

Part 3
Schedule of Thailand

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Unless otherwise specified at the sector- specific level, commercial presence in sectors or subsectors in this Schedule is permitted only through a limited liability company which is registered in Thailand and which meets the following conditions:</p> <p>a) Foreign equity participation must not exceed 49 per cent of the registered capital; and</p> <p>b) The number of foreign shareholders must be less than half of the total number of shareholders of the company concerned.</p>	<p>3) Unless otherwise specified at the sector- specific level, for commercial entity incorporated pursuant to Thailand's laws and regulations with foreign equity participation not exceeding 49 per cent of the registered capital: None</p> <p>Others: Unbound</p>	<p>Unless otherwise specified at the sector-specific level, commercial entity not incorporated pursuant to Thailand's laws and regulations or commercial entity incorporated pursuant to Thailand's laws and regulations with foreign equity participation exceeding 49 per cent of the registered capital may acquire permission for commercial presence in sectors or subsectors in this Schedule, provided that such entity satisfies the criteria stipulated under the Foreign Business Act B.E. 2542 (1999), including those in Sections 5 and 18.</p>

	<p>3), 4) Acquisition and usage of land: according to the Land Code of Thailand, foreign nationals or domestic companies which are deemed foreigners are not allowed to purchase or own land in Thailand. However, they may lease land and own buildings. Foreigners are also allowed to own part of condominium units under the laws and regulations governing the ownership of condominiums.</p> <p>4) Unless otherwise specified at the sector-specific level, unbound except:</p> <p>(a) intra-corporate transferees who have satisfied the criteria for management needs¹ and other criteria stipulated by the Department of Employment under the Working of Aliens Act B.E. 2521 (1978).</p>	<p>3), 4) Acquisition and usage of land: Unbound, except as provided in the Limitation on Market Access column (hereinafter referred to as "MA column")</p> <p>4) Unbound, except as provided in the MA column</p> <p>Natural persons of Japan who engage in business activities which require technology or knowledge at advanced level on the basis of a personal contract with public or private organisation in the territory of Thailand: Unbound</p>	<p>Pursuant to the Official Information Act B.E. 2540 (1997), by-laws, resolutions of the Council of Ministers, regulations, orders, circulars, Rules, work pattern, policies or interpretations only insofar as they are made or issued to have the same force as by-laws and intended to be of general application to private individuals concerned shall be published in the Government Gazette.</p>
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¹ In considering managerial needs, the following facts shall be taken into consideration by the relevant authority, namely: (1) size of fully paid-up capital; (2) employment creation; (3) extent of foreign investment; (4) export promotion; (5) transfer of technology; (6) special needs for the management.

	<p>An intra-corporate transferee is a natural person of Japan who is an employee of the managerial or executive level or a specialist of a juridical person of Japan; who is transferred temporarily for the supply of service through commercial presence in Thailand; and who has been employed by the juridical person concerned outside Thailand for a period of not less than one year immediately preceding the date of his or her application for admission.</p>		
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	<p>Manager is defined as:</p> <p>A person within an organisation who primarily directs the organisation, or a department or sub-division of the organisation, supervises and controls the work of other supervisory, professional or managerial employees, has the authority to hire and fire or recommend hiring, firing or other personnel actions (such as promotion or leave authorisation), and exercises discretionary authority over day-to-day operations. He or she must not be a first-line supervisor, unless the employees supervised are professionals, or an employee who primarily performs tasks necessary for the provision of the service.</p>		
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	<p>Executive is defined as:</p> <p>A person within an organisation who primarily directs the management of the organisation, establishes the goals and policies of the organisation, exercises wide latitude in decision-making, and receives only general supervision or direction from higher-level executives, the board of directors, or shareholders of the businesses. An executive would not directly perform tasks related to the actual provision of a service or services of the organisation.</p> <p>Specialist is defined as:</p> <p>A person within an organisation who possesses knowledge at an advanced level of continued expertise and who possesses proprietary knowledge of the organisation's services, research equipment, techniques, or management.</p>		
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	<p>(b) natural persons of Japan, who engage in business activities which require technology or knowledge at advanced level on the basis of a personal contract with public or private organisation in the territory of Thailand and have satisfied the criteria for management needs²and other criteria stipulated by the Department of Employment under the Working of Aliens Act in the following subsectors:</p> <ul style="list-style-type: none"> - Consultancy services related to the installation of computer hardware (CPC 84100); - Software implementation services (CPC 84210+84220+84240+84250); - Data processing services (excluding those provided over public telecommunications network) (CPC 84310+84320+84330+84390); - Data base services (excluding those provided over public telecommunications network) (CPC 84400); 		
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2 See footnote 1.

	<ul style="list-style-type: none"> - Other computer services: Software training services for staff of clients (part of CPC 84900); - General management consulting services (CPC 86501); - Engineering services (CPC 86721 to 86727 + 86729) (except civil engineer); - Hotel lodging services (CPC 64110); and - Restaurant services (CPC 64210). <p>Such natural person must be employed under an employment contract by a limited liability company registered under Thai law and engaged in substantive business operation in Thailand.</p>		
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Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	SS	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS				
1. BUSINESS SERVICES				
A. <u>Professional Services</u>				
(a) Legal services (CPC 86111+86119+ 86120+86130+86190)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
(b) Accounting, auditing and bookkeeping services (CPC 86211 to 86213 +86219+86220)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
(c) Taxation Services (CPC 863)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(d) Architectural services (CPC 86711 to 86714+86719)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
(e) Engineering services (CPC 86721 to 86727 +86729)		1) Unbound 2) None	1) Unbound 2) None	

		3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	3) None 4) Unbound, except as provided in the horizontal section	
(f) Integrated engineering services (CPC 8673)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(g) Urban planning and landscape architectural services (CPC 86741 to 86742)		1) Unbound 2) None 3) None 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	
(h) Medical services (CPC 93121 to 93122)		1) Unbound 2) Unbound 3) Unbound 4) Subject to approval by the Medical Council of Thailand pursuant to Section 26 (6) of the Medical Profession Act B.E. 2525 (1982), Japanese medical doctor may accompany Japanese patient(s) coming for medical treatment in Thailand	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(h) Dental services (CPC 93123)		1) Unbound 2) Unbound 3) Unbound	1) Unbound 2) Unbound 3) Unbound	

		4) Unbound	4) Unbound	
(i) Veterinary services (CPC 932)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(j) Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(k) Other (including extraction of Thai herbs)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. <u>Computer and Related Services</u> (a) Consultancy services related to the installation of computer hardware (CPC 84100)		1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed.	1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent.	

