

**GENERAL AGREEMENT  
ON TRADE IN SERVICES**

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GATS/SC/85  
15 April 1994  
(94-1083)

**THAILAND**

**Schedule of Specific Commitments**

(This is authentic in English only)

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## THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

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 commitment <sup>s</sup>
<b>I. HORIZONTAL COMMITMENTS</b>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Unless otherwise specified, 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, national treatment for this mode of delivery is unbound</p>	
	<p>4) Unless otherwise specified, temporary movement of natural persons is <u>unbound</u> except in the following categories:</p>		

**Note:** The scope and classification of sub-sectors contained in this schedule, unless otherwise specified, corresponds to the explanatory notes for services listed in the 1991 Central Product Classification (CPC) of the United Nations Statistical Office, while the ordering is based on the Services Sectoral Classification List set out in document MTN.GNS/W/120 dated 10 July 1991.

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
	<p>a) A natural person who stays in Thailand for not more than 90 days for the purpose of participating in business meetings or contacts, entering into contract to sell or purchase services, visiting of business establishments or other similar activities;</p> <p>b) A corporate transferee of the managerial or executive level or a specialist, provided that such person has been employed by the company concerned outside Thailand for a period of not less than one year immediately preceding the date of his or her application for admission and has satisfied the criteria for management needs stipulated by the Department of Employment. Temporary entry is limited to a one year period and may be extended for a further two terms of not more than one year each.</p>		

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 of the management.

**THAILAND (continued)**

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
	<p>3), 4) Regarding 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>		

THAILAND (continued)

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
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>			
<b>1. BUSINESS SERVICES</b> <b>A. Professional Services</b> a) Legal services (CPC 86111 +86119 + 86120 +86130 +86190)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	
b) Accounting, auditing and bookkeeping services (CPC 86211 to 86213 +86219 +86220)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	

**THAILAND (continued)**

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
<p>d) Architectural services (CPC 86711 to 86714 +86719)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) Unbound</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound</p>	
<p>e) Engineering services (CPC 86721 to 86727 +86729)</p>	<p>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</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None</p>	
<p>g) Urban planning and landscape architectural services (CPC 86741 to 86742)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) Unbound</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound</p>	

THAILAND (continued)

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

Sector or subsector	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
	Limitations on market access		Limitations on national treatment	Additional commitments
B. Computer and Related Services				
a) Consultancy services related to the installation of computer hardware (CPC 84100)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section		1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
b) Software implementation services (excluding programming and systems maintenance services) (CPC 84210 + 84220 + 84230)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section		1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
c) Data processing services (excluding those provided over public telecommunications network) (CPC 84310 + 84320 + 84330 + 84390)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section		1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	

**THAILAND (continued)**

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
<p>d) Data base services (excluding those provided over public telecommunications network) (CPC 84-400)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None</p>	
<p>E. Rental/Leasing Services without Operators</p>			
<p>d) Rental services concerning agricultural machinery, construction machinery, office machinery, other machinery and equipment without operator (CPC 83106-83109)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None</p>	
<p>d) Leasing services concerning agricultural machinery, construction machinery, office machinery, other machinery and equipment without operator (CPC 83106-83109)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None</p>	



THAILAND (continued)

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
<p>F. Other Business Services</p> <p>a) Advertising services (CPC 87110+87120 +87190)</p> <p>b) Market research and public opinion polling services (CPC 86401 to 86402)</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) 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) Unbound</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>1) Unbound</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>	

**THAILAND (continued)**

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
c) General management consulting services (CPC 86501)	1) None 2) None 3) None other than that indicated in the horizontal section 4) a) As indicated in the horizontal section b) Unbound for legal and auditing consultants	1) None 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
e) Technical testing and analysis services (CPC 86761 + 86769)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	

THAILAND (continued)

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
f) Services incidental to agriculture: Consultancy services on agricultural extension: - soil preparation - seed production - plant protection - harvesting - grading - packing - storing Soil analysis laboratory	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
	1) None 2) None 3) None other than that indicated in the horizontal section 4) Unbound	1) None 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	

