

## ASEAN – HONG KONG, CHINA FREE TRADE AGREEMENT

### Specific Commitments<sup>1</sup> of ASEAN Member States (AMS) on Other Business Services

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Brunei Darussalam	No commitment	Not applicable	Not applicable

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<sup>1</sup> As extracted from the Schedules of Specific Commitments of ASEAN Member States. The full schedules can be found in Trade and Industry Department's website at [http://www.tid.gov.hk/english/ita/fta/hkasean/text\\_agreement.html](http://www.tid.gov.hk/english/ita/fta/hkasean/text_agreement.html).

<sup>2</sup> See explanatory note at Annex.

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Cambodia	(a) Advertising services (CPC 871)	1) None 2) None 3) None 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 services (CPC 86401)	1) None	1) None
	(c) Management consulting services (CPC 865)	2) None 3) None	2) None 3) None
	(d) Services related to man. Consulting (CPC 866)	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section
	(e) Technical testing and analysis services (CPC 8676)		
	(h) Services incidental to mining (CPC 883**)	1) None 2) None	1) None 2) None
	(j) Services incidental to energy distribution (CPC 887**)	3) None	3) None
	Exclusively covers only		

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
	consultancy services related to the transmission and distribution on a fee or contract basis of electricity, gaseous fuels household, industrial, commercial and other users	4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section
	(k) Placement and supply services of Personnel (CPC 872)	1) None	1) None
	(m) Engineering related scientific and technical consulting services (CPC 8675)	2) None	2) None
	(q) Packaging services (CPC 876)	3) None	3) None
		4) Unbound, except as indicated in the horizontal section	4) Unbound, except as indicated in the horizontal section

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Indonesia	<p><b><u>ENERGY SERVICES</u></b></p> <p><b>General condition on energy services</b></p> <p>Indonesia's Schedule of Specific Commitments on energy services sector based on 2nd Revised Indonesian proposal of energy services classification.</p>		
	<p>Core analysis and other Lab Test, only for Isotop Analysis</p> <ul style="list-style-type: none"> <li>- According to Indonesia Proposal of Energy Services Classification is under: Isotop Analysis (1A.2.7.3.)</li> <li>- According to W120 is under: Business Services on Technical Testing and Analysis Services (CPC 8676)</li> </ul>	<p>1) None</p> <p>2) None</p> <p>3) Joint operation through a representative office in Indonesia</p> <p>4) Unbound</p>	<p>1) None</p> <p>2) None</p> <p>3) As specified in the Horizontal Section</p> <p>4) Unbound</p>
	<p>Geological and geophysical services, only for seismic data acquisition</p> <ul style="list-style-type: none"> <li>- According to Indonesia Proposal of Energy Services Classification is under: Seismic Data Acquisition (1A.1.4.1.1.)</li> <li>- According to W120, Seismic Data Acquisition is under: Business Services on Subsurface Surveying Services (CPC 86752)</li> </ul>	<p>1) None</p> <p>2) None</p> <p>3) Joint operation through a representative office in Indonesia</p> <p>4) Unbound</p>	<p>1) None</p> <p>2) None</p> <p>3) As specified in the Horizontal Section</p> <p>4) Unbound</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
	<p>Liquefaction and Gasification - only for Coal</p> <ul style="list-style-type: none"> <li>- According to Indonesia Proposal of Energy Services Classification is under: <ul style="list-style-type: none"> <li>- Coal Liquefaction (2.4.4.4.)</li> <li>- Coal Gasification (2.4.4.5.)</li> </ul> </li> </ul> <p>According to W120 is under: Services Incidental to Manufacturing (CPC 884)</p>	<p>1) None</p> <p>2) None</p> <p>3) Joint operation through a representative office in Indonesia</p> <p>4) Unbound</p>	<p>1) None</p> <p>2) None</p> <p>3) As specified in the Horizontal Section</p> <p>4) Unbound</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Lao PDR	(a) Advertising services:  - Planning, creating and placement services of advertising (CPC 87120)	1) None. 2) None. 3) Foreign equity participation limited to 49%. 4) Unbound, except as indicated in the horizontal section.	1) None. 2) None. 3) Unbound. 4) Unbound, except as indicated in the horizontal section.
	(c) Management consulting services (CPC 865)	1) None. 2) None. 3) None. 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) Technical testing and analysis services (CPC 8676)	1) None. 2) None. 3) Foreign equity participation limited to 51%. 4) Unbound, except as indicated in the horizontal section.	1) None. 2) None. 3) The majority of directors must be engineers who are Lao PDR nationals. 4) Unbound, except as indicated in the horizontal section.
	(h) Services incidental to mining (CPC 5115)	1) Unbound <sup>3</sup> . 2) None.	1) Unbound <sup>4</sup> . 2) None.

