

## THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

### For the 6<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>BUSINESS SERVICES</b>			
<b>A. Professional Services</b>			
(a) Legal services (CPC 861)	(1) Unbound  (2) None  (3) None  (4) Unbound	(1) Unbound  (2) None  (3) None  (4) Unbound	
(b) Accounting, auditing and bookkeeping services (CPC 862) (i.e. 86211 to 86213 +86219+86220)	(1) None  (2) None  (3) None  (4) Unbound	(1) Auditing must be authenticated by licensed auditor in Thailand  (2) None  (3) None  (4) Unbound	
(c) Taxation Services (CPC 863 / 8630)	(1) None  (2) None  (3) None  (4) Unbound	(1) Tax filing must be authenticated by licensed tax auditor and/or licensed auditor in Thailand.  (2) None  (3) None  (4) Unbound	

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(d) Architectural services (CPC 8671) (i.e. 86711 to 86714 + 86719)	(1) None  (2) None  (3) Commercial presence is permitted either in the form of a limited liability company or limited partnership or registered ordinary partnership whose head office is registered in Thailand and which meets the following conditions:  a) Foreign equity participation must not exceed 49 per cent of the registered capital;  <u>Limited Liability Company</u>  b) At least half of its director(s), or its managing director must be a person of Thai Nationality and obtain a license from the Architects Council;  <u>Limited Partnership or Registered Ordinary Partnership</u>  c) The managing partner or manager must be the person of Thai nationality; and	(1) Services must be authenticated by licensed architect in Thailand  (2) None  (3) None	

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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>
	d) At least half of its partner or its managing partner must be the person of Thai nationality and obtain a license from the Architects Council.  (4) Unbound	(4) Unbound	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
(e) Engineering services (CPC 8672) (i.e. 86721 to 86727 +86729)	(1) None  (2) None  (3) Commercial presence is permitted either in the form of a limited liability company or limited partnership or registered ordinary partnership whose head office is registered in Thailand and which meets the following conditions:  a) Foreign equity participation must not exceed 49 per cent of the registered capital;  <u>Limited Liability Company</u>  b) At least half of its director(s), or its managing director must be a person of Thai Nationality and obtain a license from Council of Engineers;  <u>Limited Partnership or Registered Ordinary Partnership</u>  c) The managing partner or manager must be the person of Thai nationality; and	(1) Services must be authenticated by licensed engineer in Thailand  (2) None  (3) None	

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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>
	<p>d) At least half of its partner(s), or its managing partner must be the person of Thai nationality and obtain a license from the Engineers Council.</p> <p>(4) a) As indicated in the horizontal section</p> <p>b) Unbound for civil engineer.</p>	<p>(4) Unbound, except as provided in the horizontal section</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
(g) Urban planning services and landscape architectural services (CPC 86741 to 86742)	<p>(1) None</p> <p>(2) None</p> <p>(3) Commercial presence is permitted either in the form of a limited liability company or limited partnership or registered ordinary partnership whose head office is registered in Thailand and which meets the following conditions:</p> <p style="padding-left: 20px;">a) Foreign equity participation must not exceed 49 per cent of the registered capital;</p> <p style="padding-left: 20px;"><u>Limited Liability Company</u></p> <p style="padding-left: 20px;">b) At least half of its director(s), or its managing director must be a person of Thai Nationality and obtain a license from the Architects Council;</p> <p style="padding-left: 20px;"><u>Limited Partnership or Registered Ordinary Partnership</u></p> <p style="padding-left: 20px;">c) The managing partner or manager must be the person of Thai nationality; and</p>	<p>(1) Services must be authenticated by licensed architect in Thailand</p> <p>(2) None</p> <p>(3) None</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	d) At least half of its partner or its managing partner must be the person of Thai nationality and obtain a license from the Architects Council.  (4) Unbound	(4) Unbound	
<b>B. Computer and Related Services</b>			
(a) Consultancy services related to the installation of computer hardware (CPC 841) (i.e. 84100)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) As indicated in the horizontal section	
(b) Software implementation services (CPC 842) (i.e. 84210+84220+84230+84240+ 84250)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) As indicated in the horizontal section	

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(c) Data processing services (excluding those provided over public telecommunications network) (CPC 843) (i.e. 84310+84320+84330+84390)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) As indicated in the horizontal section	
(d) Data base services (excluding those provided over public telecommunications network) (CPC 844)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) As indicated in the horizontal section	
(e) Other Computer services:  Maintenance and repair services of office machinery and equipment including computers (CPC 84500)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as provided in the horizontal section	