**THAILAND (continued)**

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
Soil survey and land use planning	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
Cover crop seed multiplication	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
f) Services incidental to forestry: Forestry consultant services	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	

THAILAND (continued)

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
g) Services incidental to fishing:			
International trading, exporting products services (broker)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
Quality analysis services	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
Carving process analysis services	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	

**THAILAND (continued)**

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
Technical services - Consulting - Research on marketing - Quality control	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	
h) Services incidental to mining at oil and gas fields	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	
n) Maintenance and repair services of office machinery and equipment including computers (CPC 84500)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	

THAILAND (continued)

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		
q) Packaging services (CPC 87600)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	Additional commitments	
r) Publishing and printing services excluding publishing newspaper (CPC 88442)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	Additional commitments	
t) Other Translation and interpretation services (CPC 87905)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	Additional commitments	

**THAILAND (continued)**

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
<p>2. COMMUNICATION SERVICES</p> <p>C. Telecommunication Services</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 registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company</p> <p>b) Such company shall be permitted under the built-transferred-operated concept</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 40 per cent</p>	



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
<p>n) On-line information and/or data processing services (part of CPC 843)</p>	<p>c) Must use public telecommunication network under national telecommunication authorities</p> <p>4) As indicated in the horizontal section</p> <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 foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company</p> <p>b) Such company shall be permitted under the built-transferred-operated concept</p> <p>c) Must use public telecommunication network under national telecommunication authorities</p>	<p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 40 per cent</p>	

**THAILAND (continued)**

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
o) Other			
Telecommunications equipment sales services (part of CPC 75420)	4) As indicated in the horizontal section  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	4) None  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	
Videotex (part of CPC 75299)	1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities;	1) None	

THAILAND (continued)

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
	<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 foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company</p> <p>b) Such company shall be permitted under the built-transferred-operated concept by national telecommunication authorities<sup>1</sup></p> <p>c) Must use public telecommunication network under national telecommunication authorities</p> <p>d) 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 40 per cent</p>	

<sup>1</sup> This condition will be applied for at least 10 years.

**THAILAND (continued)**

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
<p>Telecommunication (part of CPC 75292)</p>	<p>1) 1.1 Service providers must use public telecommunication network under national telecommunication authorities; 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 foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company</p> <p>b) Such company shall be permitted under the built-transferred-operated concept by national telecommunication authorities<sup>1</sup></p> <p>c) Must use public telecommunication network under national telecommunication authorities</p> <p>d) Selection of service providers shall be based on open tender</p>	<p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 40 per cent</p>	

<sup>1</sup> This condition will be applied for at least 10 years.

THAILAND (continued)

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
Domestic leased circuits (part of CPC 75299)	<p>4) As indicated in the horizontal section</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 registered company with foreign equity participation not exceeding 40 per cent of the registered capital and the number of foreign shareholders must not exceed 40 per cent of the total number of shareholders of the company</p> <p>b) Such company shall be permitted under the built-transferred-operated concept by national telecommunication authorities<sup>1</sup></p> <p>c) Must use public telecommunication network under national telecommunication authorities</p>	<p>4) None</p> <p>1) None</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 40 per cent</p>	

1 This condition will be applied for at least 10 years.

**THAILAND (continued)**

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
<p>D. Audiovisual Services</p> <p>a) Film/video production and distribution services excluding promotion or advertising services (CPC 96112 + 96113)</p> <p>c) Radio/television services only for production of radio/TV programmes (CPC 96131 + 96132)</p>	<p>d) Selection of service providers shall be based on open tender</p> <p>4) As indicated in the horizontal section</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) 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>4) None</p> <p>1) Unbound</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>1) Unbound</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>	

THAILAND (continued)