		<p>4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the Ministry of Information and Communication Technology (hereinafter referred to as the "ICT Ministry"), otherwise as indicated in the horizontal section.</p>	<p>4) Unbound, except as provided in the horizontal section</p>	
<p>(b) Software implementation services (CPC 84210+84220+84230+84240+84250)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) Foreign equity participation of less than 50 per cent is allowed.</p> <p>4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitation as long as foreign equity participation is less than 50 per cent.</p> <p>4) Unbound, except as provided in the horizontal section</p>	

<p>(c) Data processing services (excluding those provided over public telecommunications network) (CPC 84310+84320 +84330+84390)</p>		<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed. 4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.</p>	<p>1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent. 4) Unbound, except as provided in the horizontal section</p>	
<p>(d) Data base services (excluding those provided over public telecommunications network) (CPC 84400)</p>		<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed. 4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.</p>	<p>1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent. 4) Unbound, except as provided in the horizontal section</p>	

<p>(e) Maintenance and repair services of office machinery and equipment including computers (CPC 84500)</p>		<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed. 4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.</p>	<p>1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent. 4) Unbound, except as provided in the horizontal section</p>	
<p>(e) Other computer services Data preparation services (CPC 84910)</p>		<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	<p>1) Unbound 2) Unbound 3) Unbound 4) Unbound</p>	
<p>Software training services for staff of clients (part of CPC 84990)</p>		<p>1) Unbound 2) None 3) Foreign equity participation of less than 50 per cent is allowed.</p>	<p>1) Unbound 2) None 3) No limitation as long as foreign equity participation is less than 50 per cent.</p>	

		4) Supply of services by natural persons, who engage in business activities which require technology or knowledge at an advanced level on the basis of a personal contract with public or private organisations in the territory of Thailand, may be subject to numerical ceilings and specific qualification requirements set by the ICT Ministry, otherwise as indicated in the horizontal section.	4) Unbound, except as provided in the horizontal section	
Others (the rest of CPC 84990)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C. <u>Research and Development Services</u>				
(a) R&D services on natural science (CPC 851) (including extraction of Thai herbs)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(b) R&D services on social sciences and humanities (CPC 852)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Interdisciplinary R&D services (CPC 853)		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
D. <u>Real Estate Services</u>				
(a) Real Estate services involving own or leased property (CPC 821)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(b) Real Estate services on a fee or contract basis (CPC 822)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. <u>Rental/Leasing Services without Operators</u>				
(a) Relating to ships (CPC 83103)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(b) Relating to aircraft (CPC 83104)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Relating to other transport equipment (CPC 83101+83102+83105)		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
(d) Rental and leasing services concerning agricultural machinery, construction machinery, office machinery, other machinery and equipment without operator (CPC 83106-83109)		1) Unbound 2) None 3) None 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
(e) Other (CPC 832)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
F. <u>Other Business Services</u>				
(a) Advertising services (CPC 87110+87120 +87190)		1) Unbound 2) None 3) Foreign equity participation of not exceeding 50 per cent is allowed as long as a loan to capital ratio of 3:1 or lower is maintained; and no limitation on the number of foreign shareholders. 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitation as long as (1) foreign equity participation does not exceed 50 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound, except as provided in the horizontal section	
(b) Market research and public opinion polling services (CPC 86401 to 86402)		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	

<p>(c) Management consulting services</p> <p>General management consulting services (CPC 86501)</p>		<p>1) None</p> <p>2) None</p> <p>3) Foreign equity participation of up to 100 per cent is allowed as long as (1) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower is maintained</p> <p>4) (a) As indicated in the horizontal section</p> <p>(b) Unbound for legal and auditing consultants</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitation as long as (1) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower is maintained</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Financial management consulting services (except business tax) (CPC 86502)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Marketing management consulting services (CPC 86503)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	
<p>Human resources management consulting services (CPC 86504)</p>		<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

		3) None 4) Unbound	3) None 4) Unbound	
Production management consulting services (CPC 86505)		1) Unbound 2) Unbound 3) None 4) Unbound	1) Unbound 2) Unbound 3) None 4) Unbound	
Public relations services (CPC 86506)		1) Unbound 2) Unbound 3) None 4) Unbound	1) Unbound 2) Unbound 3) None 4) Unbound	
Logistics consulting services (excluding all transport services) (part of CPC 86509) Advisory and guidance services concerning logistics for the purpose of seeking the utmost efficiency in delivering and/or collecting goods. All transport and related communication services are excluded.		1) Unbound 2) Unbound 3) Foreign equity participation of not exceeding 51 per cent is allowed as long as a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	1) Unbound 2) Unbound 3) No limitation as long as (1) foreign equity participation does not exceed 51 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	
Other management consulting services (the rest of CPC 86509)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

<p>(d) Services related to management consulting (CPC 866)</p> <p>Project management services other than for construction (CPC 86601)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound</p>	
<p>Arbitration and conciliation services (CPC 86602)</p> <p>Other management services (CPC 86609)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>(e) Technical testing and analysis services (CPC 8676)</p> <p>Composition and purity testing and analysis services and other technical testing and analysis services (CPC 86761+86769)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Technical testing and analysis services of physical properties, integrated mechanical and electrical system, and technical inspection services (CPC 86762 to 86764)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

<p>(f) Services incidental to agriculture (CPC 881):</p> <p>Consultancy services on agricultural extension:</p> <ul style="list-style-type: none"> - soil preparation - seed production - plant protection - harvesting - grading - packing - storaging 		<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
<p>Soil analysis laboratory</p>		<ul style="list-style-type: none"> 1) None 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
<p>Soil survey and land use planning</p>		<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
<p>Cover crop seed multiplication</p>		<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	

Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(f) Services incidental to hunting (CPC 881)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(f) Services incidental to forestry (CPC 881): Forestry consultant services		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	
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(g) Services incidental to fishing (CPC 882): International trading, exporting products services (broker)		1) Unbound 2) None	1) Unbound 2) None	

