BRUNEI DARUSSALAM – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
k. Advisory and other auxiliary financial services, including credit reference	(1) Unbound	(1) Unbound	
and analysis, investment and portfolio research and advice, advice on	(2) None	(2) None	
acquisitions and on corporate restructuring and strategy	(3) Ministry of Finance approval is required and subject to existing domestic laws.	(3) Ministry of Finance approval is required and subject to existing domestic laws.	
	(4) Presence of natural person is allowed temporarily if there is a commercial presence and subject to Ministry of Finance approval.	(4) Presence of natural person is allowed temporarily if there is a commercial presence and subject to Ministry of Finance approval.	

CAMBODIA – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitation on market access	Limitation on national treatment	Additional commitments
FINANCIAL SERVICES			
- Lending of all types, including consumer	(1) Unbound	(1) None	
credit, mortgage credit, factoring and financing	(2) None	(2) None	
of commercial transaction	(3) Only permitted through licensed financial institutions as banks.	(3) Subject to existing laws.	
	(4) As specified in the horizontal commitments.	(4) As specified in the horizontal commitments.	
- Financial Leasing	(1) None	(1) None	
	(2) None	(2) None	
	(3) As specified in the horizontal commitments.	(3) As specified in the horizontal commitments.	
	(4) As specified in the horizontal commitments.	(4) As specified in the horizontal commitments.	

CAMBODIA – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons Sector or sub sector Limitation on market access Limitation on national treatment Additional commitments Acceptance of deposits Commercial presence is required (1) None and other repayable funds from the public None (2) (2) None Only permitted through licensed financial As specified in the horizontal institutions as banks. commitments. Subject to the Labor Law, Immigration Law, (4) As specified in the horizontal Law on the Investment of the Kingdom of commitments. Cambodia and regulations.

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

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

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments

Financial Services Sector

A. General conditions on Non-Banking Financial Services Sub-sector:

- 1. All Market Access and National Treatment limitations specified in the Non-Banking Financial Services Sub-sector will be eliminated by the year 2020 subject to similar commitment by other Members.
- 2. The share ownership of foreign services supplier is bound at the prevailing laws and regulations. The conditions of ownership and percentage share of ownership as stipulated in the respective shareholder agreement establishing the existing individual joint venture in non-banking financial services shall be respected. No transfer of ownership shall take place without the consent of all parties in the joint venture concerned.
- 3. Limitation on national treatment in terms of taxation which is specified in the Horizontal Measures is not applied on the Non-Banking Financial Services Sub-sector.
- 4. In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/adviser(s) for no longer than 3 (three) months per person for any given year.
- 5. Share of non-bank financial companies listed in the stock exchange may be 100% owned by foreign investors.
- 6. In relation to the presence of natural persons, only directors, managers, and expert(s)/adviser(s) can be assumed by expatriates with maximum stay of 3 (three) years and can be extended.
- 7. All joint ventures companies shall provide training for their employee.

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

3) Commercial presence

4) Presence of natural persons

Sector or sub sector Limitations on market access Limitations on national treatment Additional commitments

2) Consumption abroad

B. General conditions on Banking Sub-sector:

1) Cross-border supply

Modes of supply:

- 8. All Market Access and National Treatment limitations specified in the banking sub-sector will be eliminated by the year 2010 subject to similar commitment by other Members.
- 9. Foreign bank(s) and foreign legal entity(ies) are, in cooperation with Indonesian national(s) and/or Indonesian legal entity(ies), allowed to establish or acquire locally incorporated banks in accordance with existing regulations.
- 10. Branch office of the foreign bank and joint venture bank may open their offices in the cities of Jakarta, Surabaya, Semarang, Bandung, Medan, Denpasar, Batam Island, Padang, Manado, Ambon, and all other capitals of the provinces of Indonesia subject to economic need test.
- 11. Acquisition of local existing banks through the purchase of shares in the stock exchange is allowed up to 51% of the listed shares in the stock exchange.
- 12. The conditions of ownership and percentage share of ownership as stipulated in the respective shareholder agreement establishing the existing individual joint venture bank shall be respected as the basis of ownership of the foreign service provider(s) and their respective Indonesian partner(s).
- 13. With respect to the presence of natural persons, no economic need test will apply. A non Indonesian employed as manager or as technical expert shall have at least two Indonesian understudies during his/her term.
- 14. In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/adviser(s) of branch office of the foreign bank and joint venture bank for no longer than 3 (three) months per person for any given year.