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
<p>3. CONSTRUCTION AND RELATED ENGINEERING SERVICES</p> <p>A. Construction work for buildings (CPC 51210 + 51220 + 51230 + 51240 + 51250 + 51260 + 51270 + 51280 + 51290)</p> <p>B. Construction work for civil engineering (CPC 51310 + 51320 + 51330 + 51340 + 51350 + 51360 + 51371 + 51372 + 51390)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section</p> <p>4) a) As indicated in the horizontal section b) Unbound for civil engineer</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section</p> <p>4) a) As indicated in the horizontal section b) Unbound for civil engineer</p>	<p>1) Unbound</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>1) Unbound</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>	

**THAILAND (continued)**

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
C. Installation work (CPC 51610+51620 +51630+51641+51642 +51643+51644+51649 +51650+51660+51691 +51699)	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	
4. DISTRIBUTION SERVICES			
A. Commission agents' services (CPC 62111 to 62118)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) Unbound	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) Unbound	



THAILAND (continued)

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
<p>5. EDUCATIONAL SERVICES</p> <p>A + B. International and national school education services (excluding adult and other education services) (CPC 9219+9221+9222)</p> <p>B. Technical and vocational education services (CPC 9223+9224)</p> <p>D. Professional and/or short courses education services (CPC 92440)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section</p> <p>4) Unbound</p> <p>1) None</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section</p> <p>4) Unbound</p> <p>1) Unbound</p> <p>2) None</p> <p>3) None other than that indicated in the horizontal section</p> <p>4) Unbound</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent</p> <p>4) Unbound</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) Unbound</p> <p>1) Unbound</p> <p>2) None</p> <p>3) No limitations as long as foreign equity participation does not exceed 49 per cent</p> <p>4) Unbound</p>	

THAILAND (continued)

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
<p>6. ENVIRONMENTAL SERVICES</p> <p>A. Environmental consultancy on sewage system, refuse disposal, hazardous waste management, air pollution and noise management, sanitation and other environmental management services (CPC 9401)</p>	<p>1) None</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>A. Environmental protection and environmental abatement services (CPC 9401)</p>	<p>1) None</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>	

THAILAND (continued)

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
<p>A. Sewage services (including industrial waste water treatment system) (CPC 9401)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None</p>	
<p>B. Refuse disposal services (including hazardous waste management and incinerator) (CPC 9402)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None</p>	
<p>C. Sanitation and similar services (CPC 9403)</p>	<p>1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section</p>	<p>1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None</p>	

**THAILAND (continued)**

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
D. Other						
Cleaning services of exhaust gasses (including industrial emission abatement) (CPC 9404)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None other than that indicated in the horizontal section</li> <li>4) As indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None other than that indicated in the horizontal section</li> <li>4) As indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) No limitations as long as foreign equity participation does not exceed 49 per cent</li> <li>4) None</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) No limitations as long as foreign equity participation does not exceed 49 per cent</li> <li>4) None</li> </ol>		
Noise abatement services (CPC 9405)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None other than that indicated in the horizontal section</li> <li>4) As indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None other than that indicated in the horizontal section</li> <li>4) As indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) No limitations as long as foreign equity participation does not exceed 49 per cent</li> <li>4) None</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) No limitations as long as foreign equity participation does not exceed 49 per cent</li> <li>4) None</li> </ol>		
Nature and landscape protection services (CPC 9406)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None other than that indicated in the horizontal section</li> <li>4) As indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None other than that indicated in the horizontal section</li> <li>4) As indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound<sup>d</sup></li> <li>2) None</li> <li>3) No limitations as long as foreign equity participation does not exceed 49 per cent</li> <li>4) None</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound<sup>d</sup></li> <li>2) None</li> <li>3) No limitations as long as foreign equity participation does not exceed 49 per cent</li> <li>4) None</li> </ol>		

THAILAND (continued)

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

Sector or subsector	1) Limitations on market access	2) Limitations on national treatment	Additional commitments
Other environmental protection services (CPC 9409)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	

