

ANNEX 2

SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES

THAILAND

EXPLANATORY NOTES

1. This Schedule sets out Thailand's commitments in accordance with Article 11 (Schedules of Specific Commitments) of Chapter 8 (Trade in Services).
2. The classification of service sectors in this Schedule is based on the 1991 provisional Central Product Classification (CPC), CPC Version 1.1, and CPC Version 2.1 of the United Nations Statistical Office unless otherwise indicated by the absence of a CPC number. The ordering reflects the services sectoral classification list as used in the GATT document MTN.GNS/W/120 dated 10 July 1991. The scheduling of specific commitments follows the guidelines stated in GATT documents MTN.GNS/W/164 dated 3 September 1993 and MTN.GNS/W/164/Add.1 dated 30 November 1993.
3. The use of "***" against individual CPC codes indicates that the specific commitment for that code shall not extend to the total range of services covered under that code. The entry "Unbound*" means unbound due to lack of technical feasibility.
4. For greater certainty, Article 11.3 and 11.4 (Schedules of Specific Commitments) of Chapter 8 (Trade in Services) shall only apply to sectors or subsectors which have "FL" indicated. These paragraphs shall only apply to Mode 3 commitments.
5. Article 11.4 (Schedules of Specific Commitments) of Chapter 8 (Trade in Services) shall apply to sectors or subsectors which have "FL" indicated subsequent to the amendment of Thailand's laws such as national legislations, acts, royal decrees, or ministerial regulations but not subsequent to the amendment of cabinet, administrative, and ministerial decisions.
6. In accordance with Article 9.1 (Most-Favoured-Nation Treatment) of Chapter 8 (Trade in Services), Thailand indicates "MFN" against sectors or subsectors subject to Article 9 (Most-Favoured-Nation Treatment) of Chapter 8 (Trade in Services).

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---------------------------------------|---|---|------------------------|--------|
| I. HORIZONTAL COMMITMENTS | | | | |
| ALL SECTORS INCLUDED IN THIS SCHEDULE | <p>(1)(2)(3)(4) The obligations of Thailand under this Agreement with respect to permanent residents of other Parties: Unbound</p> <p>Thailand reaffirms its rights and obligations regarding permanent residents as set out in its schedule of specific commitments in GATS. Nevertheless, where Parties exercise such rights, they shall not exercise them through this Agreement.</p> <p>(1) - Any sector committed in Mode 1 shall be subject to Thai laws and regulations. - This limitation shall be amended, as appropriate, after the laws and regulations relating to electronic transactions enter into force to reflect not more than the requirements of those laws and regulations.</p> <p>(3) Only a limited liability company, or a type of legal entity as specified in this Schedule, incorporated and registered in Thailand pursuant to Thai laws and regulations is permitted. Commercial presence must meet one of the following categories as indicated in the sector-specific commitments:</p> | <p>(1)(2)(3)(4) The obligations of Thailand under this Agreement with respect to permanent residents of other Parties: Unbound</p> <p>Thailand reaffirms its rights and obligations regarding permanent residents as set out in its schedule of specific commitments in GATS. Nevertheless, where Parties exercise such rights, they shall not exercise them through this Agreement.</p> <p>(3) For a limited liability company or a type of legal entity as specified in this Schedule, which is owned or controlled by foreigners must meet the requirements as stipulated by Thai laws and regulations regarding foreign investment.</p> | | |

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| | <p>3.1 Foreign equity participation must not exceed 49 per cent of the registered capital or unless otherwise specified in the sector-specific commitments; and the number of foreign shareholders must be less than half of the total number of shareholders.</p> <p>3.2 Foreign equity participation must not exceed 51 per cent of the registered capital or unless otherwise specified in the sector-specific commitments.</p> <p>3.3 Foreign equity participation must not exceed 70 per cent of the registered capital or unless otherwise specified in the sector-specific commitments.</p> <p>For 3.2 and 3.3, a limited liability company or a type of legal entity as specified in this Schedule, which is owned, or controlled by foreigners must meet the following conditions:</p> <p>a. shall operate through a joint venture with juridical person of Thai nationality;</p> <p>b. prior to obtaining a licence or certificate, a type of legal entity as specified in this Schedule which is owned or controlled by foreigners must meet the criteria required by relevant authorities;</p> <p>c. a minimum capital requirement rate referred to in applicable Thai laws and regulations shall be applied to limited liability companies or a type of legal entity as specified in this Schedule;</p> | <p>For 3.1, a type of legal entity as specified in this Schedule incorporated pursuant to Thai laws and regulations with foreign equity participation not exceeding 49 per cent of the registered capital: None</p> <p>For 3.2 and 3.3, a limited liability company or a type of legal entity as specified in this Schedule must apply for a certificate of business operation as stipulated by the Section XI of <i>the Foreign Business Act B.E. 2542 (1999)</i> and <i>the Ministerial Regulation Prescribing Rules and Procedures Pertaining to the Application for a Foreign Business Certificate B.E. 2546 (2003)</i>.</p> <p>Unbound for the measures pertaining to subsidies or privileges, minimum capital requirements, taxation measure, acquisition and usage of land, and nationality requirement.</p> | | |

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| | <p>d. a board of directors including administrative and executive position or alike in a limited liability company or the legal entity must be of Thai nationality and have a domicile in Thailand; and</p> <p>e. a person or representative of the limited liability company or the legal entity who applies for a licence must be of Thai nationality.</p> <p>Commercial presence in sectors or subsectors in this Schedule must also meet additional conditions (if any) indicated in the sector-specific commitments.</p> <p>(4) All measures on temporary movement of natural persons are unbound except for the terms, conditions, limitations or qualifications concerning the entry and temporary stay of natural persons who fall into one of the categories referred to in Thailand's Schedule in Annex 4 (Schedule of Specific Commitments on the Movement of Natural Persons).</p> | <p>Other than additionally indicated or otherwise specified in the specific commitments, the criteria and requirements stipulated by Articles XIV and XIV bis of GATS, and Sections V, VII, and VIII of <i>the Foreign Business Act B.E. 2542 (1999)</i>, and as stipulated by any other Thai laws or regulations regarding foreign investment shall be applied.</p> <p>(4) Unbound, except as provided in the market access column</p> | | |

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| | <p>(4) Temporary movement of natural persons shall not include any type or category of foreign natural persons prohibited or not allowed by <i>the Foreigners' Working Management Emergency Decree B.E. 2560 (2017)</i>, as amended, or by any other relevant Thai laws or regulations.</p> <p>A natural person shall meet criteria ¹ stipulated by Ministry of Labour and relevant authorities in obtaining a licence or permission in any sector or subsector where it is required by specific Thai laws or regulations.</p> <p>(3)(4) A natural person or juridical person of another Party that acquires or gains ownership of land shall be deemed ineligible to exercise rights and privileges under this Agreement.</p> <p>A natural person or a juridical person who receives other special privileges or incentives from Thai authorities to supply services may not claim benefits under this Agreement.</p> | <p>(3)(4) A natural person or juridical person of another Party is not allowed to purchase or own land in Thailand.</p> <p><i>The Land Code of Thailand</i> shall be applied to acquisition and usage of land of a natural person, a limited liability company, or a type of legal entity as specified in this Schedule.</p> | | |

¹ Such criteria may include: size of fully paid-up capital, employment creation, extent of foreign investment, export promotion, transfer of technology, special needs of the management, economic needs tests, and labour market needs tests.