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		3) Foreign equity participation limited to 51%.  4) Unbound, except as indicated in the horizontal section.  <sup>3</sup> Unbound due to lack of technical feasibility.	3) The majority of directors must be engineers who are Lao PDR nationals.  4) Unbound, except as indicated in the horizontal section.  <sup>4</sup> Unbound due to lack of technical feasibility.
	(m) Related scientific and technical consulting services (CPC 86751 and 86752 only)	1) None. 2) None. 3) Foreign equity participation limited to 51%. 4) Unbound, except as indicated in the horizontal section.	1) None. 2) None. 3) The majority of directors must be engineers who are Lao PDR nationals. 4) Unbound, except as indicated in the horizontal section.
	(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment):  - Repair of energy equipment (part of CPC 88620)	1) None. 2) None. 3) Foreign equity participation limited to 51%. 4) Unbound, except as indicated in the horizontal section.	1) None. 2) None. 3) None. 4) Unbound, except as indicated in the horizontal section.
	(t) Specialty design services (CPC 87907)	1) None. 2) None.	1) None. 2) None.

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		3) Foreign equity participation limited to 49%.  4) Unbound, except as indicated in the horizontal section.	3) None.  4) Unbound, except as indicated in the horizontal section.



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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Malaysia	i) Sale or leasing services of advertising space or time (CPC 8711)	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30 per cent.</p> <p><u>Advertisement through electronic media</u></p> <p>Advertisement must have at least 80 per cent local content and be made in Malaysia.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	ii) Planning, creating and placement services of advertising (CPC 8712)	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Only through a locally</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		<p>incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30 per cent.</p> <p><u>Advertisement through electronic media</u></p> <p>Advertisement must have at least 80 per cent local content and be made in Malaysia.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	<p>iii) Other advertising services (CPC 8719)</p>	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		<p>per cent.</p> <p><u>Advertisement through electronic media</u></p> <p>Advertisement must have at least 80 per cent local content and be made in Malaysia.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	<p>Market research services (CPC 864) and Public opinion polling services (CPC 864)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporations or both and Bumiputera shareholding in the joint venture is at least 30 per cent.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	<p><b>Other Management Consulting Services</b></p> <p>covering advisory, guidance and</p>	<p>1) None</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
	operational assistance services concerning management of the transmission of non-conventional energy (CPC 8650*)	<p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	covering advisory, guidance and operational assistance on environmental management services including risk assessment services (CPC 8650*)	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	covering advisory and guidance in the field of pharmacy as follows:	<p>1) None</p>	<p>1) None</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
	<ul style="list-style-type: none"> <li>- Basic material manufacturing consultancy in the manufacture of drugs in raw material form;</li> <li>- New systems of drug delivery;</li> <li>- Biotechnology-new techniques for influencing the process and products of living cells;</li> <li>- New techniques in drug development and methods of producing drugs and vaccine; and</li> <li>- Vaccine production (CPC 8650*)</li> </ul>	<p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	<p>covering advisory and guidance on International Value-Added Network Services, rural telecom development and human resource development in telecommunications (CPC 8650*)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.</p> <p>4) Unbound except as indicated in 1</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
	<p><b>Technical Testing and Analysis Services</b></p> <p>i) Composition and purity testing and analysis services (CPC 86761)</p>	<p>(a) and (b) and 2 (a) and (c) in the horizontal section.</p> <p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section</p>	<p>of natural persons referred to under market access.</p> <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to under market access.</p>
	<p>ii) Testing and analysis services of physical properties (CPC 86762)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section	4) Unbound, except for the categories of natural persons referred to under market access.
	iii) Testing and analysis services of integrated mechanical and electrical systems (CPC 86763)	1) None 2) None 3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 percent. 4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to under market access.
	iv) Other technical testing and analysis services (CPC 86769)	1) None 2) None 3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 per cent.	1) None 2) None 3) None