Please note that Indonesia maintains the right to withdraw, modify or make technical changes to these offers due to the pending process of getting government approval.

LAO PDR – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. BANKING AND OTHER FINANCIAL SERVICES			
a. Acceptance of deposits and other repayable funds from the public (CPC 81115 -	(1) None	(1) Unbound	
81119);	(2) None	(2) Unbound	
b. Lending of all types, incl., inter alia, consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC 8113);	(3) Unbound except the following: foreign bank branches allowed to establish only in Vientiane - Capital of the Lao PDR.	(3) Unbound	
c. Guarantees and commitments (CPC 81199**); and	(4) Unbound except the following: Intra- corporate transferees of executives and senior managers; specialist personnel subject to economic needs.	(4) Unbound except for categories of natural persons referred to in the market access column.	
d. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131).			

(For the Second Package of Commitments)

Modes of supply:	1)	Cross-horder supply	2)	Consumption abroad	3)	Commercial r	nresence 4	1)	Presence of natural	nersons
Midues of supply.	1)	Cross-poruci suppry	4)	Consumption abroad	ر ر	Commercial	presence 4	t <i>)</i>	i reserice of flatural	persons

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
FINANCIAL SECTOR HORIZONTAL SECTION 3. Direct insurance companies	(1), (2) Unbound* except as otherwise specified in this schedule.	(1), (2) Unbound* except as otherwise specified in this schedule.	

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^{*} Due to lack of technical feasibility

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
(All financial services - Direct insurance companies - cont'd)	(3) Branches of foreign insurance companies are required to be locally incorporated by 30 June 1998 and foreign shareholding not exceeding 51% is permitted.	financial sector horizontal section	
	Foreign shareholding not exceeding 51% is also permitted for the existing foreign shareholders of locally incorporated insurance companies which were the original owners of these companies, provided aggregate foreign shareholding in such companies does not exceed 51%.		
	New entry is limited to equity participation by foreign insurance companies in locally incorporated insurance companies and aggregate foreign shareholding in such company shall not exceed 30%.		

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
(All financial services - Direct insurance companies - cont'd)	Unbound for new licences.		
	Acquisition by a foreign insurance company of an aggregate of more than 5 per cent shareholding in a locally incorporated insurance company must meet at least one of the following criteria:		
	(a) The foreign insurance company has the ability to facilitate trade and contribute to financial and economic development of Malaysia;		
	(b) The country of the foreign insurance company has significant trade and investment interests in Malaysia;		

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
(All financial services - Direct insurance companies - cont'd)	(c) The country of the foreign insurance company does not have a significant representation in the Malaysian insurance industry; or		
	(d) The foreign insurance company has the ability to provide technical expertise and know-how to contribute to the financial and economic development of Malaysia		
	An insurance company is not allowed to acquire more than 5% share:		
	(a) In another insurance company in Malaysia that carries on the same class of insurance business as that carried on by it; or		
	(b) In an insurance broking company.		

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
(All financial services - Direct insurance companies - cont'd)	Other persons holding more than 5 per cent shareholding in an insurance company are not permitted to acquire more than 5 per cent shareholding in: (a) Another insurance company carrying on the same class of insurance business as that carried on by the insurance company in which the		
	person is a shareholder; or (b) An insurance broking company.		

(For the Second Package of Commitments)

cound except for the categories natural persons referred to under release. Additional commitments
natural persons referred to under
natural persons referred to under

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
(All financial services - Direct insurance companies - cont'd)	(c) five (5) specialists are to be allowed for each institution which is locally incorporated and owned or controlled by natural or juridical persons of Member State(s) for areas relating to:		
	(i) underwriting of specialized classes of general business;(ii) information technology; and(iii) actuarial functions.		
	(d) Entry shall be limited to a maximum period of five years.		