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| II. SECTOR-SPECIFIC COMMITMENTS | | | | |
| 1. BUSINESS SERVICES | | | | |
| A. Professional Services | | | | |
| a) Legal services | (1) Unbound (2) None | (1) Unbound (2) None | | |
| - (CPC 86111 + 86119 + 86120 + 86130 + 86190) | (3) As indicated in 3.1 of the horizontal section (4) Unbound | (3) None (4) Unbound | | |
| - Legal advisory for drafting of documents concerning only international commercial law, excluding local laws and regulations (part of CPC Version 1.1: 82119) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| b) Accounting, auditing and bookkeeping services | (1) None | (1) Auditing must be authenticated by licensed auditor in Thailand. | | |
| - (CPC 86211 - 86213 + 86219 + 86220) | (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (2) None (3) None (4) Unbound | | |

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| - Bookkeeping services, only for tax returns for its own affiliated company (CPC Version 1.1: part of 82220) | (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | |
| c) Taxation services: - Individual tax preparation and planning services for employees of its own affiliated company (part of CPC Version 1.1: 82330) | (1) None (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| d) Architectural services - (CPC 86711 - 86714 + 86719) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Services must be authenticated by licensed architect in Thailand (2) None (3) None (4) Unbound | | |
| e) Engineering services (CPC 8672) | (1) None (2) None (3) As indicated in 3.2 of the horizontal section; (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) Services must be authenticated by licensed engineer in Thailand (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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| f) Integrated engineering services - Integrated engineering services for traffic control systems (CPC Version 1.1: 83319) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) Services must be authenticated by licensed engineer in Thailand (2) None (3) None (4) Unbound | | |
| g) Urban planning and landscape architectural services - (CPC 86741 - 86742) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Services must be authenticated by licensed architect in Thailand (2) None (3) None (4) Unbound | | |
| - Urban planning services: Development services for programmes concerning land use, site selection, control and utilisation, road systems and servicing of land with a view to creating and maintaining systematic, coordinated urban development (CPC 1.1: part of 83221) | (1) None (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound | (1) Services must be authenticated by licensed architect in Thailand (2) None (3) None (4) Unbound | | |

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|--|---|--|------------------------|--------|
| i) Veterinary services: - Veterinary services for livestock (CPC Version 1.1: 93220) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| j) Services provided by midwives, nurses, physiotherapists and paramedical personnel - Nursing department of physiotherapeutic and paramedical services provided in a hospital (CPC Version 1.1: 93191) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| k) Other professional services - Weather forecasting and meteorological services (CPC Version 1.1: 83550) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| - Industrial design services (CPC Version 2.1: 83912) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | FL |

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| B. Computer and Related Services | | | | |
| (a) Consultancy services related to the installation of computer hardware (CPC 841) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | MFN |
| - Hardware consultancy services (CPC Version 1.1: 83141**) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| (b) Software implementation services (CPC 842) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | MFN |
| - Software consultancy services (CPC 1.1: 83142**) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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| (c) Data processing services - (excluding those provided over public telecommunications network) (CPC 843) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | MFN |
| - Data processing services (excluding those provided over public telecommunications network) (CPC Version 1.1: 85960) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| (d) Database services - (excluding those provided over public telecommunications network) (CPC 844) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| (e) Other computer services: - Software training services for staff of clients (part of CPC 849) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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|---|--|---|------------------------|--------|
| <ul style="list-style-type: none"> - Maintenance and repair services of office machinery and equipment including computers (CPC 845) | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| C. Research and Development (R&D) Services | | | | |
| <ul style="list-style-type: none"> a) R&D on natural sciences: <ul style="list-style-type: none"> - Research and experimental development on physical sciences (CPC Version 1.1: 81110) | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound | | |
| <ul style="list-style-type: none"> - Basic research services in engineering and technology (CPC Version 2.1: 8114) | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | MFN,FL |
| <ul style="list-style-type: none"> b) R&D services on social sciences and humanities <ul style="list-style-type: none"> - Research and experimental development services in linguistics and languages (CPC Version 1.1: 81240) | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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| c) Interdisciplinary R&D Services: - Interdisciplinary research and experimental development services (CPC Version 1.1: 81300) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| D. Real Estate Services | | | | |
| a) Involving own or leased property: - Renting or leasing services involving own or leased residential property (CPC 82101) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| b) On a fee or contract basis: - Residential property management services on a fee or contract basis (CPC 82201) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| - Residential condominium management services on a fee or contract basis (CPC Version 1.1: part of 72211) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | |

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| E. Rental or Leasing Services without Operators | | | | |
| c) Relating to other transport equipment: - Private car (CPC 73240) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| d) Relating to other machinery and equipment: - Rental and leasing services concerning agricultural machinery, construction machinery, office machinery, other machinery and equipment without operator (CPC 83106 - 83109) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| e) Other - Leasing or rental services concerning pleasure and leisure equipment (CPC 83204) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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| F. Other Business Services | | | | |
| a) Advertising services - (CPC 87110 + 87120 + 87190) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Sales of internet advertising space (except on commission) (CPC Version 1.1: 83633) | (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| b) Market research and public opinion polling services -(CPC 86401 - 86402) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| c) Management consulting services: - General Management consulting services (CPC 86501) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for legal and auditing consultants | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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| - Operation Management and supply chain management consulting services, exclude other management consulting services (CPC Version 2.1: 83115 + 83116**) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | FL |
| d) Services related to management consulting: - Project management services other than for construction (CPC 86601) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| e) Technical testing and analysis services - (CPC 86761 + 86769) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Composition and purify testing and analysis services including product testing to obtain certification services (CPC Version 2.1: 83441) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | FL |