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section	4) Unbound, except for the categories of natural persons referred to under market access.
	Services incidental to agriculture and fishing covering only specialised consultancy, advisory and operational assistance on crop and fisheries management, including value added services such as preservation techniques, etc. (part of CPC 881* and 882*)	1) None 2) None 3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is at least 30 percent. 4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to under market access.
	Services incidental to manufacturing (884, 885 except 88442)	1) None 2) None 3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and Bumiputera shareholding in the joint-venture corporation is	1) None 2) None 3) None



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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		at least 30 per cent. 4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.	4) Unbound, except for the categories of natural persons referred to under market access.
	Translation and interpretation services (CPC 87905)	1) None 2) None 3) Translation and interpretation services may be supplied only by a natural person. 4) Unbound except as indicated in 2 (a) in the horizontal section	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to under market access  <i>Translation and/or interpretation from English Language to the Malay language or vice versa is not permitted.</i>
	Convention Centre (part of CPC 87909)  (convention and exhibition management services covering the provision of planning, organisational, management and marketing services or conventions and other similar events)	1) None 2) None 3) a) Only through joint venture with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholding in the joint-venture	1) None 2) None 3) None

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		<p>corporation shall not exceed 30 per cent.</p> <p>b) for Convention Centers with seating capacity of over 5,000 aggregate foreign shareholdings up to 49% shall be permitted.</p> <p>4) Unbound except as indicated in 1 (a) and (b) and 2 (a) and (c) in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to under market access.</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Myanmar	Advertising Services (CPC 871)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound
	Printing and Publishing (CPC 88442)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound
	Translation and Interpretation Services (CPC 87905)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
The Philippines	<p>h. Services incidental to Mining (CPC 883)</p> <p>Oil and Gas Exploration and Development</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) Up to 100 percent foreign equity participation is allowed provided there is President's approval.</p> <p>The Constitution allows the President to enter into service contract agreement with foreign-owned corporation for technical, financial or other forms of assistance involving large-scale exploration, development and utilization of petroleum.</p> <p>Limitations listed in the horizontal section shall also apply.</p> <p>4) Employment of foreign professionals:</p> <p>Limitations listed in the horizontal section shall also apply.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>
	Geothermal Exploration and Development	<p>1) Unbound*</p> <p>2) None</p>	<p>1) Unbound*</p> <p>2) None</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		<p>3) Up to 40 percent foreign equity participation is allowed.</p> <p>Limitations listed in the horizontal section shall also apply.</p> <p>4) Employment of foreign professionals:</p> <p>Limitations listed in the horizontal section shall also apply.</p>	<p>3) None</p> <p>4) Unbound</p>
	Coal Exploration and Development	<p>1) Unbound*</p> <p>2) None</p> <p>3) Up to 40 percent foreign equity participation is allowed</p> <p>Limitations listed in the horizontal section shall also apply.</p> <p>4) Employment of foreign professionals:</p> <p>Limitations listed in the horizontal sections shall also apply.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>
	j. Services Related to Energy Distribution (CPC 887)	<p>1) Unbound*</p> <p>2) None</p> <p>3) Up to 40 percent foreign equity</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p>
	Energy distribution networks such as	<p>3) Up to 40 percent foreign equity</p>	<p>3) None</p>

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
	pipelines for transmission, distribution and supply of natural gas, and power transmission and distribution lines	participation is allowed. 4) Unbound	4) Unbound
Unbound*: means unbound due to lack of technical feasibility.			

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Singapore	a. Advertising services (CPC 8711, 8712, 8719)	1) None	1) None
		2) None	2) None
		3) None	3) None
		4) Unbound except as indicated in the horizontal Section	4) Unbound
	b. Commercial Market Research (CPC 86401)	1) None	1) None
		2) None	2) None
		3) None	3) None
		4) Unbound except as indicated in the horizontal Section	4) Unbound
	c. Public Relations Consultancy Services (CPC 865**)	1) None	1) None
		2) None	2) None
		3) None	3) None
		4) Unbound except as indicated in the horizontal Section	4) Unbound
c. Management Consultancy Services, including Office Management and Administrative Services (CPC 865**)	1) None	1) None	
	2) None	2) None	
	3) None	3) None	
	4) Unbound except as indicated in the	4) Unbound	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		horizontal Section	
	c. Advertising Consultancy Services (CPC 865**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	c. Information Technology Consultancy Services (CPC 865**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	c. Buildings and Facilities Management Services (CPC 865**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	e. Technical testing and analysis services  Technical testing and analysis services of motor vehicles (CPC 8676**)	1) Unbound* 2) None 3) None	1) Unbound* 2) None 3) None



