PHILIPPINES

Schedule of Specific Commitments

(This is authentic in English only)
### PHILIPPINES - SCHEDULE OF SPECIFIC COMMITMENTS

<table>
<thead>
<tr>
<th>Modes of supply:</th>
<th>1) Cross-border supply</th>
<th>2) Consumption abroad</th>
<th>3) Commercial presence</th>
<th>4) Presence of natural persons</th>
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<tbody>
<tr>
<td>Sector or subsector</td>
<td>Limitations on market access</td>
<td>Limitations on national treatment</td>
<td>Additional commitments</td>
<td></td>
</tr>
<tr>
<td><strong>I. HORIZONTAL COMMITMENTS</strong></td>
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<tr>
<td>ALL SECTORS INCLUDED IN THIS SCHEDULE</td>
<td>3) In Activities Expressly Reserved by Law to Citizens of the Philippines (i.e., foreign equity is limited to a minority share):</td>
<td>3) Access to Domestic Credit</td>
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<td></td>
<td>The participation of foreign investors in the governing body of any corporation engaged in activities expressly reserved to citizens of the Philippines by law shall be limited to the proportionate share of foreign capital of such entities.</td>
<td>A foreign firm, engaged in non-manufacturing activities availing itself of peso borrowings, shall observe, at the time of borrowing, the prescribed 50:50 debt-to-equity ratio. Foreign firms covered are:</td>
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<td></td>
<td>All executive and managing officers must be citizens of the Philippines.</td>
<td>a) partnerships, more than 40 per cent of whose capital is owned by non-Filipino citizens; and</td>
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<td></td>
<td>Acquisition of Land</td>
<td>b) corporations, more than 40 per cent of whose total subscribed capital stock is owned by non-Filipino citizens.</td>
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<td></td>
<td>All lands of the public domain are owned by the State.</td>
<td>This requirement does not apply to banks and non-bank financial intermediaries.</td>
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<tr>
<td></td>
<td>Only citizens of the Philippines or corporations or associations at least 60 per cent of whose capital is owned by such citizens may own land other than public lands and acquire public lands through lease.</td>
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<td></td>
<td>Foreign investors may lease only private-owned lands.</td>
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<td>4) Entry and Temporary Stay of Natural Persons Supplying Services</td>
<td>Non-resident aliens may be admitted to the Philippines for the supply of a service after a determination of the non-availability of a person in the Philippines who is competent, able and willing, at the time of application, to perform the services for which the alien is desired.¹</td>
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¹ The Philippines shall undertake a review of this provision within two (2) years after the entry into force of the Agreement for the Philippines.
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<td>II. SECTOR-SPECIFIC COMMITMENTS</td>
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<tr>
<td>TRANSPORT SERVICES</td>
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<tr>
<td>All subsectors</td>
<td>3) No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines at least 60 per cent of whose capital is owned by such citizens.</td>
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<td></td>
<td>4) Only aliens qualified to hold technical positions may be employed within the first five years of operation of the enterprise, their stay not to exceed five (5) years upon entry.</td>
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<td></td>
<td>Each employed alien should have at least two (2) Filipino understudies.</td>
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<td></td>
<td>3), 4) Limitations listed in the horizontal section shall also apply</td>
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<tr>
<td>Maritime Transport Services</td>
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<tr>
<td>International Transport (passenger and freight), except</td>
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<td>a) cabotage transport, and</td>
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<td>b) government-owned cargoes&lt;sup&gt;1&lt;/sup&gt;</td>
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<td></td>
<td>1) None</td>
<td>1) None</td>
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<td></td>
<td>2) None</td>
<td>2) None</td>
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<td></td>
<td>3) None</td>
<td>3) None</td>
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<td></td>
<td>4) For specialized vessels, aliens may be employed as supernumeraries only for a period of six months.</td>
<td>4) None</td>
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<tr>
<td>Leasing/rental of vessels without crew</td>
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<tr>
<td></td>
<td>1) None</td>
<td>1) None</td>
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<td></td>
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<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