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| f) Services incidental to agriculture, hunting and forestry: Consultancy services on agricultural extension: - soil preparation - seed production - plant protection - harvesting - grading - packing - storage | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Soil analysis laboratory | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Soil survey and land use planning | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Cover crop seed multiplication | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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| - Forestry consultant services | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| g) Services incidental to fishing (CPC 882): - International trading, exporting products services (broker) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Quality analysis services | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Canning process analysis services | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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|---|--|---|------------------------|--------|
| Technical services - Consulting - Research marketing - Quality control | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| h) Services incidental to mining at oil and gas fields | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| i) Services incidental to Manufacturing: - Basic and Fabricated metal product, machinery and equipment manufacturing services (CPC Version 2.1: 886 + 887) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | FL |
| l) Investigation and security: - Alarm monitoring services for manufacturing factory (part of CPC 87303) | (1) None (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|-------------------------------|---------------|
| m) Related scientific and technical consulting services: - Scientific consulting services from mathematicians and statisticians | (1) None (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Technical consulting with respect to International Organization for Standardization (ISO) Certification (CPC 8675**) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | FL |
| - Oil and gas exploration | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment): - Machinery and equipment, on a fee or contract basis (part of CPC 88620) | (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| <ul style="list-style-type: none"> - Maintenance and repair services of commercial and industrial machinery; exclude agricultural and forestry machinery, machinery for mining, quarrying and construction, machinery for tobacco processing, weapons and weapons systems, agricultural, forestry and garden tractors and lawnmowers (CPC Version 2.1: 87156**) | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) Unbound (2) None (3) None (4) Unbound | | FL |
| <ul style="list-style-type: none"> o) Building-cleaning services: <ul style="list-style-type: none"> - Disinfecting and exterminating services (CPC 87401) | <ul style="list-style-type: none"> (1) Unbound* (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) Unbound* (2) None (3) None (4) Unbound | | |
| <ul style="list-style-type: none"> p) Photographic services: <ul style="list-style-type: none"> - Specialty photography services except aerial photography | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) Unbound (2) None (3) None (4) Unbound | | |

**ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND**

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|---|------------------------|--------|
| q) Packaging services (CPC 87600) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | |
| r) Publishing and printing services - excluding publishing newspaper (CPC 88442) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | |
| s) Convention services - Convention centre over 2,000 participants (the development of a building that consists of exhibition halls, meeting rooms, a conference hall with more than 2,000 seating capacity, a banquet, and a business centre equipped with state of the art telecommunication and teleconferencing facilities to cater for the needs of the convention industry. The centre will also provide adequate car parks, shops and restaurants or cafes to the exhibitors, participants, and visitors) | (1) Unbound* (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound* (2) None (3) None (4) Unbound | | |

ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|---|--------|
| t) Other: - Translation and interpretation services (CPC Version 1.1: 83910) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| 2. COMMUNICATION SERVICES | | | | |
| C. Telecommunications Services | | | | |
| <u>Commitments undertaken in this Schedule are subject to the following general conditions:</u> | | | | |
| <ul style="list-style-type: none"> - Any juridical person who intends to operate a telecommunication business in Thailand shall obtain a licence from designated national authorities in accordance with section 7 (1) of <i>Telecommunication Business Act B.E. 2544 (2001)</i>. - Licences are granted only to service suppliers duly constituted according to Thai laws and regulations. | | | | |
| Public local, domestic long distance and international services: Basic telecommunications services: a) Fixed-line voice telephone services | (1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends (2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends (3) As indicated in 3.2 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | Thailand will introduce into this Schedule with regard to public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions and the allocation and use of scarce resources. | |

ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|-----------------------------------|---|--------|
| d) Telex services (CPC 7523**) e) Telegraph services (CPC 7522) f) Facsimile services (CPC 7521** + 7529**) | (1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (1) None | Thailand will introduce into this Schedule with regard to public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions and the allocation and use of scarce resources. | |
| | (2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (2) None | | |
| | (3) As indicated in 3.3 of the horizontal section | (3) None | | |
| | (4) Unbound | (4) Unbound | | |

**ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND**

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|---|--------|
| g) Private leased circuit services - Dedicated network services (CPC 75222) | (1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (1) None | Thailand will introduce into this Schedule with regard to public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions and the allocation and use of scarce resources. | |
| | (2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (2) None | | |
| | (3) (a) As indicated in 3.3 of the horizontal section (b) Must use networks operated by suppliers duly licensed | (3) None | | |
| | (4) Unbound, except as indicated in the horizontal section | (4) Unbound, except as indicated in the horizontal section | | |

ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|------------------------|--------|
| Value-added services: h) Electronic mail (CPC 7523**) i) Voice mail (CPC 7523**) | (1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (1) None | | |
| | (2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (2) None | | |
| | (3) As indicated in 3.3 of the horizontal section | (3) None | | |
| | (4) Unbound, except as indicated in the horizontal section | (4) Unbound, except as indicated in the horizontal section | | |

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SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|---|--------|
| j) On-line information and database retrieval (CPC 7523**) | (1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (1) None | Thailand will introduce into this Schedule with regard to public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions and the allocation and use of scarce resources. | |
| | (2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends | (2) None | | |
| | (3) (a) As indicated in 3.3 of the horizontal section (b) Must use networks operated by suppliers duly licensed | (3) None | | |
| | (4) Unbound, except as indicated in the horizontal section | (4) Unbound, except as indicated in the horizontal section | | |

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SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|------------------------|--------|
| j) Data base access services (part of CPC 7523) | (1) Service providers must use network operated by suppliers duly licensed (2) None (3) Shall be a Thai registered company with foreign equity participation not exceeding 40 percent of the registered capital (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| l) Enhanced or Value Added facsimile services, including store and forward, store and retrieve (CPC 7523**) | (1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends (2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends (3) (a) As indicated in 3.2 of the horizontal section (b) Must use networks operated by suppliers duly licensed (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---------------------------------|--|---|------------------------|--------|
| m) Code and protocol conversion | (1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends (2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|---|---|--------|
| n) On-line information and/or data processing services provided over public telecommunication s network (part of CPC 843, excluding transaction processing) | <p>(1) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;</p> <p>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends</p> <p>(2) - traffic shall be routed through gateways in Thailand operated by suppliers duly licensed;</p> <p>- the provision of concerned services shall be agreed by the supplier duly licensed of both ends</p> <p>(3) As indicated in 3.3 of the horizontal section</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | Thailand will introduce into this Schedule with regard to public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions and the allocation and use of scarce resources. | |