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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		4) Unbound except as indicated in the horizontal Section	4) Unbound
	Technical testing and analysis services, excluding testing and analysis services of motor vehicles and classification societies (CPC 8676**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	o. Building cleaning services (CPC 874)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	p. Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	q. Packaging services (CPC 876)	1) None 2) None 3) None	1) None 2) None 3) None

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		4) Unbound except as indicated in the horizontal Section	4) Unbound
	s. Convention Services and Exhibition Management Services (CPC 87909**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	t. Other  Translation/Interpretation Services (CPC 87905)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
	Interior Design Services, Excluding Architecture (CPC 87907**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal Section	1) None 2) None 3) None 4) Unbound
Unbound*: means unbound due to lack of technical feasibility.			

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
Thailand	(a) Advertising services (CPC 87110 + 87120 + 87190)	1) Unbound	1) Unbound
		2) None	2) None
		3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
		4) As indicated in the horizontal section	4) As indicated in the horizontal section
	Sales of internet advertising space (except on commission) (CPC 1.1:83633)	1) Unbound	1) Unbound
		2) None	2) None
		3) As indicated in 3.2 of the horizontal section	3) As indicated in the horizontal section
		4) As indicated in the horizontal section	4) As indicated in the horizontal section
	(b) Market research and public opinion polling services (CPC 86401 to 86402)	1) Unbound	1) Unbound
		2) None	2) None
		3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
		4) As indicated in the horizontal section	4) As indicated in the horizontal section
(c) General management consulting services (CPC 86501)	1) None	1) None	
	2) None	2) None	
	3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		4) (a) As indicated in the horizontal section (b) Unbound for legal and auditing consultants	4) As indicated in the horizontal section
	(e) Technical testing and analysis services (CPC 86761+86769)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section
	(f) Services incidental to agriculture:  Consultancy services on agricultural extension:  - soil preparation - seed production - plant protection - harvesting - grading - packing - storing	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section
	Soil analysis laboratory	1) Unbound 2) None	1) Unbound 2) None

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
		4) As indicated in the horizontal section	4) As indicated in the horizontal section
	Soil survey and land use Planning	1) Unbound	1) Unbound
		2) None	2) None
		3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
		4) As indicated in the horizontal section	4) As indicated in the horizontal section
	Cover crop seed multiplication	1) Unbound	1) Unbound
		2) None	2) None
		3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
		4) As indicated in the horizontal section	4) As indicated in the horizontal section
	(f) Services incidental to forestry (CPC 881):	1) Unbound	1) Unbound
	Forestry consultant services	2) None	2) None

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	3) As indicated in the horizontal section 4) 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) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section
	Quality analysis services	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section
	Canning process analysis services	1) Unbound	1) Unbound

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		2) None	2) None
		3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
		4) As indicated in the horizontal section	4) As indicated in the horizontal section
	Technical services	1) Unbound	1) Unbound
	- Consulting	2) None	2) None
	- Research on marketing	3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
	- Quality control	4) As indicated in the horizontal section	4) As indicated in the horizontal section
	(h) Services incidental to mining at oil and gas fields	1) Unbound	1) Unbound
		2) None	2) None
		3) As indicated in 3.1 of the horizontal section	3) As indicated in the horizontal section
		4) (a) As indicated in the horizontal section	4) As indicated in the horizontal section

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		(b) Unbound for civil engineer	
	(n) Maintenance and repair services of office machinery and equipment including computers (CPC 84500)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) As indicated in the horizontal section	1) Unbound 2) None 3) As indicated in the horizontal section 4) As indicated in the horizontal section
	(p) Photographic services:  Specialty photography services except aerial photography	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound 2) None 3) As indicated in the horizontal section 4) Unbound
	(q) Packaging services (CPC 87600)	1) Unbound 2) None 3) As indicated in 3.1 of the horizontal	1) Unbound 2) None 3) As indicated in the horizontal section