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<tr>
<td></td>
<td>3) Bareboat charter or lease contract subject to approval by the Maritime Industry Authority (MARINA)</td>
<td>3) None</td>
<td></td>
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<tr>
<td></td>
<td>4) None</td>
<td>4) None</td>
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1 Subject to the Cargo Reservation Law which requires that cargoes owned by government-owned or controlled corporations shall be shipped on board Philippine flag vessels.
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<td>1) Unbound*</td>
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<tr>
<td>Maintenance and repair of vessels</td>
<td>2) Any repairs, conversion or drydocking of Philippine-owned or registered vessels are required to be done at domestic ship repair yards registered with the Maritime Industry Authority (MARINA)</td>
<td>2) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) None</td>
<td>3) None</td>
<td></td>
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<td></td>
<td>4) None</td>
<td>4) None</td>
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<tr>
<td>Air Transport Services</td>
<td></td>
<td></td>
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<tr>
<td>Leasing/rental of aircraft without crew</td>
<td>1) None</td>
<td>1) None</td>
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<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td></td>
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<tr>
<td></td>
<td>3) Lease contract subject to approval by the Civil Aeronautics Board</td>
<td>3) None</td>
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<tr>
<td></td>
<td>4) None</td>
<td>4) None</td>
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* Due to lack of technical feasibility.
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<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
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<td></td>
<td>3) None</td>
<td>3) None</td>
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<td></td>
<td>4) None</td>
<td>4) None</td>
<td></td>
</tr>
<tr>
<td>General Sales and Cargo Sales Agency</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
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<td></td>
<td>2) None</td>
<td>2) None</td>
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<td></td>
<td>3) None</td>
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<td></td>
<td>4) None</td>
<td>4) None</td>
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<tr>
<td>Rail Transport Services</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Passenger and freight transport</td>
<td>1) Unbound*</td>
<td>1) Unbound*</td>
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<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
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<td>3) None</td>
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<tr>
<td>Maintenance and repair of rail transport equipment</td>
<td>1) Unbound*</td>
<td>1) Unbound*</td>
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<td></td>
<td>2) None</td>
<td>2) None</td>
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<td>3) None</td>
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<td>4) None</td>
<td>4) None</td>
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<tr>
<td>Road Transport Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Passenger and freight transport</td>
<td>1) Unbound*</td>
<td>1) Unbound*</td>
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<td>2) None</td>
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<tr>
<td>Maintenance and repair of road vehicles</td>
<td>Provisional authority/certificate of public convenience must be secured from the Land Transportation Franchising and Regulatory Board (LTFRB) New entrants are subject to economic needs test, as follows: a) the need to provide protection to investments of operators in unserved areas/developmental routes; and b) the route measured capacity test for number of vehicles.</td>
<td>3) None</td>
<td></td>
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<tr>
<td>Services Auxiliary to All Modes of Transport</td>
<td></td>
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<tr>
<td>Cargo handling services</td>
<td>1) Unbound*</td>
<td>1) Unbound*</td>
<td></td>
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<tr>
<td>Storage and warehousing services</td>
<td>2) None</td>
<td>2) None</td>
<td></td>
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<tr>
<td>Container yard and depot services</td>
<td>3) None</td>
<td>3) None</td>
<td></td>
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<tr>
<td>Freight forwarding services</td>
<td>4) None</td>
<td>4) None</td>
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<td>COMMUNICATIONS SERVICES All subsectors</td>
<td>3) No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines at least 60 per cent of whose capital is owned by such citizens</td>
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<td>3, 4) Limitations listed in the horizontal section shall also apply</td>
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<tr>
<td>Courier Services</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