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THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|------------------------|--------|
| o) Other: - Telecommunications terminal equipment leasing services (CPC 75410) | (1) Subject to commercial arrangement with licensed operators (2) None (3) (a) As indicated in 3.1 of the horizontal section (b) Must use networks operated by suppliers duly licensed (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Telecommunications equipment sales services (part of CPC 75420) | (1) Subject to commercial arrangement with licensed operators (2) None (3) As indicated in 3.1 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Telecommunication consulting services (CPC 75440) | (1) Commercial presence is required (2) None (3) As indicated in 3.3 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|---|------------------------|--------|
| <ul style="list-style-type: none"> - Videotext - Teleconference | <ul style="list-style-type: none"> (1) Service providers must use networks operated by suppliers duly licensed (2) None (3) 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 (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| <ul style="list-style-type: none"> - Domestic leased circuits (part of CPC 75299) | <ul style="list-style-type: none"> (1) Service providers must use networks operated by suppliers duly licensed (2) None (3) Shall be a Thai registered company with foreign equity participation not exceeding 40 per cent of the registered capital (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| D. Audiovisual Services | | | | |
| <ul style="list-style-type: none"> a) Motion picture and video tape production and distribution services: - Film or video production and distribution services, excluding promotion or advertising services (CPC 96112** + 96113**) | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|---|------------------------|--------|
| - Video tape production services for scientific education (CPC Version 1.1: 96121**) | (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| b) Motion picture projection services: - Video projection services in private screening rooms, excluding all broadcasting and audiovisual services (part of CPC 96122) | (1) Unbound (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| c) Radio and television services (CPC 9613) - Radio or television services only for production of radio or television programmes (CPC 96131** + 96132**) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| e) Sound recording services - Production of sound recording only (exclude all broadcasting and audiovisual services) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|------------------------|--------|
| E. Other | | | | |
| - Electronic educational game services (CPC Version 2.1: part of 84391) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |
| 3. CONSTRUCTION AND RELATED ENGINEERING SERVICES | | | | |
| A. Construction Work for Buildings (CPC 512) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section Unbound for civil engineer | (1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - General construction services of mines and industrial plant (CPC Version 1.1: 54260) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None only for consultancy (2) None (3) None (4) Unbound | | |
| B. Construction Work for Civil Engineering (CPC 513) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|------------------------|--------|
| <ul style="list-style-type: none"> - General construction work of harbours, waterways, dams, irrigation and other water works (CPC Version 1.1: 54230) | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) None only for consultancy (2) None (3) None (4) Unbound | | |
| <p>C. Installation and Assembly Work (CPC 514 + 516)</p> | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | <ul style="list-style-type: none"> (1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| <ul style="list-style-type: none"> - Installation and assembly work: Assembly and erection of prefabricated constructions (CPC Version 1.1: 54400) | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) None only for consultancy (2) None (3) None (4) Unbound | | |
| <p>D. Building Completion and Finishing Work</p> <ul style="list-style-type: none"> - Glazing services (CPC Version 1.1: 54710) | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) None only for consultancy (2) None (3) None (4) Unbound | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|--|------------------------|--------|
| E. Other: - Pre-erection work at construction sites (CPC 511) - Special trade construction work (CPC 515) - Renting services related to equipment for construction or demolition of building or civil engineering work, with operator (CPC 518) | (1) None | (1) Unbound* | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.1 of the horizontal section | (3) None | | |
| | (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (4) Unbound, except as indicated in the horizontal section | | |
| - Demolition services: only high-rise dismantling method involving dismantling the inside in an enclosed space, using the existing roof, and being environmentally friendly (part of CPC Version 2.1: 54310) | (1) None | (1) None only for consultancy | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.2 of the horizontal section | (3) None | | |
| | (4) Unbound | (4) Unbound | | |
| 4. DISTRIBUTION SERVICES | | | | |
| A. Commission Agents' Services - (CPC 62111 - 62118) | (1) Unbound | (1) Unbound | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.1 of the horizontal section | (3) None | | |
| | (4) Unbound | (4) Unbound | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|------------------------|--------|
| <ul style="list-style-type: none"> - Sales, on a fee or contract basis of medical goods (part of CPC Version 1.1: 62117) | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound | | |
| <p>B. Wholesale Trade Services:</p> <ul style="list-style-type: none"> - Wholesale trade services of sports goods (including bicycles) (CPC 62266) | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound | | |
| <ul style="list-style-type: none"> - Chemical and pharmaceutical used in food processing industry (CPC Version 2.1: 6127**) | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) Unbound (2) None (3) None (4) Unbound | | FL |
| <p>C. Retailing Services</p> <ul style="list-style-type: none"> - Retailing services by foreign service supplier established in Thailand of products manufactured in Thailand under its own brand (CPC Version 1.1: part of 622) | <ul style="list-style-type: none"> (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | <ul style="list-style-type: none"> (1) None (2) None (3) None (4) Unbound | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|-----------------------------------|------------------------|--------|
| D. Franchising services - Other non-financial intangible assets (CPC 8929) | (1) Unbound | (1) None | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.1 of the horizontal section | (3) None | | |
| | (4) Unbound | (4) Unbound | | |
| E. Other - Mail order retail trade services of books, newspapers, magazines and stationery (CPC Version 1.1: part of 623) | (1) Unbound | (1) None | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.3 of the horizontal section | (3) None | | |
| | (4) Unbound | (4) Unbound | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| 5. EDUCATION SERVICES (EXCLUDE PUBLIC EDUCATION SERVICES) | | | | |
| <u>Commitments undertaken in this Schedule are subject to the following general conditions:</u> | | | | |
| <ul style="list-style-type: none"> - Specific commitments on Market Access and National Treatment through any mode of supply shall not be construed to apply to the recognition of degrees for the purposes of admission, registration and qualification for a higher education, employment or professional practice in Thailand. - Service suppliers may be subject to notification or registration with the authority concerned. | | | | |
| A. Primary Education Services (CPC 921**) - International and national school education services (CPC 9219) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Foreign natural persons may enter Thailand to supply education services provided that: (a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and (b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable. The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension. Other foreign natural persons: As indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|--|------------------------|--------|
| <p>B. Secondary Education Services (CPC 922**)</p> <ul style="list-style-type: none"> - General secondary education services (CPC 9221) - Higher secondary education services (CPC 9222) - Technical and vocational education services (CPC 9223) - Technical and vocational education services for handicapped students (CPC 9224) | <p>(1) None</p> <p>(2) None</p> <p>(3) As indicated in 3.1 of the horizontal section</p> <p>(4) Foreign natural persons may enter Thailand to supply education services provided that:</p> <p style="padding-left: 20px;">(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p style="padding-left: 20px;">(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Other foreign natural persons: As indicated in the horizontal section</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|------------------------|--------|
| <p>C. Higher Education Services:</p> <p>- Post-secondary technical and vocational education services (CPC 9231)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) (a) As indicated in 3.1 of the horizontal section</p> <p>(b) At least half of its directors, and if applicable its managing director, must be of Thai nationality.</p> <p>(4) Unbound</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) (a) the representative of the juridical person who applies for a licence must be of Thai national.</p> <p>(b) the school director and deputy director must be of Thai nationality.</p> <p>(c) the school manager or executive manager must be of Thai nationality.</p> <p>(4) Unbound</p> | | |
| <p>- Science technology and innovation faculty (conducted in English language) (part of CPC 9239)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) Foreign equity participation is allowed up to 100 per cent and must meet the following conditions:</p> <p>(1) prior to obtaining a licence or certificate, legal entity which is owned or controlled by foreigners must meet the criteria required by relevant authorities; and</p> <p>(2) a minimum capital requirement rate referred to in applicable Thai laws and regulations shall be applied to limited company or the legal entity.</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) At least half of the members of the University Council must be of Thai nationality and service suppliers in this sector must comply with <i>Private Higher Education Institution Act B.E. 2546 (2003)</i>, and as may be amended</p> | | MFN |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---------------------|---|-----------------------------------|------------------------|--------|
| | <p>(4) Foreign natural persons may enter Thailand to supply education services provided that:</p> <p>(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p>(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Other foreign natural persons: As indicated in the horizontal section</p> | <p>(4) Unbound</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|------------------------|--------|
| <p>- Engineering and industrial faculty: Robotics and Biotechnology (conducted in English language) (part of CPC 9239)</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) (a) As indicated in 3.3 of the horizontal section</p> <p>(4) Foreign natural persons may enter Thailand to supply education services provided that:</p> <p style="margin-left: 20px;">(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p style="margin-left: 20px;">(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Other foreign natural persons: As indicated in the horizontal section</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) At least half of the members of the University Council must be of Thai nationality and services suppliers in this sector must comply <i>with Private Higher Education Institution Act B.E. 2546 (2003)</i>, and as may be amended</p> <p>(4) Unbound</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|------------------------|--------|