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<b>C. Research and development services</b>			
(a) Research and development on natural sciences: research and experimental development services on:  - physical sciences (CPC 85101) - chemistry & biology (CPC 85102) - engineering & technology (CPC 85103)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound except as indicated in the horizontal section	
(b) Research and experimental development services on:  - law (CPC 85203) - linguistics and languages (CPC 85204)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound except as indicated in the horizontal section	

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(b) Research and experimental development services on economics (CPC 85202)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) As indicated in the horizontal section	
<b>E. Rental/Leasing Services without Operator</b>			
(d) Rental and leasing services concerning  - agricultural machinery and equipment without operator (CPC 83106)  - construction machinery and equipment without operator (CPC 83107)  - office machinery and equipment without operator (CPC 83108)  - other machinery and equipment without operator (CPC 83109)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	

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<b>F. Other Business Services</b>			
(a) Advertising services (CPC 871)	(1) Unbound  (2) None  (3) None  (4) As indicated in the horizontal section	(1) Unbound  (2) None  (3) None  (4) Unbound except as indicated in the horizontal section	
(b) Market research services (CPC 86401)	(1) None  (2) None  (3) None  (4) As indicated in the horizontal section	(1) None  (2) None  (3) None  (4) As indicated in the horizontal section	
(b) Public opinion polling services (CPC 86402)	(1) Unbound  (2) None  (3) None  (4) As indicated in the horizontal section	(1) Unbound  (2) None  (3) None  (4) As indicated in the horizontal section	

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(c) Management consulting services:  - financial management consulting services (CPC 86502 except business tax and except as provided in financial services sector)  - human resource management consulting services (CPC 86504)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound except as indicated in the horizontal section	
(c) General management consulting services (CPC 86501)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) a) As indicated in the horizontal section  b) Unbound for legal and auditing consultants	(4) Unbound except as indicated in the horizontal section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
(e) Technical testing and analysis services (CPC 86761+86769)	(1) Unbound (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound (2) None (3) None (4) Unbound except as indicated in the horizontal section	
(q) Packaging services (CPC 87600)	(1) Unbound* (2) None (3) None (4) Unbound	(1) Unbound* (2) None (3) None (4) Unbound	
(r) Publishing and printing services excluding publishing newspaper (CPC 88442)	(1) Unbound* (2) None (3) None (4) Unbound	(1) Unbound* (2) None (3) None (4) Unbound	

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(s) Convention centre over 2,000 participants (The development of a building that consists of Exhibition Halls, Meeting Rooms, a conference hall with more than 2,000 seating capacity, a banquet and a business centre equipped with state of the art telecommunication and teleconferencing facilities to cater for the needs of the convention industry. The centre will also provide adequate carparks, shops and restaurants/cafes to the exhibitors, participants and visitors)	(1) Unbound*	(1) Unbound*	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound, except as provided in the horizontal section	
(t) Other: Translation and interpretation services (CPC 87905)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) As indicated in the horizontal section	

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<b>COMMUNICATIONS SERVICES</b>			
<b>Telecommunications Services</b>			
<u>Commitments undertaken in this offer are subject to the following general conditions:</u>			
<ul style="list-style-type: none"> <li>- Each service to be supplied in Thailand requires a specific license issued by the National Telecommunications Commission (NTC). The number of licenses may be limited.</li> <li>- Licenses are granted only to service suppliers duly constituted according to the Thai legislation, which requires head office and management located in the Thai territory.</li> <li>- The services in the Schedule of Specific Commitments shall be on facilities basis.</li> <li>- The service provider shall be a Thai registered company with foreign equity participation not exceeding 25 per cent of the registered capital. The NTC may prescribe the prohibition that the applicant for certain nature or categories of telecommunications business who is a juristic person, shall not commit any other act which has the nature of the business takeover by a person who is not of Thai nationality.</li> <li>- Basic necessary new telecommunication acts are now in force. Commitments on public telecommunication services will be introduced and carried out in accordance with the implementing rules and regulations to be issued by virtue of those acts</li> </ul>			
Public local, domestic long distance and international services:  (a) Fixed-line voice telephone services  (a) Mobile telephone services (CPC 75213)  (d) Telegraph services  (e) Telex services (CPC 7523**)  (f) Facsimile services (CPC 7521**+7529**)	(1) None, other than  - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;  - the provision of concerned services shall be agreed by the supplier duly licensed of both ends.  (2) None, other than  - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;  - the provision of concerned services shall be agreed by the supplier duly licensed of both ends.	(1) None         (2) None	Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce into its Schedule of Specific Commitments on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Paging services (CPC 75291)	<p>(3) Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce the market access elements as contained in relevant legislation into its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>(4) As indicated in the horizontal section</p>	<p>(3) Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce the market access elements as contained in relevant legislation into its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>(4) As indicated in the horizontal section</p>	and operational functions, and the allocation and use of scarce resources.
(j) Data base access services (part of CPC 7523)	<p>(1) Service providers must use networks operated by suppliers duly licensed</p> <p>(2) None</p> <p>(3) a) Shall be a Thai registered company with foreign equity participation not exceeding 25 per cent of the registered capital</p> <p style="padding-left: 20px;">b) Must use networks operated by suppliers duly licensed</p> <p>(4) As indicated in the horizontal section</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) No limitation as long as foreign equity participation does not exceed 25 per cent</p> <p>(4) As indicated in the horizontal section</p>	