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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
		section 4) Unbound	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) As indicated in the horizontal section 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.	1) Unbound* 2) None 3) As indicated in 3.1 of the horizontal section 4) Unbound	1) Unbound* 2) None 3) As indicated in the horizontal section 4) Unbound

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment
	The centre will also provide adequate car parks, shops and restaurants/cafes to the exhibitors, participants and visitors)		
	(t) Other:  Translation and interpretation services (CPC Version 1.1: 83910)	1) None  2) None  3) As indicated in 3.2 of the horizontal section  4) As indicated in the horizontal section	1) None  2) None  3) As indicated in the horizontal section  4) As indicated in the horizontal section
Unbound*: means unbound due to lack of technical feasibility.			

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Viet Nam	(a) Advertising services (CPC 871, excluding advertising for cigarettes)	<p>1) None.</p> <p>2) None.</p> <p>3) None, except:  Foreign service suppliers are permitted to establish joint venture or business cooperation contract with Vietnamese partners who are legally authorized to do advertising services.</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>	The advertising for wines and spirits shall be subject to State regulations, which are applied on a non-discriminatory basis.
	(b) Market research services (CPC 864, excluding 86402)	<p>1) None.</p> <p>2) None.</p>	<p>1) None.</p> <p>2) None.</p>	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>3) None, except:</p> <p>Joint ventures shall be allowed with foreign capital contribution not exceeding 51% of the legal capital of the joint venture. 100% foreign-invested enterprises shall be permitted.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>3) None.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
	(c) Management consultant services (CPC 865)	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p> <p>Branching is allowed.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None, except that the chief of the branch has to be a resident in Viet Nam.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
	(d) Services related to	<p>1) None.</p>	<p>1) None.</p>	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>management consulting</p> <ul style="list-style-type: none"> <li>- CPC 866, except CPC 86602</li> <li>- Arbitration and conciliation services for commercial disputes between businesses (CPC 86602**)</li> </ul>	<p>2) None.</p> <p>3) None</p> <p>Branching is allowed.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>2) None.</p> <p>3) None, except that the chief of the branch has to be a resident in Viet Nam.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
	<p>(e) Technical testing and analysis services (CPC 8676, excluding conformity testing of transport vehicles and certification of transport vehicles)</p>	<p>1) Unbound.</p> <p>2) None.</p> <p>3) None, except where Viet Nam allows private suppliers access to a sector previously closed to private sector competition on the grounds that the</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None.</p>	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>service had been supplied in the exercise of governmental authority, joint ventures to supply such service shall be allowed without limitation on foreign ownership 3 years after such access to private sector competition is allowed. Five years after those private sector services suppliers have been granted such access: none.</p> <p>Access to certain geographic areas may be restricted for</p>		

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>national security reasons.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except as indicated in the horizontal section.</p>	
	<p>(f) Services incidental to agriculture, hunting and forestry (CPC 881)<sup>9</sup></p> <p>_____</p> <p><sup>9</sup> Excluding services relating to investigation, evaluation and exploitation for natural forest including exploitation of woods and wild, rare and precious animals hunting and trapping, aerial photographing, aerial seed planting and aerial chemicals spraying and dusting, micro-bial plant, animal genetic resource in agriculture. For the avoidance of ambiguity, animal husbandry and the improvement of breeding stock are included in this commitment.</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None, except:</p> <p>Only in the form of joint- venture or business co- operation contract. Foreign capital contribution may not exceed 51% of the legal capital of the joint venture.</p> <p>4) Unbound, except as indicated in the</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None, except:</p> <p>Access to certain geographical areas may be restricted.<sup>10</sup></p> <p>4) Unbound, except as indicated in the</p>	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		horizontal section.	horizontal section.  <sup>10</sup> For greater transparency, this allows the maintenance or adoption of limitations or restrictions for national security and public order reasons in accordance with Article XIV and Article XIV bis of the GATS.	
	<p>(h) Services incidental to mining (CPC 883)</p> <ol style="list-style-type: none"> <li>1. The commitments specified hereunder are not understood to cover the following activities: supply of equipment, materials and chemicals, supply base services, offshore/marine support vessels, accommodation and catering, helicopter services.</li> <li>2. The commitments specified hereunder are made without prejudice to the rights of the Government of Viet Nam to set out the necessary regulations and procedures to regulate the oil and gas related activities carried out within the territory or jurisdiction of Viet Nam in full conformity with the rights and obligations of Viet Nam under the GATS.</li> </ol>			
		1) None, except: companies without a commercial presence may be required to be registered with the competent authority of the Government of Viet Nam under the terms outlined in Viet Nam's applicable laws.	1) None, except as indicated in market access column.	