| <p>- Other higher education services (conducted in English language) (CPC 9239)</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) As indicated in 3.2 of the horizontal section</p> <p>(4) Foreign natural persons may enter Thailand to supply education services provided that:</p> <p style="margin-left: 20px;">(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p style="margin-left: 20px;">(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Other foreign natural persons: As indicated in the horizontal section</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) At least half of the members of the University Council must be of Thai nationality and services suppliers in this sector must comply with <i>Private Higher Education Institution Act B.E. 2546 (2003)</i>, and as may be amended</p> <p>(4) Unbound</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|------------------------|--------|
| <p>D. Adult Education Services</p> <p>- Professional and/or short courses education services (CPC 92400)</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) As indicated in 3.1 of the horizontal section</p> <p>(4) Foreign natural persons may enter Thailand to supply education services provided that:</p> <p style="padding-left: 20px;">(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p style="padding-left: 20px;">(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Other foreign natural persons: As indicated in the horizontal section</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|--|------------------------|--------|
| <p>E. Other Education Services (CPC 92900)</p> <p>- Foreign language tuition services (CPC 92900**)</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) (a) As indicated in 3.1 of the horizontal section</p> <p style="padding-left: 20px;">(b) At least half of its directors, and if applicable its managing director, must be of Thai nationality.</p> <p>(4) Foreign natural persons may enter Thailand to supply education services provided that:</p> <p style="padding-left: 20px;">(a) the natural persons are invited or employed by education institutions duly established and registered in Thailand; and</p> <p style="padding-left: 20px;">(b) the natural persons possess qualification and experiences set by such institutions as well as meeting other criteria that may be set by Ministry of Education, where applicable.</p> <p>The initial temporary stay shall be one year or the duration of employment period, whichever is shorter, with possibility of extension.</p> <p>Other foreign natural persons: As indicated in the horizontal section</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|--|------------------------|--------|
| 6. ENVIRONMENTAL SERVICES | | | | |
| A. Sewage Services | (1) None | (1) None | | |
| - Environmental consultancy on sewage system, refuse disposal, hazardous waste management, air pollution and noise management, sanitation and other environmental management services (CPC 9401**) | (2) None | (2) None | | |
| | (3) As indicated in 3.1 of the horizontal section | (3) None | | |
| | (4) Unbound, except as indicated in the horizontal section | (4) Unbound, except as indicated in the horizontal section | | |
| - Environmental protection and environmental abatement services (CPC 9401**) | (1) None | (1) None | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.1 of the horizontal section | (3) None | | |
| | (4) Unbound, except as indicated in the horizontal section | (4) Unbound, except as indicated in the horizontal section | | |
| - Sewage services (including industrial wastewater treatment system) (CPC 9401**) | (1) None | (1) Unbound | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.1 of the horizontal section | (3) None | | |
| | (4) Unbound, except as indicated in the horizontal section | (4) Unbound, except as indicated in the horizontal section | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|---|------------------------|--------|
| B. Refuse Disposal Services - (including hazardous waste management and incinerator) (CPC 9402) | (1) Unbound (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Hazardous waste treatment and disposal services (CPC Version 1.1: 94222) | (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | |
| C. Sanitation and Similar Services (CPC 9403) | (1) Unbound (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Beach cleaning services and drain unblocking services (CPC Version 1.1: 94390**) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| D. Other <ul style="list-style-type: none"> - Cleaning services of exhaust gases (including industrial emission abatement) (CPC 9404) - Noise abatement services (CPC 9405) - Nature and landscape protection services (CPC 9406) - Other environmental protection services (CPC 9409) | (1) Unbound (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None only for environmental consultation services (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| 7. FINANCIAL SERVICES | | | | |
| Horizontal Commitments Applicable to Financial Services | | | | |
| All Sectors and Subsectors included in this Schedule | (1)(2)(3) With regard to the scope of operation and types of financial services that can be provided, each type of financial institution will be permitted to operate the sector or subsector of banking and other financial services only to the extent that their respective governing legislation permit them to do so. | (1)(2)(3) With regard to the scope of operation and types of financial services that can be provided, each type of financial institution will be permitted to operate the sector or subsector of banking and other financial services only to the extent that their respective governing legislation permit them to do so. | | |
| | (3) Except representative offices and branches, commercial presence in financial services in this Schedule is permitted only through a limited liability company or a public limited company which is registered in Thailand. Commercial presence in financial services in this Schedule shall meet the conditions stipulated in the <i>Foreign Business Act</i> and related Thai laws and regulations. | (3) For commercial entity incorporated pursuant to Thai laws and regulations with foreign equity participation not exceeding 49 per cent of the registered capital: None Commercial presence which is owned or controlled by foreigners may be subject to certain requirements as stipulated in related Thai laws and regulations, | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---------------------|--|---|------------------------|--------|
| | <p>Unless provided otherwise in the specific commitment, foreign equity participation must not exceed 49 per cent of the registered capital.</p> <p>(4) All measures on temporary movement of natural persons are unbound except for the terms, conditions, limitations or qualifications concerning the entry and temporary stay of natural persons who fall into one of the categories referred to in Thailand's Schedule in Annex 4 (Schedule of Specific Commitments on the Movement of Natural Persons).</p> <p>(3)(4) Acquisition and usage of land: according to <i>the Land Code of Thailand</i>, 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.</p> | <p>including the <i>Foreign Business Act</i>.</p> <p>Others: Unbound, including subsidies</p> <p>(4) Unbound, except as provided in the market access column</p> <p>(3)(4) Acquisition and usage of land: according to <i>the Land Code of Thailand</i>, 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.</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| A. Insurance including Reinsurance and Retrocession | | | | |
| a) Life insurance services (CPC 81211) | (1) None (2) None (3) (a) Foreign equity participation limited to 25 per cent of registered share capital. (b) New establishment is subject to licence approved by the Minister with the consent of the Cabinet. (4) Only senior managerial personnel, specialists, and technical assistants with the approval of the Insurance Commissioner. | (1) None (2) Life insurance premium is tax deductible up to a certain amount for holders of policies issued by local companies (3) None (4) Unbound, except as indicated in the horizontal section | | |
| b) Non-life insurance services (CPC 8129) | (1) Unbound except for international marine, aviation and transit and all classes of reinsurance (2) None (3) (a) Foreign equity participation limited to 25 per cent of registered share capital. (b) New establishment is subject to licence approved by the Minister with the consent of the Cabinet. (4) Only senior managerial personnel, specialists, and technical assistants with the approval of the Insurance Commissioner | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|------------------------|--------|
| <p>d) Services auxiliary to insurance (excluding pension funding services) Insurance broking and agency services (CPC 81401)</p> <p>- Brokers shall not induce, advise or do any acts so as to cause any person to enter into insurance contracts with insurers abroad, except for reinsurance contracts</p> | <p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Foreign equity participation not to exceed 25 per cent.</p> <p>(4) (a) Only senior managerial personnel, specialists, and technical assistants with the approval of the Insurance Commissioner</p> <p>(b) Unbound for individual broker and agent.</p> | <p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) No limitation as long as foreign equity participation does not exceed 25 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |
| <p>- Insurance consultancy services (CPC 81402)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) No limitation as long as foreign equity participation does not exceed 49 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |
| <p>- Average and loss adjustment services (CPC 81403)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Only senior managerial personnel, specialists, and technical assistants with the approval of the Insurance Commissioner</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) No limitation as long as foreign equity participation does not exceed 49 per cent</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| - Actuarial services (CPC 81404) | (1) None (2) None (3) None (4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner | (1) None (2) None (3) No limitation as long as foreign equity participation does not exceed 49 per cent (4) Unbound, except as indicated in the horizontal section | | |
| B. Banking and Other Financial Services | | | | |
| a. Acceptance of deposits and other repayable funds from the public b. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction c. Financial leasing d. Payment and money transmission services including credit, charge and debit cards, travellers cheques and bankers drafts e. Guarantees and commitments | (1) None for financial advisory and financial data processing. Unbound for all other services (2) None for financial advisory and financial data processing. Unbound for all other services (3) (a) <u>Representative office of banks:</u> None (b) <u>Foreign bank branches:</u> i. None for existing foreign bank branches under present shareholding structure. New establishment is subject to licence approved by the Minister of Finance with the consent of the Cabinet. | (1) None (2) None (3) (a) <u>Representative office of banks:</u> None (b) <u>Foreign bank branches:</u> None | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|------------------------|--------|
| <p>f. Trading for own account or for account of customers in the following:</p> <p>(A) Money market instruments</p> <p>(B) Foreign exchange</p> <p>(C) Exchange rate and interest rate instruments</p> <p>(D) Transferable securities</p> <p>g. Participation in issues of all kinds of securities, including under-writing and placement as agent (whether publicly or privately) and provision of services related to such issues²</p> <p>i. Asset management as follows:</p> <ul style="list-style-type: none"> - Cash or portfolio management - Collective investment management - Custodian and depository services | <p>II. Automated Teller Machine (ATM) operations permitted under the following conditions only:</p> <p>i). joining ATM pools operated by Thai banks; or</p> <p>ii). operation within own premises or sharing the facilities with other commercial banks in Thailand.</p> <p>III. Foreign bank branch is allowed to operate up to three service points.</p> <p>IV. None for participation in cheque clearing and settlement system.</p> <p>(c) <u>Locally incorporated banks</u></p> <p>I. Market access limited to the acquisition of shares of existing banks.</p> | <p>(c) <u>Locally incorporated banks:</u> None</p> | | |