		3) None 4) As indicated in the horizontal section	3) None 4) Unbound, except as provided in the horizontal section	
Quality analysis services		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	
Canning process analysis services		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	
Technical services - Consulting - Research on marketing - Quality control		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	
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

(h) Services incidental to mining (CPC 883+5115)				
- at oil and gas fields (part of CPC 883+5115)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
- others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(i) Services incidental to manufacturing (CPC 884+885, except for 88442)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(j) Services incidental to energy distribution (CPC 887)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(k) Placement and supply services of personnel (CPC 872)		1) Unbound 2) Unbound 3) Unbound	1) Unbound 2) Unbound 3) Unbound	

		4) Unbound	4) Unbound	
(l) Investigation and security (CPC 873)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(m) Related scientific and technical consulting services (CPC 8675) - Oil and gas exploration (part of CPC 8675)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
- Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633+8861 to 8866)				
Maintenance and repair services by a Japanese enterprise established in		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

<p>Thailand relating to the maintenance and repair of:</p> <ul style="list-style-type: none"> - household electrical appliances it wholesales in Thailand that are manufactured in Thailand by it, or by its group companies in Thailand under the same brand; or - household electrical appliances manufactured in Japan by its group companies under the same brand. <p>Note: "group companies" means companies registered in Japan or Thailand that are owned³ directly, or through another company registered in Japan or in Thailand, by a company registered in Japan and entitled to benefits under this Agreement.</p>	<p>3) Foreign equity participation of not exceeding 60 per cent is allowed as long as (1) service supplier is registered in Thailand with a minimum capital of 100 million baht; (2) a loan to capital ratio of 3:1 or lower is maintained; (3) the members of the board of directors of Thai nationality is in accordance with the ratio of Thai equity participation; (4) at least half of the senior mechanics⁴ are of Thai nationality; (5) amongst the non-Thai members of the board of directors, at least one is a Thai resident; (6) at least one senior manager is of Thai nationality; (7) there is no more than one service center; and (8) transfer of technology⁵ is provided to Thai persons, such as on-the-job training, and necessary information and know-how is provided to the Thai employees.</p> <p>4) Unbound</p>	<p>3) No limitation as long as (1) foreign equity participation does not exceed 60 per cent; (2) service supplier is registered in Thailand with a minimum capital of 100 million baht; (3) a loan to capital ratio of 3:1 or lower is maintained; (4) the members of the board of directors of Thai nationality is in accordance with the ratio of Thai equity participation; (5) at least half of the senior mechanics are of Thai nationality; (6) amongst the non-Thai members of the board of directors, at least one is a Thai resident; (7) at least one senior manager is of Thai nationality; (8) there is no more than one service center; and (9) transfer of technology⁵ is provided to Thai persons, such as on-the-job training, and necessary information and know-how is provided to the Thai employees.</p> <p>4) Unbound</p>	
<p>Others</p>	<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

3. As defined in Article ~~703~~ (g) of Chapter 7.

4. Senior mechanics are those persons whose duties include supervisory functions.

5. The transfer of technology includes transfer of technical know-how, technology alternatives and technology procedures from Japanese companies and their engineers or technicians to Thai engineers or technicians of such Japanese companies to the extent of their activities. Such transfer shall not be construed to include intellectual property rights.

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
(o) Building-cleaning services (CPC 874)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(p) Photographic services (CPC 875)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(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	
(s) Convention services (CPC 87909**)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

<p>(t) Other</p> <p>Credit reporting services, collection agency services, telephone answering services, Duplicating services, mailing list compilation and mailing services, special design services, and other business services (CPC 87901 to 87904+87906+87907+the rest of CPC 87909)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Translation and interpretation services (CPC 87905)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>2. COMMUNICATION SERVICES</p> <p>A. Postal services (CPC 7511)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>B. Courier services (CPC 7512)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	

C. Telecommunications Services⁶

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

- Each service to be supplied in Thailand requires a specific licence issued by the National Telecommunications Commission (NTC). The number of licences may be limited.
- Licences are granted only to service suppliers duly constituted according to the Thai legislation, which requires head office and management located in the Area of Thailand.
- The telecommunications services in the Schedule of Specific Commitments shall be on facilities basis.
- Unless otherwise specified at subsector level, the service provider shall be a Thai registered company with foreign equity participation not exceeding 20 per cent of the registered capital. The NTC or other competent authorities specified by law may, from time to time and in pursuant to the right recognised by paragraph 4 of the preamble of the General Agreement on Trade in Services (GATS), prescribe a prohibition that it sees fit to meet national policy objectives and, given asymmetries existing with respect to the degree of development of telecommunications sector and regulatory practice in Thailand, adopt measures which the NTC deems appropriate in furtherance of its responsibility under the relevant telecommunications laws.
- Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, commitments on public telecommunications services will be introduced, and carried out in accordance with the implementing regulations to be issued by virtue of those acts.

Public local, domestic	1), 2)	None, other than	1), 2)	None	Conditional upon passage
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6. Thailand's commitments under the WTO Agreement for this sector as per Documents GATS/SC/85 (15 April 1994) and GATS/S/85/Suppl.2 (11 April 1997), unless otherwise specifically stipulated, are incorporated herein. Until the review under Article ~~89+716+~~, Thailand does not accept to renegotiate such commitments or negotiate any further commitments on this sector.

