

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

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Trade Negotiations Committee

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COMMUNICATION FROM AUSTRALIA

Schedule of Australia concerning Initial
Commitments on Trade in Services

Corrigendum

The attached Corrigendum is circulated at the request of Australia to members of the Group of Negotiations on Services and should replace pages 37 to 39 of MTN.TNC/W/51/Rev.3 circulated on 26 November 1993.

ATTACHMENT A

ARTICLE XVII
ADDITIONAL COMMITMENTS

1. Access to and use of Port facilities

When the following services are not otherwise covered by the obligation enshrined in Article XXIV (c)(ii), they will be made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:

- . pilotage
- . towing and tug assistance
- . provisioning, fuelling and watering
- . garbage collecting and ballast waste disposal
- . Port Captain's services
- . navigation aids
- . emergency repair facilities
- . anchorage
- . berth and berthing services
- . other shore based operational services essential to ship operations, including telecommunications water and electrical supplies

2. Multimodal Operations

Where road, rail, inland waterways and related auxiliary services are not otherwise fully covered in this schedule, a multimodal transport operator (as defined in Attachment B.2) 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 reliable and non-discriminatory terms and conditions for the purpose of carrying out multimodal transport services.

For the purpose of this additional commitment, "reasonable and non-discriminatory terms and conditions" means the ability of the multimodal transport operator to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered port at a later date.

ATTACHMENT B

DEFINITIONS

1. Cabotage: for the purposes of this schedule only, cabotage is defined as the transportation of passengers or goods between a port located in Australia and another port located in Australia and traffic originating and terminating in the same port located in Australia.

Offshore Transport refers to shipping services involving the transportation of passengers or goods between a port located in Australia and any location associated with or incidental to, the exploration or exploitation of natural resources of the continental shelf of Australia, the seabed of the Australian coastal sea and the subsoil of that seabed.

2. Multimodal Transport Operator: 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. Other Forms of Commercial Presence for the Supply of International Maritime Transport Service: for the purposes of this schedule, means the ability for international maritime transport service suppliers of other Members to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. This commitment shall not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery.

These activities include:

-marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;

-the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inland transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;

-the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;

- the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the Annex on Telecommunications);

- the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;

- acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

4. International Rental of Vessels with Crew: rental and/or leasing services of all types of sea going vessels with crew (such as tankers, dry bulk cargo vessels, cargo and freight vessels) for the purpose of international trade.

5. Maritime Cargo Handling Services: activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring or terminal operator companies. The activities covered include the organisation and supervision of:

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes in the wharf area before shipment or after discharge.

The organisation and supervision includes the arrangements for (1) engaging skilled labour (dockers), (2) using all the necessary equipment for on-board or shore use and the appropriate storage space, whether by ownership, rental or otherwise, (3) the checking of parcels and markings, the weighing and measuring of cargo (upon request of the owner), and (4) the administrative duties as well as the responsibility related to the services.

Container terminal operators can furthermore be appointed for stuffing/stripping containers and, e.g. the survey and supply of electricity to containers.

6. Maritime Freight Forwarding Services: the organisation and monitoring of shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.

7. Customs Clearance Services: activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.

8. Preshipment Inspection: all services performed on a fee or contract basis involved in the verification of the quality, quantity, price (including currency exchange rate and financial terms), and/or the customs classification of goods to be exported. Does not include customs or quarantine inspection.

9. Maritime Agency Services: activities consisting in representing, within a given geographic area, as an agent the business interests of one or more shipping line or shipping companies, for the following purposes:

- marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information;
- acting on behalf of the companies organising the call of the ship or taking over cargoes when required.