**THAILAND (continued)**

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
<b>7. FINANCIAL SERVICES</b>					
<b>A. Insurance including reinsurance and retrocession</b>					
a)	Life insurance services (CPC 81211)	<p>1) None</p> <p>2) None</p> <p>3) a) Market access limited to share acquisition of existing establishments only. Maximum foreign equity participation limited to 25 per cent of registered share capital.</p> <p>b) Unbound for new licenses</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>	
b)	Non-life insurance services (CPC 8129)	<p>4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner</p> <p>1) Unbound except for international marine, aviation and transit and all classes of reinsurance</p> <p>2) None</p>		<p>4) None</p> <p>1) Unbound</p> <p>2) None</p>	

THAILAND (continued)

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
<p>3) a) Market access limited to share acquisition of existing establishment only. Maximum foreign equity participation limited to 25 per cent of registered share capital</p> <p>b) Unbound for new licenses</p> <p>4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner</p> <p>d) Services auxiliary to insurance (excluding pension funding services)</p> <p>Insurance broking and agency services (CPC 81401) (Brokers shall not produce, 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>3) a) Market access limited to share acquisition of existing establishment only. Maximum foreign equity participation limited to 25 per cent of registered share capital</p> <p>b) Unbound for new licenses</p> <p>4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner</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>3) None</p> <p>4) None</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>		

THAILAND (continued)

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



THAILAND (continued)

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	
<p><u>Services auxiliary to financial intermediation other than to insurance and pension funding services</u></p> <p>Credit card services (CPC 81133) (Mobilizing funds from the public is prohibited, unless licensed under a financial law)</p>	4)	Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner	4)	None	
	1)	None	1)	None	
	2)	None	2)	None	
	3)	a) As indicated in the horizontal section b) Financial institutions must obtain prior approval from the Bank of Thailand	3)	No limitations as long as foreign equity participation does not exceed 49 per cent	
<p>Financial consultancy services (CPC 81332)</p>	4)	As indicated in the horizontal section	4)	None	
	1)	Unbound	1)	None	
	2)	None	2)	None	
	3)	None other than that indicated in the horizontal section	3)	No limitations as long as foreign equity participation does not exceed 49 per cent	
	4)	As indicated in the horizontal section	4)	None	

**THAILAND (continued)**

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
Banking and other financial services (excluding insurance)					
Acceptance of deposits and other payable funds from the public		1) None for financial advisory and financial data processing. Unbound for all other services.		1) None	
Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions		2) None for financial advisory and financial data processing. Unbound for all other services.		2) None	
Financial leasing		3) a) <u>Representative office of banks</u> None		3) a) <u>Representative office of banks</u> None	
Payment and money transmission services including credit, charge and debit cards, travellers' cheques and bankers' drafts		b) <u>Foreign bank branches</u>  I. Bound for existing foreign bank branches under present shareholding structure. Unbound for new licences.  II. ATM operations permitted under the following conditions only:		b) <u>Foreign bank branches</u> None for existing foreign bank branches. Unbound for new licences.	
Guarantees and commitments					

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	
<p>Trading for own account, or for account of customers in the following:</p> <ul style="list-style-type: none"> <li>a) money market instruments</li> <li>b) foreign exchange</li> <li>c) exchange rate and interest rate instruments</li> <li>d) transferable securities</li> </ul> <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>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. One service-point permitted per one foreign bank branch. No additional branch, sub-branch, office, or service-point allowed.</p> <p>c) <u>Locally incorporated banks</u></p> <p>I. Market access limited to share acquisition of existing banks only. Unbound for new licenses.</p> <p>II. 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>c) <u>Locally incorporated banks</u></p> <p>No limitations for foreign participation of up to 25 per cent of paid-up registered capital</p>		

**THAILAND (continued)**

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
<p>Asset management as follows:</p> <ul style="list-style-type: none"> <li>- cash or portfolio management</li> <li>- collective investment management</li> <li>- custodial and depository services</li> </ul> <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>III. At least three-fourths of the directors must be Thai nationality</p> <p>d) <u>International Banking Facility</u><sup>1</sup></p> <p>I. Licenses required from the Ministry of Finance.</p> <p>II. Bound for the 20 International Banking Facilities licenses granted to foreign banks without commercial presence in Thailand as of March 1993</p> <p>III. BIBF will be permitted to set up additional branches outside Bangkok Metropolis in 1994, subject to the terms and conditions to be announced</p> <p>IV. Not more than five BIBF's in (II) will be permitted to undertake full-branch business by 1997 subject to the terms and conditions to be announced</p>	<p>d) <u>International Banking Facility</u></p> <p>None for existing IBF units. Unbound for new licenses.</p>	