<p>long distance and international services:</p> <p>(a) Voice telephone services</p> <p>(b) Telex services</p> <p>(c) Telegraph services</p> <p>(d) Facsimile services</p>		<ul style="list-style-type: none"> - traffic shall be routed through a gateway in Thailand operated by a supplier duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. <p>3) Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the market access elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>4) Unbound as indicated in the horizontal section</p>	<p>3) Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the national treatment elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>and coming into force of all necessary new communication acts, 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>
<p>(j) Data base access services (part of CPC 7523)</p>		<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;</p> <p>1.2 Radio application service is subject to frequency availability.</p> <p>2) None</p> <p>3) (a) Shall be a Thai</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as</p>	

		<p>registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>4) As indicated in the horizontal section</p>	<p>foreign equity participation does not exceed 25 per cent</p> <p>4) None</p>	
(n) On-line information and/or data processing services (part of CPC 843)		<p>1) 1.1 Services providers must use telecommunication network under national telecommunication authorities;</p> <p>1.2 Radio application service is subject to frequency availability</p> <p>2) None</p> <p>3) (a) Shall be a Thai registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 25 per cent</p>	

		telecommunication network under national telecommunication authorities		
		4) As indicated in the horizontal section	4) None	
(o) Other Telecommunications equipment sales services (part of CPC 75420)		1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None	
Telecommunications consulting services (CPC 75440)		1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None	
Videotext (part of CPC 75299)		1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities; 1.2 Radio application	1) None	

		<p>service is subject to frequency availability</p> <p>2) None</p> <p>3) (a) Shall be a Thai registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>(c) Selection of service providers shall be based on open tender</p> <p>4) As indicated in the horizontal section</p>	<p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 25 per cent</p> <p>4) None</p>	
<p>Teleconference (part of CPC 75292)</p>		<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;</p> <p>1.2 Radio application service is subject to frequency availability</p> <p>2) None</p> <p>3) (a) Shall be a Thai</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as</p>	

		<p>registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>(c) Selection of service providers shall be based on open tender</p>	<p>foreign equity participation does not exceed 25 per cent</p>	
		<p>4) As indicated in the horizontal section</p>	<p>4) None</p>	
Domestic leased circuits (part of CPC 75299)		<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;</p> <p>1.2 Radio application service is subject to frequency availability</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>	
		<p>3) (a) Shall be a Thai</p>	<p>3) No limitations as long as</p>	

		<p>registered company with the foreign equity participation not exceeding 25 per cent of the registered capital and the number of foreign shareholders must not exceed 25 per cent of the total number of shareholders of the company</p> <p>(b) Must use public telecommunication network under national telecommunication authorities</p> <p>(c) Selection of service providers shall be based on open tender</p>	<p>foreign equity participation does not exceed 25 per cent</p>	
	4)	As indicated in the horizontal section	4) None	
<p>D. <u>Audiovisual Services</u></p> <p>(a) Motion picture and video tape production and distribution services (CPC 9611)</p> <p>Promotion or advertising services (CPC 96111)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Film/video production and distribution services excluding promotion or advertising services (CPC 96112+96113)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided</p>	

		horizontal section	in the horizontal section	
(b) Motion picture projection service (CPC 9612)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Radio and television services (CPC 9613) Radio/television services only for production of radio/TV programmes (CPC 96131+96132) Combined programme making and broadcasting services (CPC 96133)		1) Unbound 2) None 3) None 4) As indicated in the horizontal section 1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(d) Radio and television transmission services (CPC 75241+75242)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e) Sound recording		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

(f) Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES				
A. Construction Work for Buildings (CPC 51210+51220 +51230+51240+51250+51260 +51270+51280+51290)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
B. Construction Work for Civil Engineering (CPC 51310+51320 +51330+51340+51350+51360+ 51371+51372+51390)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
C. Installation Work		1) Unbound	1) Unbound	

(CPC 51610+51620+51630+51641+5 1642+51643+51644+51649+51 650+51660+51691+51699)		2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	2) None 3) None 4) Unbound, except as provided in the horizontal section	
Assembly Work (CPC 514)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. Building completion and finishing work (CPC 517)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Other (CPC 511+CPC 515 to 518)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
4. DISTRIBUTION SERVICES A. Commission Agents' Services (CPC 62111 to 62118)		1) Unbound 2) None 3) None; and no limitation on the number of foreign shareholders 4) Unbound	1) Unbound 2) None 3) None 4) Unbound	

Trading and auctioning Thai antiques or national historical objects		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Trading antiques or art objects being Thai arts and handicraft		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Auction		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. Wholesale Trade Services Wholesale trade services by a Japanese enterprise established in Thailand relating to the distribution and installation of: - products manufactured by such Japanese enterprise or by its group companies in Thailand under the same brand; or - automobiles		1) Unbound 2) Unbound 3) Except for distilled liquor distribution services, no limitation on the number of foreign shareholders and foreign equity participation not exceeding 75 per cent is allowed as long as loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	1) Unbound 2) Unbound 3) No limitations as long as (1) foreign equity participation does not exceed 75 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained. 4) Unbound	

<p>manufactured in Japan by its group companies under the same brand.</p> <p>Note: "group companies" means companies registered in Japan or Thailand that are owned⁷ directly, or through another company registered in Japan or in Thailand, by a company registered in Japan and entitled to benefits under this Agreement.</p>				
<p>Others</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>C. Retailing Services</p> <p>Retailing services by a Japanese enterprise established in Thailand relating to the distribution and installation of:</p> <p>- products manufactured by such</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Except for distilled liquor distribution services, no limitation on the number of foreign shareholders and foreign equity participation not exceeding 75 per cent is allowed as long as a loan to capital ratio of 3:1 or lower is maintained.</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) No limitations as long as (1) foreign equity participation does not exceed 75 per cent; and (2) a loan to capital ratio of 3:1 or lower is maintained.</p> <p>4) Unbound</p>	

7 As defined in Article 703 (g) of Chapter 7.

<p>Japanese enterprise or by its group companies in Thailand under the same brand; or;</p> <p>- automobiles manufactured in Japan by its group companies under the same brand.</p> <p>Note: "group companies" means companies registered in Japan or Thailand that are owned⁸ directly, or through another company registered in Japan or in Thailand, by a company registered in Japan and entitled to benefits under this Agreement.</p>				
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. Franchising (CPC 8929)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Other		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

8 As defined in Article 703 (g) of Chapter 7.

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
5. EDUCATIONAL SERVICES A + B. International and National School Education Services (excluding adult and other education services) (part of CPC 9219+ CPC 9221 +9222)		1) Unbound 2) None 3) None 4) Supply of education services is allowed, provided that: (1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and (2) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable. Others: As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound	
A. Primary education services (CPC 9211 + the rest of CPC 9219)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. Technical and Vocational Education Services (CPC 9223+9224)		1) None 2) None	1) None 2) None	

