalam*.  (2) None  (3) Foreign Equity Participation should not exceed 70%.	(1) None  (2) None  (3) None	

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Urban planning and landscape architectural services (CPC 8674)	(1) None, other than plans should be submitted by licensed practicing Urban Planners in Brunei Darussalam.  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Veterinary Services (CPC 932)	(1) None  (2) None  (3) Foreign Equity Participation should not exceed 70%	(1) None  (2) None  (3) None	
<b>Others Professional Services:</b> Industrial design services (CPC 83912)	(1) None  (2) None  (3) Foreign Equity Participation should not exceed 70%.	(1) None  (2) None  (3) None	

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<b>B. Computer and Related Services</b>	(1) None	(1) None	
Consultancy Services related to the Installation of Computer Hardware (CPC 841)	(2) None	(2) None	
Software Implementation Services (CPC 842)	(3) None	(3) None	
Data Processing Services (CPC 843)			
Database Services (CPC 844)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Commercial presence is permitted only through a company which is registered in Brunei Darussalam with foreign equity not exceeding 70%.	(3) None	
Maintenance and repair services of office machinery and equipment including computers (CPC 845)	(1) None	(1) None	
	(2) None	(2) None	
Other computer Services (CPC 849)	(3) None	(3) None	



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<b>C. Research and Development Services</b>  R&D services on natural sciences and engineering (CPC 851/8510)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign equity participation should not exceed 70%.	(3) None	
R&D services on social sciences and humanities (CPC 852/8520)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign equity participation should not exceed 70%.	(3) None	
Interdisciplinary R&D services (CPC 853/8530)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign equity participation should not exceed 70%.	(3) None	

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<b>D. Real Estate Services</b>  Renting or leasing services involving own or leased non-residential property (CPC 82102)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign equity participation should not exceed 70%.	(3) None	
On a fee or contract basis (CPC 8220)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Unbound	(3) None	
<b>E. Rental / Leasing Services without Operators</b>  Relating to ships (CPC 83103)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign equity participation should not exceed 70%.	(3) None	
Relating to other transport equipment (CPC 83101 + 83102 + 83105)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign equity participation should not exceed 70%.	(3) None	

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Relating to other machinery and equipment (CPC 83106-83109)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Rental/Leasing services concerning personal and household goods (CPC 8320)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>F. Other Business Services</b>	(1) None	(1) None	
Sale or leasing services of advertising space or time (CPC 8711)	(2) None (3) Foreign equity participation should not exceed 70%.	(2) None (3) None	
Planning, creating and placement services of advertising (CPC 8712)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Other advertising services (Advertising consultancy services) (CPC 8719)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	

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Marketing research and public opinion polling services (CPC864/8640)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Management consulting service (CPC 865/8650)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Services related to management consulting (including management services n.e.c) (CPC 866/8660)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	

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Technical testing and analysis services (including other technical testing and analysis services) (CPC 8676)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Services incidental to energy distribution (CPC 887)  Exclusively covers only Consultancy services related to the transmission and distribution on a fee or contract basis of electricity, gaseous fuels and steam and hot water to household, industrial, commercial and other users.	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Placement and supply services of Personnel (CPC 872)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Investigation and security (CPC 873)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	

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Related scientific and technical consulting services (CPC 8675)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633+8861-8866)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	

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Building-cleaning services (CPC 874)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Photographic services (CPC 875/8750)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Packaging services (CPC 876/8760)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	



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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Printing, publishing services (CPC 88442)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Duplicating services (CPC 87904)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Convention Services (Exhibition only) (CPC 87909*)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	

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Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Mailing list compilation and mailing services (CPC 87906)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Specialty design services (CPC 87907)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	



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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Packet- switched data transmission services (CPC 7523**)	(1) None (2) None (3) Only through locally incorporated JV corporation with Bruneian individuals or Bruneian controlled corporations;  Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Telex services (CPC 7523**)  Telegraph services (CPC 7522**)	(1) None (2) None (3) None	(1) None (2) None (3) None	

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Facsimile services (CPC 7521** + 7529**)	(1) None  (2) None  (3) None	(1) None  (2) None  (3) None	
Private leased circuit services (CPC 7522**+7523**)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Electronic mail (CPC 7523**)	(1) None  (2) None  (3) None	(1) None  (2) None  (3) None	
Voice Mail (CPC 7523**)	(1) Subject to commercial arrangements with licensed operator(s).  (2) None  (3) None	(1) None  (2) None  (3) None	

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On-line information and database retrieval (CPC 7523**)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Electronic data interchange (EDI) (CPC 7523**)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Enhanced/value-added facsimile services, including store and forward and retrieve (CPC 7523**)	(1) None (2) None (3) None	(1) None (2) None (3) None	