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<p>(h) Electronic mail (CPC 7523**)</p> <p>(i) Voice mail (CPC 7523**)</p> <p>(j) On-line information and data base retrieval (CPC 7523**)</p> <p>(n) On-line information and/or data processing services provided over public telecommunications network (part of CPC 843, excluding transaction processing)</p>	<p>(1) None, other than</p> <ul style="list-style-type: none"> <li>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;</li> <li>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.</li> </ul> <p>(2) None, other than</p> <ul style="list-style-type: none"> <li>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;</li> <li>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.</li> </ul> <p>(3) Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce the market access elements as contained in relevant legislation into its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce the market access elements as contained in relevant legislation into its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p>	<p>Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce into its Schedule of Specific Commitments on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.</p>

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) As indicated in the horizontal section	(4) As indicated in the horizontal section	
(o) Other: Telecommunications terminal equipment leasing services (CPC 75410)	(1) None, subject to commercial arrangement with licensed operators  (2) None  (3) None  (4) a) As indicated in the horizontal section  b) Unbound for civil engineer	(1) None  (2) None  (3) None  (4) Unbound except as provided in the horizontal section	
Domestic VSAT (up to the end of 1999, services provider must use THAICOM satellite)	(1) a) Service providers must use public telecommunication network under national telecommunication authorities  b) Radio application service is subject to frequency availability  (2) None	(1) None        (2) None	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(3) a) Shall be a Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company</p> <p>b) Such company shall be permitted under the built-transferred-operated concept by national telecommunication authorities<sup>2</sup></p> <p>c) Must use public telecommunication network under national telecommunication authorities</p> <p>(4) As indicated in the horizontal section</p>	<p>(3) No limitation as long as foreign equity participation does not exceed 40 per cent</p> <p>(4) Unbound except as provided in the horizontal section</p>	

<sup>2</sup> This condition will be applied for at least 10 years.

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Telecommunications equipment sales services (part of CPC 75420)	(1) None (2) None (3) None (4) a) As indicated in the horizontal section b) Unbound for civil engineer	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	
Telecommunication Consulting Services (CPC 75440)	(1) None (2) None (3) None (4) a) As indicated in the horizontal section b) Unbound for civil engineer	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	
Dedicated network services (CPC 75222)	(1) None, other than  - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;  - the provision of concerned services shall be agreed by the supplier duly licensed of both ends.	(1) None	Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce into its Schedule of Specific

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	<p>(2) None, other than</p> <ul style="list-style-type: none"> <li>- traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;</li> <li>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends.</li> </ul> <p>(3) Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce the market access elements as contained in relevant legislation into its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>(4) As indicated in the horizontal section</p>	<p>(2) None</p> <p>(3) Telecommunication acts are now in force. However, regulatory rules and regulations are gradually introduced commencing from the year of 2006. Thailand will introduce the market access elements as contained in relevant legislation into its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>(4) As indicated in the horizontal section</p>	<p>Commitments on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.</p>

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<b>D. Audiovisual Services</b>			
(a) Film/video production and distribution services excluding promotion or advertising services (CPC 96112+96113)	(1) Unbound	(1) Unbound	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound except as provided in the horizontal section	
(c) Radio/television services only for production of radio/TV programmes (CPC 96131+96132)	(1) Unbound	(1) Unbound	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound except as provided in the horizontal section	