		<p>3) None</p> <p>4) Supply of education services is allowed, provided that:</p> <p>(1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and</p> <p>(2) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>Others: As indicated in the horizontal section</p>	<p>3) None</p> <p>4) Unbound</p>	
C. Higher education services (CPC 923)		<p>1) Unbound</p> <p>2) None</p> <p>3) Foreign equity participation of less than 50 per cent is allowed, provided that at least half of the Members of the University Council must have Thai nationality and that service suppliers in this sector must comply with the Private Higher Education Institution Act B.E. 2546 (2003).</p> <p>4) Supply of education services is allowed, provided that:</p> <p>(1) the natural persons are invited or to be employed by education</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitation as long as (1) foreign equity participation is less than 50 per cent; and (2) at least half of the Members of the University Council must have Thai nationality and that service suppliers in this sector must comply with the Private Higher Education Institution Act.</p> <p>4) Unbound</p>	

		<p>institutions duly established and registered in Thailand; and</p> <p>(2) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>Others: As indicated in the horizontal section</p>		
D. Professional and/or Short Courses Education Services (CPC 92400)		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Supply of education services is allowed, provided that:</p> <p>(1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and</p> <p>(2) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>Others: As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	

<p>E. Other education services CPC 92900)</p> <p>Foreign language tuition services (part of CPC 92900)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Supply of education services is allowed, provided that:</p> <p>(1) the natural persons are invited or to be employed by education institutions duly established and registered in Thailand; and</p> <p>(2) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>Others: As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	
<p>Others</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>6. ENVIRONMENTAL SERVICES</p> <p>A. Sewage Services (including industrial waste water treatment</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided</p>	

system) (CPC 9401)		horizontal section	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	
D. Other Environmental Consultancy on Sewage System, Refuse Disposal, Hazardous Waste Management, Air Pollution and Noise Management, Sanitation and Other Environmental 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	
Environmental Protection and Environmental Abatement 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	
Cleaning services of exhaust gases (including industrial emission		1) Unbound 2) None	1) Unbound 2) None	

abatement) (CPC 9404)		3) None 4) As indicated in the horizontal section	3) None 4) Unbound, except as provided in the horizontal section	
Noise abatement services (CPC 9405)		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	
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	

7. FINANCIAL SERVICES ⁹				
<p>- With regard to the scope of operation and types of financial services that can be provided, each type of financial institution will be permitted to operate the sector or subsector of banking and other financial services only to the extent that their respective governing legislation permit them to do so.</p> <p>- All commitments in this sector are subject to horizontal commitments in Thailand's 1995 GATS Schedule of specific commitments.</p>				
A. <u>Insurance including reinsurance and retrocession</u> ¹⁰				
(a) Life insurance services (CPC 81211)		<p>1) None</p> <p>2) None</p> <p>3) (a) Foreign equity participation limited to 25 per cent of registered share capital.</p> <p>(b) New establishment is subject to licence approved by the Minister with the consent of the Cabinet.</p> <p>4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>1) None</p> <p>2) Life insurance premium is tax deductible up to a certain amount for holders of policies issued by local companies.</p> <p>3) None</p> <p>4) None</p>	
(b) Non-life insurance		1) Unbound except for	1) Unbound	

9 Thailand's commitments under the WTO Agreement for this sector as per Document GATS/sc/85/Suppl.3 (26 February 1998), is incorporated herein. Until the review under Article ~~8+7+9~~, Thailand does not accept to renegotiate such commitments or negotiate any further commitments on this sector.

10 Paragraph 5 of Article ~~+7+7~~ does not apply to sectors or subsectors that do not exist under Thai law at the date of entry into force of this Agreement.

<p>services (CPC 8129)</p>		<p>international marine, aviation and transit and all classes of reinsurance.</p> <p>2) None</p> <p>3) (a) Foreign equity participation limited to 25 per cent of registered share capital.</p> <p>(b) New establishment is subject to license approved by the Minister with the consent of the Cabinet.</p> <p>4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>2) None</p> <p>3) None</p> <p>4) None</p>	
<p>(d) Services auxiliary to insurance (excluding pension funding services)</p> <p>Insurance broking and agency services (CPC 81401)</p> <p>(Brokers shall not induce, advise or do any acts so as to cause any person to enter into insurance contracts with insurers abroad, except for reinsurance contracts)</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Foreign equity participation not to exceed 25 per cent.</p> <p>4) (a) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p> <p>(b) Unbound for individual broker and agent.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) No limitations as long as foreign equity participation does not exceed 25 per cent.</p> <p>4) None</p>	
<p>Insurance consultancy</p>		<p>1) None</p>	<p>1) None</p>	

<p>services excluding pension consulting services (CPC 81402)</p>		<p>2) None 3) None other than that indicated in the horizontal section. 4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None</p>	
<p>Average and loss adjustment services (CPC 81403)</p>		<p>1) None 2) None 3) None other than that indicated in the horizontal section. 4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>1) None 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None</p>	
<p>Actuarial services (CPC 81404)</p>		<p>1) None 2) None 3) None other than that indicated in the horizontal section. 4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.</p>	<p>1) None 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent. 4) None</p>	
<p>Services auxiliary to</p>				

<p>financial intermediation other than to insurance and pension funding services</p> <p>Credit card services (CPC 81133) (Mobilising funds from the public is prohibited, unless licensed under a financial law)</p>		<p>1) None</p> <p>2) None</p> <p>3) (a) As indicated in B(3)(j) below.</p> <p>(b) Financial institutions must obtain prior approval from the Bank of Thailand.</p> <p>4) As indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	
<p>Financial consultancy services (CPC 81332)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section.</p> <p>4) As indicated in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent.</p> <p>4) None</p>	
<p>B. <u>Banking and other financial services</u> (excluding insurance)</p> <p>Acceptance of deposits and other repayable funds from the public</p> <p>Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions</p> <p>Financial leasing</p> <p>Payment and money transmission</p>		<p>1) None for financial advisory and financial data processing. Unbound for all other services.</p> <p>2) None for financial advisory and financial data processing. Unbound for all other services.</p> <p>3) (a) Representative office of</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Representative office of</p>	