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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>2) None.</p> <p>3) None, except: Joint ventures with foreign capital contribution not exceeding 51% shall be permitted. 100% foreign-invested enterprises shall be permitted.</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>2) None.</p> <p>3) None, except as indicated in the market access column.</p> <p>4) Unbound, except as indicated in the horizontal section</p>	
	(i) Services incidental to manufacturing (CPC 884 and 885)	<p>1) None.</p> <p>2) None.</p> <p>3) None, except: Only joint ventures with foreign capital contribution not exceeding 50% shall be permitted. 100%</p>	<p>1) None.</p> <p>2) None.</p> <p>3) Unbound.</p>	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>foreign- invested enterprises shall be permitted.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except as indicated in the horizontal section.</p>	
	<p>(m) Related scientific and technical consulting services<sup>11</sup> (CPC 86751, 86752 and 86753 only)</p> <hr/> <p><sup>11</sup> The supply of services related to prospecting, surveying, exploration and exploitation is subject to the applicable laws and regulations of Viet Nam.</p>	<p>1) None, except: companies without a commercial presence may be required to be registered with the competent authority of the Government of Viet Nam under the terms outlined in Viet Nam's applicable laws.</p> <p>2) None.</p> <p>3) None, except:</p>	<p>1) None, except as indicated in the market access column.</p> <p>2) None.</p> <p>3) None, except as indicated in the market</p>	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>Joint ventures with foreign capital contribution not exceeding 51% shall be permitted. 100% foreign-invested enterprises shall be permitted.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>access column.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	
	<p>(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633)</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None, except:</p> <p>Joint ventures with foreign capital contribution not exceeding 51% shall be permitted. 100%</p>	<p>1) None.</p> <p>2) None.</p> <p>3) None, except as indicated in the market access column.</p>	

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

AMS	Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
		<p>foreign- invested enterprises shall be permitted.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except as indicated in the horizontal section.</p>	

- End -

## **EXPLANATIONS OF THE FOUR MODES OF SUPPLY FOR TRADE IN SERVICES**

### ***Cross Border Supply (Mode 1)***

The cross border mode of supply refers to the supply of service from the area of an FTA party into the area of the other FTA party. If Party A of an FTA makes commitment in respect of Mode 1, a service supplier of the other Party of the FTA (i.e. Party B) can supply the service within the area of Party B to service consumers in the area of Party A, without being physically present in the area of Party A. An example is the supply of consultancy service through telecommunications, fax or mail etc.

### ***Consumption Abroad (Mode 2)***

The consumption abroad mode of supply refers to the supply of service in the area of an FTA party to the service consumer of the other FTA party. If Party A of an FTA makes commitment in respect of Mode 2, a service supplier of Party B can, within the area of Party B, provide the service to consumers of Party A who are present in the area of Party B. An example is the supply of hotel services.

### ***Commercial Presence (Mode 3)***

The commercial presence mode of supply refers to the supply of service by a service supplier of an FTA party, through commercial presence in the area of the other FTA party. If Party A of an FTA makes commitment in respect of Mode 3, a service supplier of Party B can provide the service within the area of Party A through commercial presence in the area of Party A. This covers the presence of juridical persons (e.g. corporations, joint ventures, partnership, sole proprietorship, trust, association) as well as representative offices, branches etc.

### ***Movement of Natural Person (Mode 4)***

The movement of natural person mode of supply refers to the supply of service by a service supplier of an FTA party, through the presence of their natural persons in the area of the other FTA party. If Party A of an FTA makes commitment in respect of Mode 4, a service supplier of Party B can provide the service within the area of Party A through the presence of natural persons of Party B. This covers natural persons who are themselves service suppliers, as well as natural persons who are employees of service suppliers (e.g. accountants of accounting firms).