1 IBF units permitted to operate only the banking and investment banking business as specified in the Ministerial Order and Bank of Thailand Announcements issued on 16 September 1992, and Notification of the Bank of Thailand dated 14 December 1993.

THAILAND (continued)

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		
	<p>e) <u>Finance companies and credit foncier companies</u></p> <p>I. None for representative offices</p> <p>II. Market access limited to share acquisition of existing companies only. Unbound for new licenses.</p> <p>III. 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>IV. At least three-fourths of the directors must be Thai nationality</p> <p>f) <u>Securities companies</u></p> <p>I. None for representative offices</p> <p>II. Market access for securities companies limited to share acquisition of existing establishment only. Unbound for new licenses.</p>	<p>e) <u>Finance companies and credit foncier companies</u></p> <p>No limitations for foreign equity participation of up to 25 per cent of paid-up registered capital</p> <p>f) <u>Securities companies</u></p> <p>No limitations for foreign equity participation of up to 49 per cent of paid-up registered capital</p>			

THAILAND (continued)

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

Sector or subsector	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
	Limitations on market access	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>III. Maximum foreign equity participation limited to 49 per cent of paid-up registered capital</p> <p>IV. Separate licenses required for each activity: securities brokerage, securities dealing, investment advisory, securities underwriting, mutual fund management and private fund management.</p>			
	<p>g) <u>Financial leasing services</u> 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</p>		<p>g) <u>Financial leasing services</u> None</p>	
	<p>h) <u>Factoring services</u> Can only be provided by factoring 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</p>		<p>h) <u>Factoring services</u> None</p>	

**THAILAND (continued)**

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
<p>4) Limitations on the number of non-resident foreign personnel per foreign bank branch:</p> <ul style="list-style-type: none"> <li>a) 2 persons for banks operating as representative office</li> <li>b) 6 persons for banks operating as full-licensed branch</li> <li>c) 4 persons for banks operating as IBF branch only</li> <li>d) 8 persons for banks operating as full-licensed and IBF branch</li> </ul> <p>For finance companies:</p> <ul style="list-style-type: none"> <li>a) 2 persons for a representative office</li> <li>b) Maximum of 4 directors or specialists permitted for finance companies</li> </ul>	<p>4) None</p>			
<p>9. TOURISM AND TRAVEL RELATED SERVICES</p> <p>A. Hotel lodging services (CPC 64110)</p>	<ul style="list-style-type: none"> <li>i) Unbound</li> <li>2) None</li> </ul>		<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> </ul>	

**THAILAND (continued)**

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	
<p>A. Restaurant services (CPC 64210)</p>	<p>3) None other than that indicated in the horizontal section</p>	<p>3) No limitations as long as foreign equity participation does not exceed 49 per cent</p>		
	<p>4) As indicated in the horizontal section</p>	<p>4) None</p>		
	<p>1) Unbound</p>	<p>1) Unbound</p>		
	<p>2) None</p>	<p>2) None</p>		
	<p>3) None other than that indicated in the horizontal section</p>	<p>3) No limitations as long as foreign equity participation does not exceed 49 per cent</p>		
	<p>4) As indicated in the horizontal section</p>	<p>4) None</p>		
	<p>A. Catering services (CPC 64230)</p>	<p>1) Unbound</p>	<p>1) Unbound</p>	
		<p>2) None</p>	<p>2) None</p>	
<p>3) None other than that indicated in the horizontal section</p>		<p>3) No limitations as long as foreign equity participation does not exceed 49 per cent</p>		
<p>4) As indicated in the horizontal section</p>		<p>4) None</p>		