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<td></td>
<td>2) None</td>
<td>2) None</td>
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<tr>
<td><strong>Telecommunications Services</strong></td>
<td>1) Only through duly enfranchised and certificated domestic public telecommunications carriers</td>
<td>1) None</td>
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<tr>
<td>Voice mail</td>
<td>2) None</td>
<td>2) None</td>
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<tr>
<td>On-line information and data base retrieval</td>
<td>3) Operation subject to securing of:</td>
<td>3) None</td>
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<tr>
<td>Electronic data exchange</td>
<td>i) Franchise from the Congress of the Philippines</td>
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<tr>
<td>Videotex</td>
<td>ii) Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission</td>
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<tr>
<td></td>
<td>4) None</td>
<td>4) None</td>
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<td>FINANCIAL SERVICES</td>
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<tr>
<td>Banking and Other Financial Services (excluding Insurance)</td>
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<tr>
<td>Coverage of commitment: commercial banks and non-bank financial intermediaries except investment houses</td>
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<tr>
<td>All subsectors</td>
<td>Authorization for entities to establish commercial presence or expand existing operations in banking and other financial services (excluding insurance) in the Philippines shall be subject to a determination by the concerned regulatory authorities whether public interest and economic conditions justify the issuance of such authorization</td>
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<td></td>
<td>3) 4) Limitations listed in the horizontal section shall also apply</td>
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<tr>
<td>Commercial Banking:</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
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<tr>
<td>- Acceptance of deposits and other repayable funds from the public</td>
<td>2) None</td>
<td>2) None</td>
<td></td>
</tr>
<tr>
<td>- Lending of all types, including consumer credit, mortgage credit, and financing of commercial transaction</td>
<td>3) Foreign equity in existing or new domestic commercial banks subject to a maximum 30 per cent of voting stock or 40 per cent upon approval by the President of the Philippines</td>
<td>3) None</td>
<td></td>
</tr>
<tr>
<td>- All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts</td>
<td>Deposit taking authority extends only to domestic commercial banks and to the four grandfathered foreign bank branches</td>
<td></td>
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<tr>
<td>- Guarantees and commitments</td>
<td>Participation of aliens in the Board of Directors of domestic banks is limited to one-third of the Board’s total membership</td>
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<td></td>
<td>Equity ownership ceiling for domestic banks: individual - 20 per cent; corporation - 30 per cent</td>
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</tr>
<tr>
<td>- Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</td>
<td>Prior authority is required for the following:</td>
<td>Underwriting (firm and best efforts basis) may be performed only by commercial banks with expanded commercial banking authority</td>
<td>4) Foreign service suppliers shall perform technical functions only, with Filipino understudy</td>
<td></td>
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<tr>
<td>- money market instruments (including cheques, bills, certificates of deposits);</td>
<td>- Acceptance of deposit substitutes and other repayable funds from the public;</td>
<td>4) None</td>
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<tr>
<td>- foreign exchange</td>
<td>- Guarantees and commitments; and</td>
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<tr>
<td>- derivative products including, but not limited to, futures and options</td>
<td>- Performance of trust, investment management and other fiduciary business.</td>
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<tr>
<td>- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements; and</td>
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<tr>
<td>- other allowable negotiable instruments and financial assets</td>
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<td></td>
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<tr>
<td>- Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues.</td>
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<td></td>
<td></td>
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<tr>
<td>- Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services.</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial Advisory Services, as follows:</td>
<td>1) None</td>
<td>1) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- underwriting</td>
<td>2) None</td>
<td>2) None</td>
<td></td>
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</tbody>
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**PHILIPPINES (continued)**