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Code and Protocol Conversion	(1) None (2) None (3) Only through locally incorporated JV corporation with Bruneian individuals or Bruneian controlled corporations. Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Online Information and Data Processing (including transaction processing) (CPC 843*)	(1) None (2) None (3) Only through locally incorporated JV corporation with Bruneian individuals or Bruneian controlled corporations.	(1) None (2) None (3) None	

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Public Non-Fixed*	(1) None, except subject to commercial arrangements with licensed operator(s)*.  (2) None, except subject to commercial arrangements with licensed operator(s).  (3) None	(1) None  (2) None  (3) None	This offer is based on the new licensing regime under the new Telecommunications Order 2001.  This offer is for reselling of services using infrastructure owned by an AITI licensee as per the new licensing framework of the regulatory authority under Telecommunications Order 2001.
Local Services  Public Switched Voice Telephone Services	(1) Subject to commercial arrangements with licensed operator(s).  (2) None  (3) None	(1) None  (2) None  (3) None	



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Public payphone services*	(1) None, except subject to commercial arrangements with licensed operator(s)*.  (2) None, except subject to commercial arrangements with licensed operator(s).  (3) None	(1) None  (2) None  (3) None	This offer is based on the new licensing regime under the new Telecommunications Order 2001.
International Service:  Public Switched Voice Telephone Services	(1) Subject to commercial arrangements with licensed operator(s).  (2) Subject to commercial arrangements with licensed operator(s).  (3) None	(1) None  (2) None  (3) None	

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Mobile Services: Public Cellular Mobile Telephone Service.	(1) Subject to commercial arrangements with licensed operator(s).  (2) Subject to commercial arrangements with licensed operator(s).  (3) None	(1) None  (2) None  (3) None	
Prepaid Telecommunications Services	(1) None, except subject to commercial arrangements with licensed operator(s).  (2) None, except subject to commercial arrangements with licensed operator(s).  (3) None	(1) None  (2) None  (3) None	This offer is based on the new licensing regime under the new Telecommunications Order 2001.

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Paging Services (CPC 75291)	(1) None (2) None (3) Only through locally incorporated JV corporation with Bruneian individuals or Bruneian controlled corporations. Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Trunked Radio service	(1) Subject to commercial arrangements with licensed operator(s). (2) Subject to commercial arrangements with licensed operator(s). (3) None	(1) None (2) None (3) None	
Video text (CPC 75299*)	(1) Subject to commercial arrangements with licensed operator(s). (2) Subject to commercial arrangements with licensed operator(s). (3) None	(1) None (2) None (3) None	

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<b>D. Audio-visual Services</b>			
Motion picture and video tape production and distribution services (CPC 9611)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Motion picture projection service (CPC 9612)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Radio and television services (CPC 9613)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
Radio and television transmission services (CPC 7524)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	

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Sound recording (n.a.)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Others: Audio-visual production support services (CPC 96130)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Other Communication Services Data transmission services (CPC 84150)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	

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<b>CONSTRUCTION AND RELATED ENGINEERING SERVICES</b>			
Pre-erection Work at Construction Site (CPC511)	(1) Unbound *	(1) Unbound*	
Construction Work for Buildings (CPC512)	(2) None	(2) None	
Construction Work for Civil Engineering (CPC513)	(3) Foreign equity participation should not exceed 70%.	(3) None	
Assembly and Erection of Prefabricated Constructions (CPC514)			
Special Trade Construction (CPC515)			
Installation Work (CPC516)			
Building Completion and Finishing Work (CPC517)			
Renting services related to equipment for construction or demolition of building or civil engineering works with operator (CPC 518)			

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<b>DISTRIBUTION SERVICES</b>			
Commission agents' services (CPC 621)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Wholesale trade services (CPC 622)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Retailing services (CPC 631+632+6111+6113+6121)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Franchising (CPC 8929)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	

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Other Distribution Services: Retail sales of motor fuel and fuel oil for private limited companies only	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	



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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>EDUCATION SERVICES</b>			
Primary Education  For International School Only (CPC 921)	(1) None  (2) None  (3) Only through a joint venture with foreign equity not exceeding 70%.	(1) None  (2) None  (3) A majority of the senior managers in any such enterprise are Bruneian nationals.	
Secondary Education  For International School Only (CPC 922)	(1) None  (2) None  (3) Only through a joint venture with foreign equity not exceeding 70%.	(1) None  (2) None  (3) A majority of the senior managers in any such enterprise are Bruneian nationals.	
Higher Education (CPC 923)  1) Other Higher Education Services provided by privately funded higher education institutions [excluding courses such as engineering, medicine, law and architecture on undergraduate and graduate programmes]  2) Other Higher Education Services provided by privately funded higher institutions [ except for those institutions which has government subsidies and investment]	(1) None  (2) None  (3) Only through a joint venture with foreign equity not exceeding 70%.	(1) None  (2) None  (3) A majority of the senior managers in any such enterprise are Bruneian nationals.	