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<b>CONSTRUCTION SERVICES</b>			
A. Construction Work for Buildings (CPC 512)	(1) Unbound*  (2) None	(1) Unbound*  (2) None	
B. Construction Work for Civil Engineering (CPC 513)	(3) None	(3) None	
C. Assembly Work (CPC 514)	(4) a) As indicated in the horizontal section  b) Unbound for civil engineer	(4) As provided in the horizontal section	
C. Installation Work (CPC 516)			
D. Building Completion and Finishing Work (CPC 517)			
E. Other:  Pre-erection Work at Construction Sites (CPC 511)  Special Trade Construction (CPC 515)  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>			
A. Commission agents' services (CPC 62111 to 62118)	(1) Unbound  (2) None  (3) None  (4) Unbound	(1) Unbound  (2) None  (3) None  (4) Unbound	
<b>EDUCATION SERVICES</b>			
<u>Commitments undertaken in this offer are subject to the following general conditions:</u> - Specific commitments on Market Access and National Treatment through any mode of supply shall not be construed to apply to the recognition of degrees for the purpose of admission, registration and qualification for a higher education, employment or professional practice in Thailand - Services suppliers may be subject to notification or registration with the authority concerned.			
A+B. International and National School Education Services (excluding adult and other education services) (CPC 9219+9221+9222)	(1) None  (2) None  (3) None  (4) As indicated in the horizontal section	(1) None  (2) None  (3) None  (4) Unbound	
B. Technical and Vocational Education Services (CPC 9223+9224)	(1) None  (2) None  (3) None  (4) As indicated in the horizontal section	(1) None  (2) None  (3) None  (4) Unbound	



## THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

### For the 6<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
D. Professional and/or Short Courses Education Services (CPC 92400)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound	
<b>ENVIRONMENTAL SERVICES</b>			
A. Environmental consultancy on sewage system, refuse disposal, hazardous waste management, air pollution and noise management, sanitation and other environmental management services (CPC 9401)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	
Environmental Protection and Environmental Abatement Services (CPC 9401)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	

## THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

### For the 6<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
Sewage services (including industrial waste water treatment system) (CPC 9401)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	
B. Refuse Disposal Services (including hazardous waste management and incinerator) (CPC 9402)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	
C. Sanitation and Similar Services (CPC 9403)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	

**THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 6<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>
D. Other: Cleaning services of exhaust gases (including industrial emission abatement) (CPC 9404)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	
Noise abatement services (CPC 9405 / 94050)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	
Nature and landscape protection services (CPC 9406)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	

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**For the 6<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 environmental protection services (CPC 9409)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	

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### For the 6<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>			
Medical and dental services: General medical services (CPC 93121)  Specialized medical services (CPC 93122)	(1) None  (2) None  (3) Must only be OP clinic in a hospital. A person is allowed to operate not more than one sanatorium.  (4) As indicated in the horizontal section.  The person who will be responsible to operate the OP clinic is required to have the license to operate for not more than one OP clinics, and has obtained a license to practice in Thailand	(1) None  (2) None  (3) The person who applies for the license to operate must have a domicile in Thailand.  (4) Unbound, except as provided in the horizontal section.  The person who applies for the license to operate must have a domicile in Thailand	

## THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

### For the 6<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
Dental Services (CPC 93123)	<p>(1) None</p> <p>(2) None</p> <p>(3) Must only be dental department in a hospital, not dental clinic nor dental hospital. A person is allowed to operate not more than one sanatorium.</p> <p>(4) As indicated in the horizontal section.</p> <p>The person who will be responsible to operate the dental department is required to have license to operate for not more than one dental department, and has obtained a license to practice in Thailand</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) The person who applies for the license to operate must have a domicile in Thailand.</p> <p>(4) Unbound, except as provided in the horizontal section.</p> <p>The person who applies for the license to operate must have a domicile in Thailand</p>	

**THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 6<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
Services provided by nurses (part of CPC 93191)	<p>(1) None</p> <p>(2) None</p> <p>(3) Must only be nursing department in a hospital. A person is allowed to operate not more than one sanatorium.</p> <p>(4) As indicated in the horizontal section.</p> <p>The person who will be responsible to operate the nursing department is required to have the license to operate for not more than one nursing department, and has obtained a license to practice in Thailand.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) The person who applies for the license to operate must have a domicile in Thailand.</p> <p>(4) Unbound, except as provided in the horizontal section.</p> <p>The person who applies for the license to operate must have a domicile in Thailand.</p>	