<table>
<thead>
<tr>
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<tr>
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<td><strong>Limitations on market access</strong></td>
<td><strong>Limitations on national treatment</strong></td>
<td><strong>Additional commitments</strong></td>
<td></td>
</tr>
<tr>
<td>- guarantees and commitments</td>
<td>3) Required to be organized as a commercial bank or a non-bank financial intermediary</td>
<td>3) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- credit reference and analysis</td>
<td>For commercial banks, all other limitations mentioned under mode 3 above for commercial banks shall apply</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- investment and portfolio research and advice</td>
<td>Foreign equity bound at 40 per cent for non-bank financial intermediary</td>
<td>4) For commercial banks and financing companies, foreign service suppliers shall perform technical functions only, with Filipino understudy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Factoring</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) Must be performed by a financing company only, organized either as a corporation or general partnership</td>
<td>3) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Subject to foreign equity limitation of 40 per cent</td>
<td></td>
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</tr>
</tbody>
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### Modes of supply:

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<th>Additional commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial leasing</td>
<td>Membership of aliens in the Board of Directors is limited to one-third of the Board's total membership in the case of a corporation; no foreign managing partners in the case of a general partnership. Subject to foreign equity limitation of 40 per cent. Membership of aliens in the Board of Directors is limited to one-third of the Board's total membership in the case of a corporation; no foreign managing partners in the case of a general partnership.</td>
<td>None</td>
<td>Foreign service suppliers shall perform technical functions only, with Filipino understudy.</td>
</tr>
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PHI 'PPINES (continued)

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<th>Additional commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Money broking and Foreign Exchange broking</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td>4) For commercial banks and financing companies, foreign service suppliers shall perform technical functions only, with Filipino understudy.</td>
</tr>
<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) Required to be organized as a commercial bank or a non-bank financial intermediary</td>
<td>3) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>For commercial banks, all other limitations mentioned under mode 3 above</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>for commercial banks shall apply</td>
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<tr>
<td></td>
<td>Foreign equity bound at 40 per cent for non-bank financial intermediary</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Credit card services</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) Required to be organized as a commercial bank or a non-bank financial intermediary</td>
<td>3) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>For commercial banks, all other limitations mentioned under mode 3 above</td>
<td></td>
<td></td>
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<td></td>
<td>for commercial banks shall apply</td>
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<tr>
<td></td>
<td>Foreign equity bound at 40 per cent for non-bank financial intermediary</td>
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<td>Limitations on market access</td>
<td>Limitations on national treatment</td>
<td>Additional commitments</td>
<td></td>
</tr>
<tr>
<td>Promotion and provision of information about the services/products offered by a foreign bank</td>
<td>4) None</td>
<td>4) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Securities Dealership/Brokerage</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trading for own account or for account of customers, whether in an exchange, in an over-the-counter market or otherwise, the following:</td>
<td>2) None</td>
<td>2) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Equities and its derivative products such as warrants and options</td>
<td>3) Must be organized as a securities broker/dealer corporation or partnership. Must be a member of the stock exchange. Membership is limited to 200. Underwriting is allowed only on best-efforts basis.</td>
<td>3) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Transferable securities</td>
<td>4) None</td>
<td>4) None</td>
<td></td>
<td></td>
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</table>
## PHILIPPINES (continued)

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<td><strong>Limitations on national treatment</strong></td>
<td><strong>Additional commitments</strong></td>
<td></td>
</tr>
<tr>
<td>- Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td></td>
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<tr>
<td></td>
<td>3) Must be organized as a securities broker/dealer corporation or partnership. Must be a member of the stock exchange. Membership is limited to 200. Underwriting is allowed only on best-efforts basis.</td>
<td>3) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Performance of the functions of stock transfer agent such as but not limited to monitoring the issuance and transfer of stock certificates</td>
<td>4) None</td>
<td>4) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td></td>
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<tr>
<td></td>
<td>3) Must be organized either as a corporation or partnership with at least one certified public accountant duly licensed in the Philippines</td>
<td>3) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transactions of an issuer primarily engaged in the business of investing, reinvesting or trading in securities</td>
<td>4) None</td>
<td>4) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td></td>
<td></td>
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<td></td>
<td>2) None</td>
<td>2) None</td>
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<td>Limitations on market access</td>
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<td>Additional commitments</td>
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</tbody>
</table>
| Sale of contracts for the payment of benefits or performance of future services such as life, education, pension and internment plans | 3) Foreign equity bound at 40 per cent  
All members of the Board of Directors must be citizens of the Philippines | 3) None | |
| | 4) None | 4) None | |
| Insurance | 1) Commercial presence is required | 1) None | |
| All subsectors | 2) None | 2) None | |
| | 3) Foreign equity bound at 40 per cent | 3) None | |
| | 4) None | 4) None | |
| | 3) The establishment of new insurance companies is subject to the approval of the Insurance Commission which determines whether public interest and economic conditions justify such establishment. | | |
| | 4) Only aliens qualified to hold technical positions may be employed within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry.  
Each employed alien should have at least two (2) Filipino understudies. | | |
| | 3), 4) Limitations listed in horizontal section shall also apply. | | |