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For the 10<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Adult Education  Courses with the maximum duration of 3 months (Private education) (CPC 924)	(1) None  (2) None  (3) Only through a joint venture with foreign equity not exceeding 70%.	(1) None  (2) None  (3) A majority of the senior managers in any such enterprise are Bruneian nationals.	
Adult Education Services For Skill Centre Only  (CPC 924)	(1) None  (2) None  (3) Only through a joint venture with foreign equity not exceeding 70%.	(1) None  (2) None  (3) A majority of the senior managers in any such enterprise are Bruneian nationals.	
Foreign Language Training Centre  (CPC 929)	(1) None  (2) None  (3) Only through a joint venture with foreign equity not exceeding 70%.	(1) None  (2) None  (3) A majority of the senior managers in any such enterprise are Bruneian nationals.	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>ENVIRONMENTAL SERVICES</b>			
Refuse disposal services (CPC 9402)	(1) None  (2) None  (3) Through a joint venture with foreign equity participation not exceeding 70%.	(1) None  (2) None  (3) None	
Other environmental services	(1) None  (2) None  (3) Through a joint venture with foreign equity participation not exceeding 70%.	(1) None  (2) None  (3) None	
Sewage Services (CPC 9401)	(1) None  (2) None  (3) Through a joint venture with foreign equity participation not exceeding 70%.	(1) None  (2) None  (3) None	
Sanitation and Similar Services (CPC 9403)	(1) None  (2) None  (3) Through a joint venture with foreign equity participation not exceeding 70%.	(1) None  (2) None  (3) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>HEALTHCARE SERVICES</b>			
Medical and Dental Services (CPC 9312)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Services provided by midwives, nurses, physiotherapists and para- medical personnel  (CPC 93191)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Hospital services (excluding Laboratory and X-Ray Services) (CPC9311/93110)	(1) Unbound* (2) None (3) None	(1) Unbound* (2) None (3) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Laboratory Services (CPC 9311X)	(1) None (2) None (3) None	(1) None (2) None (3) None	
X-Ray services (CPC 9311X)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Pharmaceutical services (CPC 9319) (other than 93191)	(1) None (2) None (3) None	(1) None (2) None (3) None	
Social Services  Child Day-care services incl. day-care for the handicapped. (CPC 93321)	(1) None (2) None (3) Foreign equity participation should not exceed 70% subject to the approval of the relevant agencies.	(1) None (2) None (3) None	
Other Health Related and Social Services:  Ambulance services (CPC 93194)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>TOURISM AND TRAVEL RELATED SERVICES</b>			
Hotel Lodging Services (CPC 64110)	(1) None  (2) None  (3) Joint venture corporation with Bruneian individuals or Bruneian-controlled corporations or both the aggregate foreign shareholding in the joint venture corporation shall not exceed 70% foreign equity.	(1) None  (2) None  (3) None	
Restaurants (CPC 642,643)	(1) None* (no alcoholic drinks and beverage is allowed)  (2) None  (3) Joint venture corporation with Bruneian individuals or Bruneian-controlled corporations or both the aggregate foreign shareholding in the joint venture corporation shall not exceed 70% foreign equity.	(1) None* (no alcoholic drinks and beverage is allowed)  (2) None  (3) None	

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3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Other Tourism Services - Youth Hostel - Golf Courses - Marina Facilities	(1) None  (2) None  (3) Joint venture corporation with Bruneian individuals or Bruneian-controlled corporations or both the aggregate foreign shareholding in the joint venture corporation shall not exceed 70% foreign equity.	(1) None  (2) None  (3) None	
Travel agencies and tour operators services (CPC7471)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Tourist guide services (for bird-watching only) (CPC 7472)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Other tourism Consultancy Services (for bird-watching only)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b>			
Theme Parks (CPC 9619)	(1) None  (2) None  (3) Joint venture corporation with Bruneian individuals or Bruneian-controlled corporations or both the aggregate foreign shareholding in the joint venture corporation shall not exceed 70% foreign equity.	(1) None  (2) None  (3) None	
News Agency Services (CPC 962)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Sports event promotion services (CPC 96411)  Sports event organization services (CPC 96412)  Sports facility operation services (CPC 96413)	(1) Unbound*  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) Unbound*  (2) None  (3) None	
Library Services (CPC 96311)  Archive Services (CPC 96312)	(1) Unbound*  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) Unbound*  (2) None  (3) None	