<p>services including credit, charge and debit cards, travellers cheques and bankers drafts</p> <p>Guarantees and commitments</p> <p>Trading for own account, or for account of customers in the following:</p> <p>(a) money market instruments</p> <p>(b) foreign exchange</p> <p>(c) exchange rate and interest rate instruments</p> <p>(d) transferable securities</p> <p>Participation in issues of all kinds of securities, including underwriting and placement as agents (whether publicly or privately) and provision of services related to such issues</p> <p>Asset management as follows:</p> <ul style="list-style-type: none"> - cash or portfolio management - collective investment management - custodian and depository 		<p>banks</p> <p>None.</p> <p>(b) Foreign bank branches</p> <p>I. None for existing foreign bank branches under present shareholding structure. New establishment is subject to licence approved by the Minister of Finance with the consent of the Cabinet.</p> <p>II. ATM operations permitted under the following conditions only:</p> <p>(i) joining ATM pools operated by Thai banks; or</p> <p>(ii) operation within own premises or sharing the facilities with other commercial banks in Thailand.</p> <p>III. Existing foreign banks which already had the first branch office in Thailand prior to July 1995 will each be permitted to open no more than two additional branches.</p> <p>IV. None for</p>	<p>banks</p> <p>None.</p> <p>(b) Foreign bank branches</p> <p>None, except as indicated in the market access column.</p>	
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<p>services</p> <p>Advisory, intermediation and other auxiliary financial services</p> <p>Provision and transfer of financial information, and financial data processing and related software</p>		<p>participation in cheque clearing and settlement system.</p> <p>(c) Locally incorporated banks</p> <p>I. Market access limited to the acquisition of shares of existing banks.</p> <p>II. (i) Maximum foreign equity participation limited to 25 per cent of paid-up registered capital. Combined shareholding of an individual and his/her related persons not to exceed 5 per cent of bank's paid-up registered capital.</p> <p>(ii) The Minister</p>	<p>(c) Locally incorporated banks</p> <p>None, except as indicated in the market access column.</p>	
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		<p>of Finance upon recommendation of the Bank of Thailand may relax the above-mentioned limits on maximum foreign equity participation and combined shareholding of an individual and his/her related persons, subject to the terms and conditions announced by the Minister of Finance, including the following:</p> <ul style="list-style-type: none"> - the relaxation is deemed necessary to improve the condition or business of the commercial bank; <p>- such</p>		
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		<p>equity participation will be authorised for a period of up to 10 years, with foreign share-holders who enter in this period being grand-fathered there-after with respect to the absolute amount of their equity holding.</p> <p>III. At least three-fourths of the directors must be of Thai nationality. The Minister of Finance upon recommendation of the Bank of Thailand may allow more foreign nationals than specified above subject to the same terms and conditions as stated in II (ii) above.</p> <p>(d) International Banking</p>	<p>(d) International Banking</p>	
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		<p>Facility¹¹</p> <p>New establishment is subject to licence approved by the Minister of Finance.</p> <p>(e) Finance companies and credit foncier companies</p> <p>I. None for representative offices.</p> <p>II. Market access limited to the acquisition of shares of existing companies.</p> <p>III. (i) Maximum foreign equity participation limited to 25 per cent of paid-up registered capital. Combined shareholding of an individual and his/her related persons not to exceed 10 per cent.</p> <p>(ii) The Minister of Finance upon</p>	<p>Facility</p> <p>None, except as indicated in</p> <p>(e) Finance companies and credit foncier companies</p> <p>None, except as indicated in the market access column.</p>	
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11 IBF units permitted to operate only the banking and investment banking business as specified in the Ministerial Order issued on 16 September 1992, and Notification of the Bank of Thailand dated 14 December 1993.

		<p>recommendation of the Bank of Thailand may relax the above - mentioned limits on maximum foreign equity participation and combined shareholding of an individual and his/her related persons, subject to the terms and conditions announced by the Minister of Finance, including the following:</p> <ul style="list-style-type: none"> - the relaxation is deemed necessary to improve the condition or business of the finance company and credit foncier company. - such equity participa 		
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		<p>tion will be authorised for a period of up to 10 years, with foreign shareholders who enter in this period being grandfathered thereafter with respect to the absolute amount of their equity holding</p> <p>IV. At least three-fourths of the directors must be of Thai nationality. The Minister of Finance upon recommendation of the Bank of Thailand may allow more foreign nationals than specified above subject to the same terms and conditions as stated in III (ii) above.</p> <p>(f) Securities companies</p> <p>Securities brokerage, securities dealing, investment advisory</p>	<p>(f) Securities companies</p> <p>None, except as indicated in the market access column.</p>	
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		<p>service and securities underwriting:</p> <p>I. None for representative offices.</p> <p>II. Market access limited to share acquisition of existing companies only. Unbound for new licences.</p> <p>III. Maximum foreign equity participation limited to 49 per cent of paid-up registered capital.</p> <p>IV. At least one-half of the directors of a locally incorporated securities firm must be Thai national.</p> <p>(g) Asset management companies:</p> <p>I. None for representative offices.</p> <p>II. Market access limited to share acquisition of existing companies.</p> <p>III. During the first five years after the licence has</p>	<p>(g) Asset management companies:</p> <p>None, except as indicated in the market access column.</p>	
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		<p>been granted, maximum foreign equity participation is limited to 25 per cent of paid-up registered capital and at least three-fourths of the directors must be Thai national.</p> <p>IV. After five years, maximum foreign equity participation is limited to 49 per cent of paid-up registered capital and at least one-half of the directors must be Thai national.</p> <p>(h) Financial leasing services</p> <p>Can only be provided by leasing companies which are subject to maximum foreign equity participation of 49 per cent of paid-up registered capital, or by finance companies which are subject to maximum foreign equity participation of 25 per cent of paid-up registered capital, except in (e) III (ii).</p> <p>(i) Factoring services</p> <p>Can only be provided by factoring companies which are subject to</p>	<p>(h) Financial leasing services</p> <p>None</p> <p>(i) Factoring services</p> <p>None</p>	
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		<p>maximum foreign equity participation of 49 per cent of paid-up registered capital, or by finance companies which are subject to maximum foreign equity participation of 25 per cent of paid-up registered capital, except in (e) III (ii).</p> <p>(j) Credit, charge and debit cards</p> <p>Credit, charge and debit cards can only be provided by companies which are subject to maximum foreign equity participation of 49 per cent of paid-up registered capital or locally incorporated banks and foreign bank branches.</p> <p>The conduct of businesses under h), i) and j) will be subject to licensing and regulations to be announced.</p> <p>4) Limitations on the number of foreign personnel per foreign bank office:</p> <p>(a) two persons for banks operating as representative office;</p> <p>(b) six persons for each full-licensed branch;</p> <p>(c) four persons for each BIBF branch;</p> <p>(d) two persons for each PIBF branch;</p>	<p>(j) Credit, charge and debit cards</p> <p>None</p> <p>4) None</p>	
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		<p>(e) eight persons for banks operating as full-licensed and BIBF branch;</p> <p>For finance companies:</p> <p>(a) two persons for a representative office;</p> <p>(b) Maximum of four directors permitted for finance companies;</p> <p>For securities companies and asset and management companies:</p> <p>two persons for a representative office.</p>		
<p>Trading for own account, or for account of customers in the following:</p> <ul style="list-style-type: none"> - derivative products incl., but not limited to, futures and options - other negotiable instruments and financial assets, incl. bullion 		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Money broking</p>		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound</p>	
<p>Settlement and clearing services for financial assets, incl. securities, derivative</p>		<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