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<td>Additional commitments</td>
<td></td>
</tr>
<tr>
<td>Life insurance as follows:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>- Ordinary</td>
<td>1) Risks located in the Philippines should be insured with the companies authorized* to transact business in the Philippines</td>
<td>1) Unbound</td>
<td></td>
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</tr>
<tr>
<td>- Group</td>
<td>2) Same as (1) above</td>
<td>2) Unbound</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Industrial</td>
<td>3) Subject to foreign equity limitation of 40 per cent</td>
<td>3) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Health and accident</td>
<td>Membership of aliens in the Board of Directors is limited to the extent of foreign equity participation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Annuities</td>
<td>4) None</td>
<td>4) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Non-life, as follows:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Fire and allied risks/earthquakes/shock/typhoon/floods/tidal wave</td>
<td>1) Risks located in the Philippines should be insured with the companies authorized to transact business in the Philippines</td>
<td>1) Unbound</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>2) Same as (1) above</td>
<td>2) Unbound</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) Subject to foreign equity limitation of 40 per cent</td>
<td>3) None</td>
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</table>

* Authorized means the company has been issued a license by the Insurance Commission to transact business in the Philippines.
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<td>Limitations on national treatment</td>
<td>Additional commitments</td>
<td></td>
</tr>
<tr>
<td>Marine</td>
<td>Membership of aliens in the Board of Directors is limited to the extent of foreign equity participation</td>
<td>4) None</td>
<td>4) None</td>
<td></td>
</tr>
<tr>
<td>Ocean marine/</td>
<td></td>
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<td></td>
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<tr>
<td>inland marine/</td>
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<tr>
<td>marine hull/</td>
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<tr>
<td>aviation</td>
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<tr>
<td>Casualty</td>
<td></td>
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<tr>
<td>motor car/</td>
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<tr>
<td>health and accident/</td>
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<tr>
<td>burglary/</td>
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<tr>
<td>engineering</td>
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<td>miscellaneous</td>
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<td>Suretyship</td>
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<td>Fidelity/surety</td>
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<tr>
<td>bonds</td>
<td></td>
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<tr>
<td>Insurance auxiliary services, as follows:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>actuarial consultancies</td>
<td>1) Commercial presence is required</td>
<td>1) Unbound</td>
<td></td>
<td></td>
</tr>
<tr>
<td>average adjustors</td>
<td>2) None</td>
<td>2) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) Subject to foreign equity limitation of 40 per cent</td>
<td>3) None</td>
<td></td>
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<tr>
<td></td>
<td>Membership of aliens in the Board of Directors is limited to the extent of foreign equity participation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) None</td>
<td>4) None</td>
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<td></td>
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</tbody>
</table>
| Reinsurance/ Retrocession | 1) Priority cessions to authorized insurance/reinsurance companies  
Foreign unauthorized reinsurers should be represented by resident agents duly registered with the Insurance Commission  
10 per cent of total insurance cessions to foreign unauthorized reinsurers should be ceded to the National Reinsurance Corporation of the Philippines  
2) Same as (1) above  
3) Subject to foreign equity limitation of 40 per cent  
Membership of aliens in the Board of Directors is limited to the extent of foreign equity participation  
4) None | 1) None  
2) None  
3) None  
4) None |
PHILIPPINES (continued)