THAILAND (continued)

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
B. Travel agency and tour operator services (CPC 74710)	1) Unbound	1) Unbound	1) Unbound	1) Unbound	
	2) None	2) None	2) None	2) None	
	3) None other than that indicated in the horizontal section and not less than half of the board of directors of the company must be Thai nationality	3) None other than that indicated in the horizontal section and not less than half of the board of directors of the company must be Thai nationality	3) No limitations as long as foreign equity participation does not exceed 49 per cent	3) No limitations as long as foreign equity participation does not exceed 49 per cent	
	4) As indicated in the horizontal section	4) As indicated in the horizontal section	4) None	4) None	
D. Other					
Hotel management services	1) Unbound	1) Unbound	1) Unbound	1) Unbound	
	2) None	2) None	2) None	2) None	
	3) None other than that indicated in the horizontal section	3) None other than that indicated in the horizontal section	3) No limitations as long as foreign equity participation does not exceed 49 per cent	3) No limitations as long as foreign equity participation does not exceed 49 per cent	
	4) As indicated in the horizontal section	4) As indicated in the horizontal section	4) None	4) None	

THAILAND (continued)

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		
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES					
D. Sporting services (excluding other sporting services specified in CPC 96419) (CPC 96411 + 96412 + 96413)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None			
D. Recreation park and beach services (CPC 96494)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None			

THAILAND (continued)

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		
11. TRANSPORT SERVICES					
A. Maritime transport services					
a) Passenger transportation (CPC 7211 less cabotage transport: as defined below - 3.1)	<p>1) None</p> <p>2) None</p> <p>3) a) Unbound for establishment of juristic person 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>1) None</p> <p>2) None</p> <p>3) a) Unbound</p> <p>4) a) Unbound</p>	<p>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:</p> <p>1. Pilotage<sup>1</sup></p> <p>2. Towing and tug assistance</p> <p>3. Provisioning, fuelling and watering</p> <p>4. Garbage collecting and ballast waste disposal</p> <p>5. Port captain's service</p> <p>6. Navigation aids</p>		

1 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.

**THAILAND (continued)**

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	
<p>b) Freight transportation (CPC 7212 less cabotage transport: as defined below - 3.1)</p>	<p>b) Other personnel: As indicated in the horizontal section</p> <p>1) None other than: Traffic between Thailand-China and Thailand-Vietnam may not be fully participated in by vessels of third countries.</p> <p>2) None</p> <p>3) a) Unbound for establishment of juristic person 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>b) None</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>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> <p>1) See Note to the schedule</p> <p>b) See Note to the schedule</p>	

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 market access	Limitations on national treatment	Additional commitments
e) International towing (CPC 7214)	<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 for establishment of juristic person 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 towing service (as defined below - 3.2) except branch office: As indicated in the horizontal section</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) None</p> <p>1) None</p> <p>2) None</p> <p>3) a) Unbound</p> <p>b) None</p>		

THAILAND (continued)

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		
f) Supporting services for maritime transport (CPC 745)	4) a) Ships' crews: Unbound	4) a) Unbound			
	b) Other personnel: As indicated in the horizontal section	b) None			
	1) Unbound	1) Unbound			
	2) None	2) None			
Shore reception facilities (collection of waste/oily water from ships)	3) None other than that indicated in the horizontal section	3) No limitations as long as foreign equity participation does not exceed 49 per cent			
	4) As indicated in the horizontal section	4) None			
	1) None	1) None			
	2) None	2) None			
Port captain's services attached to specific foreign vessels	3) None other than that indicated in the horizontal section	3) No limitations as long as foreign equity participation does not exceed 49 per cent			
	4) As indicated in the horizontal section	4) None			
	1) None	1) None			
	2) None	2) None			