MYANMAR – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
Average and loss adjustment services (CPC 81403)	(1) None	(1) None	
	(2) None	(2) None	
	(3) None	(3) None	
	(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Supervisory Board.	(4) None	

(For the Second Package of Commitments)

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

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
Insurance			
All sub-sectors	(3),(4) Limitations listed in the all-sector horizontal section and all financial services section of the Philippines' GATS Schedule of Specific Commitments shall apply.	(4) Each employed non-Filipino citizen shall have at least two (2) Filipino understudies.	
	(3) Limitations in market access listed in the specific sub-sectors below shall not apply to existing wholly or majority foreign-owned authorized insurance/reinsurance companies as of the entry into force of the WTO Financial Services agreement.		
	(4) Qualified non-Filipino citizens may be employed for technical positions only within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry.		
Life insurance as follows: - Ordinary - Group - Industrial	(1) Risks located in the Philippines shall be insured with the companies authorized* to transact business in the Philippines.	(1) Unbound	

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^{*}The company which had been issued a licence or a certificate of authority by the Insurance Commission to transact business in the Philippines prior to 1 October 1994.

(For the Second Package of Commitments)

Sector or sub sector	Limitation on market access	Limitation on national treatment	Additional commitments
 Health and accident 	(2) Same as (1) above	(2) Unbound	
- Annuities	(3) Market access is limited to:	(3) None	
	 a. Acquisition of up to sixty percent (60%) of the voting stock of an existing domestic insurance company. b. Investing in up to sixty percent (60%) of the voting stock of a new locally incorporated insurance company. 		
	Participation of non-Filipino citizens in the Board of Directors of a locally incorporated insurance company is limited to one-third of the Board's total membership.		
	(4) Unbound, except as those provided in the horizontal section.	(4) Unbound	

(For the Second Package of Commitments)

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

Sector or sub sector	Limitations on market access		Limitations on national treatment	Additional commitments
General non-life, as follows: - fire and allied risks/ earthquakes/	(1) Except for marine hull and marine cargo insurance, risks located in the Philippines shall be insured with the companies authorized* to transact business in the Philippines.	(1)	Unbound	
shock/typhoons/ floods/tidal wave	(2) Same as (1) above	(2)	Unbound	
- marine ocean marine/ inland marine/ marine hull/ aviation	(3) Market access is limited to:(a) Acquisition of up to sixty percent (60%) of the voting stock of an existing domestic insurance company.	(3)	None	
 casualty motor car/health and accident/ burglary/ engineering miscellaneous suretyship fidelity/surety bonds 	 (b) Investing in up to sixty percent (60%) of the voting stock of a new locally incorporated insurance company. Participation of non-Filipino citizens in the Board of Directors of a locally incorporated insurance company is limited to one-third of the Board's total membership. 			
2222 9 , 22223 9	(4) Unbound, except as those provided in the horizontal section.	(4)	Unbound	

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^{*} The company which had been issued a licence or a certificate of authority by the Insurance Commission to transact business in the Philippines prior to 1 October 1994.

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
Insurance auxiliary services, as follows:	(1) Commercial presence is required.	(1) Unbound	
- actuarial	(2) None	(2) None	
consultancies - average adjustors	(3) Subject to foreign equity limitation of forty per cent (40%).Participation of non-Filipino citizens in the Board of Directors of domestic companies is	(3) None	
	limited to one-third of the Board's total membership.		
	(4) Unbound, except as those provided in the horizontal section.	(4) Unbound	
Reinsurance/ retrocession	(1) Priority cessions to authorized insurance / reinsurance companies. Foreign unauthorized reinsurers should be represented by resident agents duly registered with the Insurance Commission. Ten per cent (10%) of total insurance cessions to foreign unauthorized reinsurers should be ceded to the National Reinsurance Corporation of the Philippines.	(1) None	

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
	(2) Same as (1) above	(2) None	
	(3) Market access is limited to:(a) Acquisition of up to sixty percent (60%) of the voting stock of an	(3) None	
	existing domestic reinsurance company.		
	(b) Investing in up to sixty percent(60%) of the voting stock of a new locally incorporated reinsurance company.		
	Participation of non-Filipino citizens in the Board of Directors of a locally incorporated reinsurance company is limited to one-third of the Board's total membership.		
	(4) Unbound, except as those provided in the horizontal section.	(4) Unbound	