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<td><strong>Limitations on national treatment</strong></td>
<td><strong>Additional commitments</strong></td>
<td></td>
</tr>
<tr>
<td>Tourism accommodation facilities</td>
<td>1) Unbound*</td>
<td>1) Unbound*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Hotel</td>
<td>2) None</td>
<td>2) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Resort</td>
<td>3) Subject to foreign equity limitation of 40 per cent for pension house, tourist inn and apartel</td>
<td>3) None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Pension house</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Tourist inn</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Apartel</td>
<td></td>
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</tr>
<tr>
<td>4) As a general rule, only citizens of the Philippines can be employed in tourism-oriented establishments. However, for hotels and resorts, aliens may be employed subject to the pertinent provisions of the Tripartite Agreement among the Department of Tourism, Department of Labor and Employment and the Bureau of Immigration, as follows:</td>
<td>4) None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Only hotels/resorts duly accredited by the Department of Tourism shall be allowed to engage the services of aliens</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>ii) Aliens may occupy a maximum of four (4) managerial positions in a hotel or resort establishment</td>
<td></td>
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</tr>
</tbody>
</table>

* Due to lack of technical feasibility.
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<th>Limitations on national treatment</th>
<th>Additional commitments</th>
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<tr>
<td>Specialty Restaurants</td>
<td>iii) For new hotels or resorts, aliens required during the pre-operation stage and up to six (6) months after opening of the hotel/resort to the public may be employed. iv) The services of aliens may be engaged during special occasions/events such as food festivals, provided the service contract shall be limited to a period of three (3) months renewable for a maximum period of another three (3) months.</td>
<td>1) Unbound*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Unbound*</td>
<td>2) None</td>
<td>3) None</td>
</tr>
<tr>
<td></td>
<td>2) None</td>
<td>3) None</td>
<td>4) None</td>
</tr>
<tr>
<td></td>
<td>3) No foreign equity is allowed if the specialty restaurant is not part of the facilities of a hotel.</td>
<td>4) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) Aliens may be employed in specialty restaurants subject to pertinent provisions of the Tripartite Agreement among the Department of Tourism, Department of Labor and Employment and the Bureau of Immigration, as follows:</td>
<td></td>
<td></td>
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* Due to lack of technical feasibility.
Modes of supply:

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<tbody>
<tr>
<td></td>
<td>i) Only specialty restaurants duly accredited with the Department of Tourism as well as those forming part of the integrated operation of accredited hotels/resorts may be allowed to engage the services of aliens;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii) A specialty restaurant with a minimum of 75-seat capacity shall be allowed to employ one (1) alien Specialty Chef or Sous Chef. In the initial stage of operation of a specialty restaurant and for a maximum period of two (2) years, three (3) more alien specialty chefs or sous chefs may be employed; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>iii) A specialty restaurant with a seating capacity of 500 or more may be allowed to employ three (3) additional aliens in any of the following positions: specialty chef, sous chef, food service manager or a combination of the above.</td>
<td></td>
<td></td>
</tr>
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<td>Limitations on national treatment</td>
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<td>-----------------------------</td>
<td>-------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Professional Congress</td>
<td>1) Unbound*</td>
<td>1) Unbound*</td>
<td></td>
</tr>
<tr>
<td>Organizers</td>
<td>2) None</td>
<td>2) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) Subject to foreign equity limitation of 40 per cent</td>
<td>3) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) None</td>
<td>4) None</td>
<td></td>
</tr>
<tr>
<td>Travel Agencies</td>
<td>1) Commercial presence is required</td>
<td>1) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3) Subject to foreign equity limitation of 40 per cent</td>
<td>3) None</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) Managers and executives must be resident Filipino citizens</td>
<td>4) None</td>
<td></td>
</tr>
</tbody>
</table>

* Due to lack of technical feasibility.