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	1)	Limitations on market access	1) None other than those under regulations stipulated by the Harbour Department	Limitations on national treatment	Additional commitments
Marine surveys and classification societies for the purpose of providing accurate documentation and certification of vessels	2) None	2) None	2) None	2) None	
	3) None other than that indicated in the horizontal section	3) None other than that indicated in the horizontal section	3) No limitations as long as foreign equity participation does not exceed 49 per cent	3) No limitations as long as foreign equity participation does not exceed 49 per cent	
	4) As indicated in the horizontal section	4) As indicated in the horizontal section	4) None	4) None	
Freight forwarding services	1) Unbound	1) Unbound	1) Unbound	1) Unbound	
	2) None	2) None	2) None	2) None	
	3) None other than that indicated in the horizontal section	3) None other than that indicated in the horizontal section	3) No limitations as long as foreign equity participation does not exceed 49 per cent	3) No limitations as long as foreign equity participation does not exceed 49 per cent	
	4) As indicated in the horizontal section	4) As indicated in the horizontal section	4) None	4) None	

**THAILAND (continued)**

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
<u>NOTE TO THE SCHEDULE</u>			
<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. <b>"Reasonable and non-discriminatory terms and conditions"</b> 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 <b>"cabotage"</b>: 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 <b>"Other forms of commercial presence for the supply of international maritime transport services"</b>: for the purpose of this schedule, means the ability for international maritime transport service suppliers of other members to undertake locally the following:</p>			
<p>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;</p>			
<p>b) The procurement, on their own account of any transport and related services, necessary for the supply of the integrated service;</p>			
<p>c) The preparation of documentation concerning transport documents, customer documents, or other document related to the origin and character of the goods transported;</p>			
<p>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>			
<p>3.3 <b>"Multimodal transport operator"</b> 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 <b>"Freight forwarding services"</b> means the activity consisting of organizing and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information.</p>			



THAILAND (continued)

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	
C.	Air transport services				
d)	Aircraft repair and maintenance services (CPC 8868)	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Unbound</li> <li>4) As indicated in the horizontal section</li> </ul>		<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Unbound</li> <li>4) None</li> </ul>	
e)	Supporting services for air transport: (CPC 746) Selling and marketing of air transport services	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None other than: <ul style="list-style-type: none"> <li>3.1 that indicated in the horizontal section</li> <li>3.2 Distribution through CRS is allowed only for airlines offices and one General Sales Agent office</li> <li>3.3 Services providers must use Thai public telecommunication network under national telecommunication authorities</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) The value added tax in use comprises 3 rat. s, namely 7 per cent, 0 per cent and exempted. VAT collection is based on a reciprocal basis</li> </ul>	

THAILAND (continued)

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
E. Rail transport services	4) As indicated in the horizontal section	4) Unbound			
d) Maintenance and repair of rail transport equipment (CPC 8868)	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			
e) Supporting services for rail transport services (CPC 743)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None			
Passenger and freight car cleaning services	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None			

THAILAND (continued)

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	
Security services at railway station	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None		
F. Road transport services. Other non-scheduled passenger transportation b) Freight transportation only for frozen or refrigerated goods, bulk liquids or gases and containerized freight (CPC 71231 to 71233)	1) Unbound 2) None 3) a) None other than that indicated in the horizontal section b) Not less than half of the board of directors of the company must be Thai nationality 4) As indicated in the horizontal section	1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None		

**THAILAND (continued)**

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
c) Rental services of passenger cars with operator (CPC 71222)	1) Unbound 2) None 3) a) None other than that indicated in the horizontal section b) Not less than half of the board of directors of the company must be Thai nationality 4) As indicated in the horizontal section		1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent		
c) Rental services of buses and coaches with operator (CPC 71223)	1) Unbound 2) None 3) a) None other than that indicated in the horizontal section b) Not less than half of the board of directors of the company must be Thai nationality 4) As indicated in the horizontal section		1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent		

THAILAND (continued)

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
H.	<u>Services auxiliary to all modes of transport</u>				
b)	Storage and warehousing services (CPC 742)	1) Unbound 2) None 3) None other than that indicated in the horizontal section 4) As indicated in the horizontal section		1) Unbound 2) None 3) No limitations as long as foreign equity participation does not exceed 49 per cent 4) None	