products, and other negotiable instruments		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
C. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
8. HEALTH RELATED AND SOCIAL SERVICES (other than those listed under 1.A.h-j.)				
A. Hospital services (CPC 9311)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. Other Human Health Services (CPC 9319, other than 93191)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C. Social services (CPC 933)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. Other (including extraction of Thai herbs)		1) Unbound 2) Unbound	1) Unbound 2) Unbound	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
9. TOURISM AND TRAVEL RELATED SERVICES				
A. <u>Hotel and Restaurant Services (including catering)</u> (CPC 641 to 643)				
<u>Hotel Lodging Services</u> (CPC 64110)		1) Unbound 2) None 3) (a) For luxury hotel and resort with facility having a minimum of 100 rooms and service supplier having a minimum paid-up registered capital of 800 million baht, foreign equity participation of not exceeding 60 per cent is allowed, provided that (1) the service supplier is an enterprise registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower shall be maintained; and no limitation on the number of foreign shareholders; (b) For others: None	1) Unbound 2) None 3) For luxury hotel and resort services, no limitations as long as (1) foreign equity participation does not exceed 60 per cent; (2) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (3) a loan to capital ratio of 3:1 or lower is maintained; (4) service supplier has a minimum paid-up registered capital of 800 million baht; and (5) the facility has a minimum of 100 rooms.	
		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	

<p>Restaurant Services (CPC 64210)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) (a) For full restaurant services (food and beverage preparation and serving with or without entertainment) with the facility having a minimum area of 450 square metres and service supplier^{provider} having a minimum paid-up registered capital of 50 million baht, foreign equity participation of not exceeding 60 per cent is allowed, provided that (1) the service supplier is an enterprise registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; and (2) a loan to capital ratio of 3:1 or lower shall be maintained; and no limitation on the number of foreign shareholders;</p> <p>(b) For others: None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) For full restaurant services (food and beverage preparation and serving with or without entertainment), no limitations as long as (1) foreign equity participation does not exceed 60 per cent; (2) the investor / service supplier which is an enterprise of Japan is registered as a registered ordinary partnership, limited partnership or limited liability company in Thailand; (3) a loan to capital ratio of 3:1 or lower is maintained; (4) the facility has a minimum area of 450 square metres; and (5) service supplier has a minimum paid-up registered capital of 50 million baht.</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Catering Services (CPC 64230)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None; no restriction of the number of foreign shareholders</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	

Others (CPC 6412 + 6419 + 6422 + 6429 + 6431 + 6432)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. <u>Travel Agency and Tour Operator Services</u> (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 nationals. 4) As indicated in the horizontal section	1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section	
C. Tourist Guides Services		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	

10. RECREATIONAL, CULTURAL AND SPORTING SERVICES				
A. Entertainment services (including theatre, live bands and circus services) (CPC 9619)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
B. News agency services (CPC 962)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C. Libraries, archives, museums and other cultural services (CPC 963)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. Sporting and Other Recreational Services (CPC 964) 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	1) Unbound 2) None 3) None	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
Other recreational services (CPC 96419+96492+96499)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. Other		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
11. TRANSPORT SERVICES A. <u>Maritime Transport Services</u>				The following services at the port provided by the government or government enterprise are made available, to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage ¹² 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal

12. 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.

<p>(a) Passenger transportation (CPC 7211 less cabotage transport: as defined below - 3.1)</p>		<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined below - 3.2) except branch office: As indicated in the horizontal section.</p> <p>4) (a) Ships' crews: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound</p> <p>(b) None</p> <p>4) (a) Unbound</p> <p>(b) Unbound, except as provided in the horizontal section</p>	<p>5. Port captain's service</p> <p>6. Navigation aids</p> <p>7. Shore-based operational services essential to ship operations, water and electrical supplies</p> <p>8. Emergency repair facilities</p> <p>9. Anchorage, berth and berthing services</p>
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<p>(b) Freight transportation (CPC 7212 less cabotage transport: as defined below - 3.1)</p>		<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand</p> <p>(b) Other forms of commercial presence for the supply of international maritime transport services (as defined below - 3.2) except branch office: As indicated in the horizontal section</p> <p>4) (a) Ships' crews: Unbound</p> <p>(b) Other personnel: As indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Unbound</p> <p>(b) None other than:</p> <p>(i) Shareholders of Thai maritime transport companies with ownership of Thai flag vessels may be granted exemption or reduced rates of income tax leviable on dividends paid by such companies</p> <p>(ii) Exporters or importers of goods shipped from or to Thailand by Thai flag vessels may be entitled to special deduction of not more than 50 per cent of the freight values or other expenses paid in the ordinary course of carriage of such goods from their net income for the purpose of calculation of income tax</p> <p>4) (a) Unbound</p> <p>(b) Unbound, except as provided in the horizontal section</p>	<p>1) See Note to the Schedule below</p> <p>3) (b) See Note to the Schedule below</p>
<p>(c) Rental of vessels with Crew (CPC 7213)</p>		<p>1) Unbound</p> <p>2) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