² The commitments for securities companies under this subsector are separately listed below.

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|-----------------------------------|------------------------|--------|
| <p>k. Advisory, intermediation, and other auxiliary financial services³</p> <p>l. Provision and transfer of financial information, and financial data processing and related software</p> | <p>ii. (i) Maximum foreign equity participation limited to 25 per cent of paid-up registered capital. Combined shareholding of an individual and his or her related persons not to exceed five per cent of bank's paid-up registered capital</p> <p>(ii) The Minister of Finance upon recommendation of the Bank of Thailand may relax the above-mentioned limits on maximum foreign equity participation and combined shareholding of an individual and his or her related persons, subject to the terms and conditions announced by the Minister of Finance, including the following:</p> <ul style="list-style-type: none"> - the relaxation is deemed necessary to improve the condition or business of the commercial bank; - such equity participation will be authorised for a period of up to 10 years, with foreign shareholders who enter in this period being grandfathered thereafter with respect to the absolute amount of their equity holding. | | | |

³ The commitments on investment advisory for securities companies under this subsector are separately listed below.

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|---------------------|--|---|------------------------|--------|
| | <p>III. At least three-fourths of the directors must be of Thai nationality. The Minister of Finance upon recommendation of the Bank of Thailand may allow more foreign nationals than specified above subject to the same terms and conditions stated in II (ii) above.</p> <p>(d) <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.</p> <p>(e) <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.</p> | <p>(d) <u>Financial leasing services:</u> None</p> <p>(e) <u>Factoring services:</u> None</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---------------------|--|--|------------------------|--------|
| | <p>(f) <u>Credit, charge, and debit cards</u> Credit, charge, and debit cards can only be provided by companies which are subject to maximum foreign equity participation of 49 per cent of paid-up registered capital or locally incorporated banks and foreign bank branches.</p> <p>The conduct of businesses under (d), (e) and (f) will be subject to licensing and regulations to be announced.</p> <p>(4) Unbound except: Limitations on the number of foreign personnel per foreign bank office:</p> <p>(a) two persons for banks operating as representative office;</p> <p>(b) six persons for each foreign bank branch.</p> | <p>(f) <u>Credit, charge, and debit cards:</u> <u>None</u></p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|--|------------------------|--------|
| For securities companies ⁴ : - Securities brokerage and dealing Trading for own account or for account of customers in the following: (E) Transferable securities | (1) Unbound (2) None (3) Unbound except: I. For representative offices: none II. Market access limited to share acquisition of existing companies only. Unbound for new licences. III. For licensed securities company: foreign equity participation can be allowed up to 100 percent of paid-up capital. IV. For securities company, which has foreign equity participation not exceeding 50 per cent of paid-up capital, one-half of the directors must be of Thai nationality. V. For securities company which has foreign equity participation equal to or more than 50 per cent of paid-up capital, managing directors and executive directors who are foreign nationals have to be present in Thailand for not less than 60 days per year (4) Unbound, except two persons for a representative office. | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

⁴ For the purposes of this entry, "securities companies" means securities companies which are not commercial banks and insurance companies.

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|---|------------------------|--------|
| <p>For securities companies:</p> <p style="padding-left: 20px;">- Securities underwriting</p> <p>Participation in issues of all kinds of securities, including underwriting and placement as agents (whether publicly or privately) and provision of services related to such issues</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) Unbound except:</p> <p style="padding-left: 20px;">I. For representative offices: none</p> <p style="padding-left: 20px;">II. Market access limited to share acquisition of existing companies only. Unbound for new licences.</p> <p style="padding-left: 20px;">III. For licensed securities company: foreign equity participation can be allowed up to 100 percent of paid-up capital.</p> <p style="padding-left: 20px;">IV. For securities company, which has foreign equity participation not exceeding 50 per cent of paid-up capital, one-half of the directors must be of Thai nationality.</p> <p style="padding-left: 20px;">V. For securities company which has foreign equity participation equal to or more than 50 per cent of paid-up capital, managing directors and executive directors who are foreign nationals have to be present in Thailand for not less than 60 days per year</p> <p>(4) Unbound, except two persons for a representative office.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |

**ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND**

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|---|------------------------|--------|
| For securities companies - Investment advisory | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) I. None for representative offices</p> <p>II. Licence may be granted to financial institutions licensed under Thai laws and regulations, and a limited company or public limited company which is newly established.</p> <p>III. For licensed securities company: foreign equity participation can be allowed up to 100 percent of paid-up capital.</p> <p>IV. For securities company, which has foreign equity participation not exceeding 50 per cent of paid-up capital, one-half of the directors must be of Thai nationality.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | | |

ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|---|------------------------|--------|
| | <p>V. For securities company which has foreign equity participation equal to or more than 50 per cent of paid-up capital, managing directors and executive directors who are foreign nationals have to be present in Thailand for not less than 60 days per year</p> <p>(4) Unbound, except two persons for a representative office.</p> | <p>(4) Unbound, except as indicated in the horizontal section</p> | | |
| <p>For asset management companies</p> <p>- Collective investment schemes</p> | <p>(1) Unbound</p> <p>(2) None</p> <p>(3) I. None for representative offices</p> <p>II. Market access limited to share acquisition of existing companies only. Unbound for new licence.</p> <p>III. For asset management company: foreign equity participation can be allowed up to 100 per cent of paid-up capital. However, during the first five years after the licence has been granted, at least 50 per cent of the paid-up capital of the asset management company must be held by financial institutions established under Thai laws and regulations⁵.</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> | | |

⁵ For the purposes of this entry, "financial institutions established under Thai laws and regulations" means securities companies, commercial banks, life insurance companies, and specialised financial institutions established under specific Thai laws and regulations.

**ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND**

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---------------------|---|---|------------------------|--------|
| | <p>IV. For asset management company which has foreign equity participation not exceeding 50 per cent of paid-up capital, one-half of directors must be of Thai nationality.</p> <p>V. For asset management company which has foreign equity participation equal to or more than 50 per cent of paid-up capital, managing directors and executive directors who are foreign nationals have to be present in Thailand for not less than 60 days per year.</p> <p>(4) For a representative office, the number of foreign personnel is limited to two persons. For asset management companies: Unbound, except as indicated in the horizontal section</p> | <p>(4) Unbound, except as indicated in the horizontal section</p> | | |

ANNEX 2
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|---|------------------------|--------|
| Other Auxiliary Financial Services | | | | |
| Credit card services (CPC 81133) (Mobilizing funds from the public is prohibited, unless licensed under a financial law) | (1) None (2) None (3) (a) As indicated in (3) (f) (Credit, charge and debit cards) above under Category B. (b) Financial institutions must obtain prior approval from the Bank of Thailand (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) No limitation as long as foreign equity participation does not exceed 49 per cent (4) Unbound, except as indicated in the horizontal section | | |
| Financial consultancy services (CPC 81332) | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) No limitation as long as foreign equity participation does not exceed 49 per cent (4) Unbound, except as indicated in the horizontal section | | |

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SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES
THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|--|--------|
| 8. HEALTH RELATED AND SOCIAL SERVICES | | | | |
| <p>A. Hospital Services</p> <p>Specialised medical services provided in private hospital (CPC Version 1.1: 93122**)</p> <p>This subclass includes:</p> <ul style="list-style-type: none"> - Consultation services in paediatrics, gynaecology-obstetrics, neurology, and psychiatry - Surgical consultation services - Analysis and interpretation of medical images (x-ray, electrocardiograms, endoscopies and the like) <p>This subclass does not include services of medical laboratories, cf. CPC 93199</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) As indicated in 3.3 of the horizontal section</p> <p>(4) Unbound</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound</p> | | |
| <p>B. Other Human Health Services</p> <p>(CPC 1.1: 93199**)</p> <p>Residential health facilities services other than hospital services, excluding non-overnight stay (CPC Version 1.1: 93193**)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) As indicated in 3.3 of the horizontal section</p> <p>(4) Unbound</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound</p> | <p>The person who applies for the licence to operate must have a domicile in Thailand. One licence can operate one overnight sanatorium only. This measure applies to both foreign and Thai nationals.</p> | |

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THAILAND**

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|--|------------------------|--------|
| C. Social Services Day-care services for children with disabilities (CPC Version 1.1: 93321**) | (1) None | (1) None | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.3 of the horizontal section | (3) None | | |
| | (4) Unbound | (4) Unbound | | |
| D. Other Diagnostic imaging services without analysis or interpretation e.g. x-ray, ultrasound, and magnetic resonance imaging (MRI) | (1) None | (1) None | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.3 of the horizontal section | (3) None | | |
| | (4) Unbound | (4) Unbound | | |
| 9. TOURISM AND TRAVEL RELATED SERVICES | | | | |
| A. Hotels and Restaurants: - Hotel lodging services (CPC 64110) - Camping and caravan site services (CPC 64195) - Restaurant services (CPC 64210) - Catering services (CPC 64230) | (1) Unbound | (1) Unbound | | |
| | (2) None | (2) None | | |
| | (3) As indicated in 3.1 of the horizontal section | (3) None | | |
| | (4) Unbound, except as indicated in the horizontal section | (4) Unbound, except as indicated in the horizontal section | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|--|------------------------|--------|
| B. Travel Agency and Tour Operator Services Travel agency and tour operator services (CPC 74710) | (1) Unbound (2) None (3) (a) As indicated in 3.1 of the horizontal section (b) At least half of the board of directors of the company must be of Thai nationality (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | FL |
| D. Other Hotel management services (CPC Version 1.1: part of 63110) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| 10. RECREATIONAL, CULTURAL AND SPORTING SERVICES | | | | |
| A. Entertainment Services: Amusement parks (CPC Version 1.1: 96910**) | (1) Unbound* (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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THAILAND**

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|--|------------------------|--------|
| Performing arts and other live entertainment event presentation and promotion services - Performing arts event promotion and organisation services (CPC Version 2.1: 96210) - Performing arts event production and presentation services (CPC Version 2.1: 96220) - Performing arts facility operation service (CPC Version 2.1: 96230) - Other performing arts and live entertainment services (CPC Version 2.1: 96290) - Services of performing artist (CPC Version 2.1: 96310) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | |
| B. News Agency Services: Picture supply services (CPC 96212) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| <p>C. Libraries, Archives, Museums and Other Cultural Services:</p> <p>Private library services (CPC 96311**)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) As indicated in 3.3 of the horizontal section</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |
| <p>D. Sporting Services</p> <p>(excluding other sporting services specified in CPC 96419) (CPC 96411 + 96412 + 96413)</p> | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) As indicated in 3.1 of the horizontal section</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |
| <p>E. Other Recreational Services (CPC 9649**)</p> <p>Recreation park and beach Services</p> | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) As indicated in 3.1 of the horizontal section</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | <p>(1) Unbound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p> | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|--|--|--------|
| 11. TRANSPORT SERVICES | | | | |
| A. Maritime Transport Services | | | | |
| a) Passenger transportation - (CPC 7211 less cabotage transport: as defined in Reference Paper below - 3.1) | (1) None (2) None (3) (a) Unbound for establishment of juridical person for the purpose of operating a fleet under the national flag of Thailand (b) Other forms of commercial presence for the supply of international maritime transport services (as defined in Reference Paper below - 3.2) except branch office: As indicated in 3.1 of the horizontal section. (4) (a) Ships' crew: Unbound (b) Other personnel: Unbound, except as indicated in the horizontal section | (1) None (2) None (3) (a) Unbound (b) None (4) (a) Unbound (b) Unbound, except as indicated in the horizontal section | The following services at the port provided by the government or government enterprise are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage ⁶ 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port captain's service 6. Navigation aids 7. Shore-based operational services essential to ship operations, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services 10. Inland transports services (internal waterways transport services, rail transport services and road transport services) | |

⁶ A Thai captain of a Thai ship which sails regularly in certain compulsory pilotage area may be permitted to pilot the ship in the area.