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### For the 6<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
A. Hospital services (CPC 9311)	<p>(1) None</p> <p>(2) None</p> <p>(3) Thailand may prescribe, in any area, numbers of hospital, or types of medical services to be provided in the hospital.</p> <p style="padding-left: 20px;">A person is allowed to operate not more than one hospital.</p> <p>(4) As indicated in the horizontal section</p> <p style="padding-left: 20px;">The person who will be responsible to operate the hospital is required to have the license to operate for not more than one hospital, and has obtained a license to practice in Thailand.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) The person who applies for the license to operate must have a domicile in Thailand.</p> <p>(4) Unbound, except as provided in the horizontal section</p> <p style="padding-left: 20px;">The person who applies for the license to operate must have a domicile in Thailand</p>	



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**For the 6<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>			
A. Hotel Lodging Services (CPC 64110)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) As indicated in the horizontal section	
Motel lodging services (CPC 64120)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
Holiday center and holiday home services (CPC 64192)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	

**THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS**

**For the 6<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>
Camping and Caravan site Services (CPC 64195)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) As indicated in the horizontal section	
Meal serving services with full restaurant services (CPC 64210)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	
Catering services (CPC 64230)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	

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### For the 6<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
Beverage Serving Services without Entertainment (CPC 64310)	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	
B. Travel agency and tour operator services (CPC 74710)	(1) Unbound (2) None (3) In addition to that indicated in the horizontal section, not less than half of the board of directors of the company must be Thai nationality (4) As indicated in the horizontal section	(1) Unbound (2) None (3) None (4) Unbound except as provided in the horizontal section	
D. Other:  Hotel management services	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as provided in the horizontal section	

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### For the 6<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
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<b>RECREATIONAL, CULTURAL AND SPORTING SERVICES</b>			
A. Entertainment Services: Theme parks and amusement parks (CPC 96194)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	
D. Sporting Services (excluding other sporting services specified in CPC 96419): (CPC 96411 + 96412 + 96413)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	
Recreation park and beach services (CPC 96491)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	

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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
E. Other: Marina Facilities (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)	(1) Unbound* (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound* (2) None (3) None (4) Unbound except as provided in the horizontal section	

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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
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<b>TRANSPORT SERVICES</b>			
<b>A. Maritime Transport Services</b>			
(a) Passenger transportation (CPC 7211 less cabotage transport: as defined below - 3.1)	(1) None (2) None (3) a) Unbound for establishment of Juristic Person for the purpose of operating a fleet under the national flag of Thailand  b) Other forms of commercial presence for the supply of international maritime transport services except branch offices: As indicated in the horizontal section  (4) a) Ships' crews: Unbound  b) Other personnel: As indicated in the horizontal section	(1) None (2) None (3) a) Unbound  b) None  (4) a) Unbound  b) as indicated in the horizontal section	The following services at the port provided by the government enterprises are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:  1. Pilotage <sup>1</sup> 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port captain's service 6. Navigation aids 7. Shore-based operational services essential to ship operations, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services

<sup>1</sup> A Thai captain of a Thai ship which sails regularly in certain compulsory pilotage area may be permitted to pilot the ship in the area.

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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>
			10. Inland transports services (internal waterways transport services, rail transport services and road transport services)

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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) Freight transportation (CPC 7212 less cabotage transport: as defined below - 3.1)	(1) None (2) None (3) a) Unbound for establishment of Juristic Person for the purpose of operating a fleet under the national flag of Thailand  b) Other forms of commercial presence for the supply of international maritime transport services (as defined below- 3.2) except branch offices: as indicated in the horizontal section  (4) a) Ships' crews: Unbound  b) Other personnel: As indicated in the horizontal section	(1) None (2) None (3) a) Unbound  b) None other than:  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  Exporters or importers of goods shipped from or to Thailand by Thai flag vessel may be entitled to special deduction of not more than 50 per cent of the freight values or other expenses paid in the ordinary courses of carriage of such goods from their net income for the purposes of calculation of income tax  (4) a) Unbound  b) As indicated in the horizontal section	



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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
(e) International towing (CPC 7214)	(1) None (2) None (3) a) Unbound for establishment of juristic person for the purpose of operating a fleet under the national flag of Thailand  b) Other forms of commercial presence for the supply of international towing service (as defined below - 3.2) except branch office: As indicated in the horizontal section  (4) a) Ships' crews: Unbound  b) Other personnel: As indicated in the horizontal section	(1) None (2) None (3) a) Unbound  b) None  (4) a) Unbound  b) Unbound, except as provided in the horizontal section	