		3) Unbound 4) Unbound	3) Unbound 4) Unbound	
(d) Maintenance and repair of vessels (part of CPC 8868)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e) International towing (CPC 7214)		1) None 2) None 3) (a) Unbound for establishment of enterprise for the purpose of operating a fleet under the national flag of Thailand (b) Other forms of commercial presence for the supply of international 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	
(f) Supporting Services for maritime transport (CPC 745) Shore reception facilities (collection of waste/oily water from ships)		1) Unbound 2) None	1) Unbound 2) None	

		3) None 4) As indicated in the horizontal section	3) None 4) Unbound, except as provided in the horizontal section	
Port captain's services attached to specific foreign vessels		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	
Marine surveys and classification societies for the purpose of providing accurate documentation and certification of vessels		1) None other than those under regulations stipulated by the Marine Department 2) None 3) None 4) As indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except as provided in the MA column	
Freight forwarding services (as defined below - 3.4)		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	
Maritime cargo handling services (as defined below - 3.5)		1) Unbound 2) None	1) Unbound 2) None	

		<p>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 (1951).</p> <p>4) As indicated in the horizontal section</p>	<p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
Maritime agency services (as defined below - 3.6)		<p>1) Unbound</p> <p>2) None</p> <p>3) None¹³</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as provided in the horizontal section</p>	
<p>Port and waterway operation services (excl. cargo handling) (CPC 74510)</p> <p>Marina facilities (a small sea, lake or river harbour with docking facilities for motor and sailing boats used for private and recreational purpose with maintenance and supply services and berths for long and short term use)</p>		<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) As indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound, except as provided in the horizontal section</p>	
Others		<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	

13. Domestic regulations may require registration of service suppliers, minimum paid-up capital, experienced personnel, etc., on a non-discriminatory basis.

	4) Unbound	4) Unbound	
<p><u>NOTE TO THE SCHEDULE</u></p> <p>1. Where road, rail, inland waterways and related auxiliary services are not otherwise fully covered in this Schedule, a multimodal transport operator shall have the ability to rent or lease trucks, railway carriages or barges, and related equipment, for the purpose of inland forwarding of cargoes, or have access to and use of these forms of multimodal activities on reasonable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport operations.</p> <p>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.</p> <p>3. <u>Definitions:</u></p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> (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; or (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. <p>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.</p> <p>3.4 "Freight forwarding services" means the activity consisting of organising and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information.</p> <p>3.5 "Maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers when this workforce is organised independently of the stevedoring or terminal operator companies. The activities include the organisation and supervision of:</p> <ul style="list-style-type: none"> - the loading/discharging of cargo to/from a ship; - the lashing/unlashing of cargo; and 			

<p>- the reception/delivery and safekeeping of cargoes before shipment or after discharge.</p> <p>3.6 "Maritime agency services" means activities consisting of representing as an agent, the business interests of one or more shipping lines, for the following purposes:</p> <ul style="list-style-type: none"> - 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; or - acting on behalf of the shipping lines organising the call of a ship or taking over cargoes when required. 				
B.	<u>Internal Waterways Transport</u>			
(d)	Maintenance and repair of vessels (part of CPC 8868)	1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e)	Pushing and towing (CPC 7224)	1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(f)	Supporting services for internal waterway transport (CPC 745**)	1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
C.	<u>Air Transport Services</u>			
(d)	Aircraft repair and maintenance services (CPC 8868)	1) None 2) None 3) Unbound	1) None 2) None 3) Unbound	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
(e) Supporting services for air transport (CPC 746) Selling and marketing of air transport services		1) Unbound 2) Unbound 3) 1. Distribution through CRS is allowed only for airlines offices and one General Sales Agent office 2. Service suppliers must use Thai public telecommunication network under national telecommunication authorities 4) As indicated in the horizontal section	1) Unbound 2) Unbound 3) The value added tax in use comprises 3 rates, namely 7 per cent, 0 per cent and exempted. VAT collection is based on a reciprocal basis. 4) Unbound	
Computer reservation system services		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
D. <u>Space Transport</u> (CPC 733)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
E. <u>Rail Transport Services</u> (a) Passenger transportation		1) Unbound	1) Unbound	

		2) Unbound 3) Unbound 4) Unbound	2) Unbound 3) Unbound 4) Unbound	
(b) Freight transportation (CPC 7112)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(c) Pushing and towing services (CPC 7113)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(d) Maintenance and repair of rail transport equipment (CPC 8868)		1) Unbound 2) None 3) None 4) (a) As indicated in the horizontal section (b) Unbound for civil engineer	1) Unbound 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) 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	

Security services at railway station		<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) As indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 4) Unbound, except as provided in the horizontal section 	
<p>F. <u>Road Transport Services</u> <u>Other non-scheduled passenger transportation</u></p> <p>(a) Passenger transportation (CPC 7121+7122)</p>		<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 4) Unbound 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) Unbound 4) Unbound 	
(b) Freight transportation only for frozen or refrigerated goods, bulk liquids or gases and containerised freight (CPC 71231 to 71233)		<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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)		<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) None 	

		4) As indicated in the horizontal section	4) Unbound, except as provided in the horizontal section	
(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	
(d) Maintenance and repair of road transport equipment (CPC 6112 + 8868)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
(e) Supporting services for road transport services (CPC 744)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
G. <u>Pipeline Transport</u>				
(a) Transportation of fuels		1) Unbound	1) Unbound	
(b) Transportation of other goods		2) Unbound 3) Unbound 4) Unbound	2) Unbound 3) Unbound 4) Unbound	

H. <u>Services Auxiliary to All Modes of Transport</u>			
(a) Cargo-handling services (CPC 741)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound
(b) Storage and warehousing services (CPC 742)		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) Freight transport agency services (CPC 748)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound
(d) Other (CPC 749)		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound
I. Other transport services		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound

12. OTHER SERVICES NOT INCLUDED ELSEWHERE (CPC 95+97+98+99) Newspaper publishing services		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Services involved electric power generating		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	
Others		1) Unbound 2) Unbound 3) Unbound 4) Unbound	1) Unbound 2) Unbound 3) Unbound 4) Unbound	