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3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Rental of Vessels with Crew (CPC 7213)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 51%.	(1) None  (2) None  (3) None	
Rental of Vessels with Crew (CPC 7213)  (except related to tankers)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 70%.	(1) None  (2) None  (3) None	
Pushing and Towing Services (CPC 7214)  (excluding tow services of oil rigs)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 70%.	(1) None  (2) None  (3) None	
Maintenance and Repair of Vessels (CPC 8868**)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 51%.	(1) None  (2) None  (3) None	

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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
Maritime Agency Services (CPC 7454*)	(1) None (2) None (3) Foreign equity participation shall not exceed 51%.	(1) None (2) None (3) None	
Maritime Agency Services (CPC 7454*)  (only applies to Vessel salvage and refloating services (74540) and tugboat services (except for pilotage))	(1) None (2) None (3) Foreign equity participation shall not exceed 70%.	(1) None (2) None (3) None	
<b>B. Internal Waterways Transport Services</b>  Passenger transportation (CPC7221)	(1) None (2) None (3) Foreign equity participation shall not exceed 51%.	(1) None (2) None (3) None	
Freight transportation (CPC 7222)	(1) None (2) None (3) a) The supply of internal waterways transport, excluding vessels for the carriage and transportation of energy goods, foreign equity participation shall not exceed 51%; b) The supply of internal waterway transport of energy goods: unbound.	(1) None (2) None (3) None	

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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
Freight transportation (CPC 7222)  (except the transportation of bulk liquids and gases)	(1) None  (2) None  (3) a) The supply of internal waterways transport, excluding vessels for the carriage and transportation of energy goods, foreign equity participation shall not exceed 70%.  b) The supply of internal waterway transport of energy goods: unbound.	(1) None  (2) None  (3) None	
Rental of Vessels with Crew (CPC 7223)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 51%.	(1) None  (2) None  (3) None	
Pushing and Towing Services (CPC 7224)  (except towing services of oil rigs)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 70%.	(1) None  (2) None  (3) None	

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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
Maintenance and Repair of Vessels (CPC 8868**)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 51%.	(1) None  (2) None  (3) None	
Supporting Services for Internal Waterway Transport (CPC 745*)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 51%.	(1) None  (2) None  (3) None	
Supporting Services for Internal Waterway Transport (CPC 745*)  (only for vessel salvage and refloating services)	(1) None  (2) None  (3) Foreign equity participation shall not exceed 70%.	(1) None  (2) None  (3) None	
<b>D. Space Transport</b> (CPC 733/7330)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	

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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. Rail Transport Services</b>			
Passenger transportation (CPC 7111)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Freight transportation (CPC 7112)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Pushing and towing services (CPC 7113)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%.	(1) None  (2) None  (3) None	
Maintenance and repair of rail transport equipment (CPC 8868)	(1) None  (2) None  (3) Foreign equity participation should not exceed 70%	(1) None  (2) None  (3) None	

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2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Supporting services for rail transport services (CPC 743)	(1) None (2) None (3) Foreign equity participation should not exceed 70%.	(1) None (2) None (3) None	
<b>H. Services Auxiliary to All Modes of Transport</b>  Maritime Cargo Handling Services  CPC741	(1) None (2) None (3) Foreign equity participation shall not exceed 70%.	(1) None (2) None (3) None	
Storage and warehousing services CPC 742	(1) None (2) None (3) Foreign equity participation shall not exceed 70%.	(1) None (2) None (3) None	
Maritime Freight Forwarding Services  CPC748	(1) None (2) None (3) Foreign equity participation shall not exceed 70%.	(1) None (2) None (3) None	

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3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Other Services auxiliary to all modes of transport: For freight receiving and acceptance services only (including local pick-up and delivery). (CPC 749)	(1) None (2) None (3) Foreign equity participation shall not exceed 70%.	(1) None (2) None (3) None	
Other Transport Services: Freight transport agency services and other freight transport services (freight consolidation and break-bulk services only) (CPC 6791)	(1) None (2) None (3) Foreign equity participation shall not exceed 70%.	(1) None (2) None (3) None	
OTHER SERVICES NOT INCLUDED ELSEWHERE:  Dry cleaning services (CPC 9713 )	(1) None (2) None (3) Foreign equity participation shall not exceed 70%.	(1) None (2) None (3) None	



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### REFERENCE PAPER

#### Scope

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

#### Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

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

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

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

#### 1. Competitive safeguards

##### 1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

##### 1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;

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

### 2. Interconnection

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

### 2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

### 2.3 Public availability of the procedures for interconnection negotiations

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

### 2.4 Transparency of interconnection arrangements

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

### 2.5 Interconnection: dispute settlement

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A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

### 3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

### 4. Public availability of licensing criteria

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

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

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

### 5. Independent regulators

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

### 6. Allocation and use of scarce resources

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