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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
(f) Supporting Services for maritime transport (CPC 745)  Shore reception facilities (collection of waste/oily water from ships)	(1) None	(1) None	
	(2) None	(2) None	
Port captain's services attached to specific foreign vessels	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound except as provided in the horizontal section	
Classification societies	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) Unbound, except as provided in the horizontal section	

<sup>2</sup> Thai-flag vessels may be required to conform to ship survey regulations stipulated by relevant administration

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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
Vessels salvage and refloating services – not applicable in harbour	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as provided in the horizontal section	
Custom clearance services (as indicated below-3.5)	(1) Unbound (2) None (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  (4) Unbound, except as provided in the horizontal section	(1) Unbound (2) None (3) No limitation as long as foreign equity participation does not exceed 49 per cent.  In addition a custom broker must be natural person of Thai nationality and must obtain a license from the Customs Department  (4) Unbound, except as provided in the horizontal section	

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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
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<b>E. Rail Transport Services</b>			
(d) Maintenance and repair of rail transport equipment (CPC 8868)	(1) None (2) None (3) None (4) a) As indicated in the horizontal section b) Unbound for civil engineer	(1) None (2) None (3) None (4) Unbound, except as provided in the horizontal section	
(e) Supporting services for rail transport services (CPC 743)  - Passenger and freight car cleaning services	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as provided in the horizontal section	
- Security services at railway station	(1) None (2) None (3) None (4) As indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as provided in the horizontal section	

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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
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<b>F. Road Transport Services</b> <b>Other non-scheduled passenger transportation</b>			
(b) Freight transportation only for frozen or refrigerated goods, bulk liquids or gases and containerized freight (CPC 71231 to 71233)	(1) Unbound (2) None (3) In addition to that indicated in the horizontal section, not less than half of the board of directors of the company must have Thai nationality (4) As indicated in the horizontal section	(1) Unbound (2) None (3) None (4) Unbound, except as provided in the horizontal section	
(c) Rental services of passenger cars with operator (CPC 71222)	(1) Unbound (2) None (3) In addition to that indicated in the horizontal section, not less than half of the board of directors of the company must have Thai nationality (4) As indicated in the horizontal section	(1) Unbound (2) None (3) None (4) Unbound, except as provided in the horizontal section	

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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) Rental services of buses and coaches with operator (CPC 71223)	(1) Unbound (2) None (3) In addition to that indicated in the horizontal section, not less than half of the board of directors of the company must have Thai nationality (4) As indicated in the horizontal section	(1) Unbound (2) None (3) None (4) Unbound, except as provided in the horizontal section	

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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
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<b>H. Services Auxiliary to All Modes of Transport</b>			
(a) Maritime cargo handling services (as defined below 3.6)	(1) None	(1) None	
	(2) None	(2) None	
	(3) Supplying of services in the area under the jurisdiction of the Port Authority of Thailand is subject to certain conditions set up by the Ministerial Regulations issued under the Port Authority of Thailand Act B.E. 2494	(3) None	
	(4) As indicated in the horizontal section	(4) As indicated in the horizontal section	
(b) Storage and warehouse services for maritime transport (CPC 742)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) As indicated in the horizontal section	(4) As indicated in the horizontal section	

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
(c) Maritime Freight forwarding services	(1) Unbound (2) None (3) None (4) As indicated in the horizontal section	(1) Unbound (2) None (3) None (4) Unbound except as indicated in the horizontal section	
(c) Maritime Agency Services (as defined below 3.7)	(1) Unbound (2) None (3) None <sup>3</sup> (4) As indicated in the horizontal section	(1) Unbound (2) None (3) None (4) As indicated in the horizontal section	

<sup>3</sup> Domestic regulations may require registration of services suppliers, minimum paid-up capital, experienced personnel, etc., on a non-discriminatory basis.



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### For the 6<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

#### NOTE TO THE MARITIME TRANSPORT SCHEDULE

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

## THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

### For the 6<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

- 3.6 “Maritime cargo handling services” means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers when this workforce is organized independently of the stevedoring or terminal operator companies. The activities include the organization and supervision of:
- the loading/discharging of cargo to/from a ship;
  - the lashing/unlashing of cargo;
  - the reception/delivery and safekeeping of cargoes before shipment or after discharge.
- 3.7 “Maritime agency services” means activities consisting of representing as an agent, the business interests of one or more shipping lines, for the following purposes:
- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuing of bill of lading of the shipping lines; procurement and resale of the necessary related services, preparation of documentation, and provision of business information;
  - acting on behalf of the shipping lines organizing the call of a ship or taking over cargoes when required.
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