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|--|---|--------|
| <p>b) Freight transportation (CPC 7212</p> <p>- less cabotage transport: as defined in Reference Paper below - 3.1)</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) (a) Unbound for establishment of juridical 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 in Reference Paper below - 3.2) except branch office: As indicated in 3.1 of the horizontal section.</p> <p>(4) (a) Ships' crew: Unbound</p> <p>(b) Other personnel: Unbound, except as indicated in the horizontal section</p> | <p>(1) None</p> <p>(2) None</p> <p>(3) (a) Unbound</p> <p>(b) (i) Shareholders of Thai maritime transport companies with ownership of Thai flag vessels may be granted exemption or reduced rates of income tax leviable on dividends paid by such companies</p> <p>(ii) Exporters or importers of goods shipped from or to Thailand by Thai flag vessels may be entitled to special deduction of not more than 50 per cent of the freight values or other expenses paid in the ordinary course of carriage of such goods from their net income for the purpose of calculation of income tax.</p> <p>(4) (a) Unbound</p> <p>(b) Unbound, except as indicated in the horizontal section</p> | <p>(1) See Reference Paper below</p> <p>(3) (b) See Reference Paper below</p> | |

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THAILAND

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|--|------------------------|--------|
| d) Maintenance and repair of vessels - exceeding 100,000 deadweight tonnage (part of CPC 8868) | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound | (1) Unbound (2) None (3) None (4) Unbound | | |
| e) International towing (CPC 7214) | (1) None (2) None (3) (a) Unbound for establishment of juridical person for the purpose of operating a fleet under the national flag of Thailand (b) Other forms of commercial presence for the supply of international towing service (as defined in Reference Paper below - 3.2) except branch office: As indicated in 3.1 of the horizontal section (4) (a) Ships' crew: Unbound (b) Other personnel: Unbound, except as indicated in the horizontal section | (1) None (2) None (3) (a) Unbound (b) None (4) (a) Unbound (b) Unbound, except as indicated in the horizontal section | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|--|---|------------------------|--------|
| f) Supporting services for maritime transport (CPC 745**) <ul style="list-style-type: none"> - Shore reception facilities (collection of waste or oily water from ships) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| f) Supporting services for maritime transport (CPC 745**) <ul style="list-style-type: none"> - Port captain's services attached to specific foreign vessels | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| C. Air Transport Services | | | | |
| d) Aircraft repair and maintenance services (CPC 8868) <ul style="list-style-type: none"> - Aircraft (includes all machines that drive support in the atmosphere from the reaction of the except for objects which are exempted under the Ministerial Regulations) | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound | | FL |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|---|------------------------|--------|
| <ul style="list-style-type: none"> - Major aircraft appliance (an engine, a propeller and other appliances of an aircraft designated by the Technical Commission) - Technical Standard Order Article (TSO Article) (an instrument, a mechanism, a part, an equipment and a component used or intended to be used in operating or controlling an aircraft in flight, whether it is installed on or attached to the aircraft, inside or outside) - Aircraft Part (an airframe, part of an airframe or part of a major aircraft appliance) | <ul style="list-style-type: none"> (1) Unbound* (2) None (3) As indicated in 3.2 of the horizontal section (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) Unbound* (2) None (3) None (4) Unbound | | |
| <ul style="list-style-type: none"> e) Supporting services for air transport (CPC 746**) - Selling and marketing of air transport services | <ul style="list-style-type: none"> (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | <ul style="list-style-type: none"> (1) Unbound (2) None (3) None (4) Unbound | | |

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

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|---|---|------------------------|--------|
| E. Rail Transport Services | | | | |
| d) Maintenance and repair of rail transport equipment on a fee or contract basis (CPC 8868) | (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) (a) Unbound, except as indicated in the horizontal section (b) Unbound for civil engineer | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| e) Supporting Services for rail transport services (CPC 743**) <ul style="list-style-type: none"> - Passenger and freight car cleaning services - Security services at railway station | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| F. Road Transport Services (Other non-scheduled passenger transportation) | | | | |
| b) Freight transportation <ul style="list-style-type: none"> - only for frozen or refrigerated goods, bulk liquids or gases and containerized freight (CPC 71231 - 71233) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section and at least half of the board of directors of the company must be of Thai nationality (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|---|---|---|------------------------|--------|
| c) Rental of commercial vehicles with operator - Rental services of passenger cars with operator (CPC 71222) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section and at least half of the board of directors of the company must be of Thai nationality (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Rental services of buses and coaches with operator (CPC 71223) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section and at least half of the board of directors of the company must be of Thai nationality (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| d) Maintenance and repair of road transport equipment: - Automobile emergency road services | (1) None (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound | (1) None (2) None (3) None (4) Unbound | | |

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| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments | MFN/FL |
|--|--|---|------------------------|--------|
| H. Services Auxiliary to All Modes of Transport | | | | |
| a) Maritime cargo handling services - (as defined in Reference Paper below – 3.6) in private-owned port | (1) None (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| b) Storage and warehousing services (CPC 742) | (1) Unbound (2) None (3) As indicated in 3.1 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |
| - Storage and warehousing services of frozen or refrigerated goods (CPC 74210) | (1) Unbound (2) None (3) As indicated in 3.3 of the horizontal section (4) Unbound, except as indicated in the horizontal section | (1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section | | |

REFERENCE PAPER

NOTE TO THE SCHEDULE

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

3.5. **customs clearance services** means activities consisting of carrying out on behalf of another Party customs formalities concerning the import, export or through transport of cargoes, whether this service is the main activities of the service supplier or a usual complement of its main activity.

3.6. **maritime cargo handling services** means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers when this workforce is organised independently of the stevedoring or terminal operator companies. The activities include the organisation and supervision of:

- (a) the loading or discharging of cargo to or from a ship;
- (b) the lashing or unlashings of cargo;
- (c) the reception or delivery and safekeeping of cargoes before shipment or after discharge.

3.7. **maritime agency services** means activities consisting of representing as an agent, the business interests of one or more shipping lines, for the following purposes:

- (a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuing of bill of lading of the shipping lines; procurement and resale of the necessary related services, preparation of documentation and provision of business information;
- (b) acting on behalf of the shipping lines organising the call of a ship or taking over cargoes when required.