SINGAPORE - SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Modes of Supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or sub sector	Limitation on ma	arket access	Limitation on national treatme	ent Additional commitments
A. <u>Insurance and Insurance an</u>	rance-related services			
the commitments in this Sch Schedule are also subject to	edule are subject to horizontal coentry requirements, domestic law	mmitments in Singapore's G. s, guidelines, rules and regul	ATS Schedule of Specific Commilations, terms and conditions of the	nd the Annex on Financial Services. All tments. All the commitments in this e Monetary Authority of Singapore GATS and paragraph 2 of the Annex on
a. Life insurance services including annuity,	(1) Unbound	(1	1) Unbound	
disability income, acciden and health insurance	(2) None	(2	2) None	
services	(3) Foreign parties can only of up to 49% in aggregatinsurance companies.		3) None	
	Unbound for issuance o licences and establishmerepresentative offices.			
	(4) Unbound except as indicasection.	cated in the horizontal (4	 Unbound except as indicated in horizontal section 	n the
b. Non-life insurance service including disability	s (1) Unbound	(1	1) Unbound	
income, accident and health insurance and contracts of fidelity bonds performance bonds or similar contracts of guarantee	(2) None except for compute Motor Third Party Liabse Compensation which can from licensed insurance Singapore.	ility and Workmen's in be purchased only	2) None	

SINGAPORE - SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitation on market access	Limitation on national treatment	Additional commitments
	 (3) Foreign parties can only acquire equity stakes of up to 49% in aggregate in locally owned insurance companies. Unbound for issuance of new insurance licences and establishment of new representative offices. 	(3) None	
	(4) Unbound except as indicated in the horizontal section.	(4) Unbound except as indicated in the horizontal section.	
d. Insurance intermediation comprising broking and agency services	(1) Unbound(2) Agents are not allowed to act for unregistered insurers. With the exception of reinsurance risks	(1) Unbound (2) None	
	and risks insured by protection and indemnity clubs, brokers can only place domestic risks outside Singapore with the approval of MAS.		
	(3) None except that direct and reinsurance brokers must be established as subsidiaries.	(3) Unbound	
	(4) Unbound except as indicated in the horizontal section.	(4) Unbound except as indicated in the horizontal section.	

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. Insurance including reinsurance and retrocession			
(c) Services auxiliary to insurance (excluding pension funding services)			
Insurance consultancy services (CPC 81402)	(1) None	(1) None	
(CI C 81402)	(2) None	(2) None	
	(3) None other than that indicated in the horizontal section.	(3) No limitations as long as foreign equity participation does not exceed 49 per cent	
	(4) Only senior managerial personnel, specialists and technical assistants with the approval of the Insurance Commissioner.	(4) None	

THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Banking and other financial services (excluding insurance)			
Acceptance of deposits and other repayable funds from the public Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions	(f) Securities companies securities brokerage, securities dealing, investment advisory service and securities underwriting: (1) Unbound (2) None	(1) None (2) None	
Financial leasing Payment and money transmission services including credit, charge and debit cards, travelers cheques and bankers drafts	 (3) I. None for representative offices II. Market access limited to share acquisition of existing companies only. Unbound for new license III. Maximum foreign equity participation is allowed up to 100 per cent of paid-up 	(3) None, except as indicated in the market access column.	

THAILAND - SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
Guarantees and commitments	capital. However, a securities company which has foreign		
Trading for own account, or	equity participation equal to		
for account of customers in	or more than 50 per cent of paid-		
the following:	up capital has to comply with		
(a) money market	the terms and conditions		
instruments	stipulated in the Royal Decree on		
(b) foreign exchange	Permission for Non-Thai to		
(c) exchange rate and	engage in Securities Brokerage		
interest rate	Business under Annex A of the		
instruments	Announcement of the Nation		
(d) transferable securities	Executive Council No.281		
	dated 24 November B.E. 2541		
Participation in issues of all	and other regulations.		
kinds of securities, including			
underwriting and placement	N/ E '.' 1'1		
as agents (whether publicly or	IV. For a securities company which		
privately) and provision of services related to such issues	has foreign equity participation		
services related to such issues	not exceeding 50 per cent of		
Asset management as	paid- up capital, one-half of the directors must be Thai national.		
Asset management as follows:	directors must be That national.		
- cash or portfolio			
management			
- collective investment			
management			
- custodian and depository			
services			

THAILAND – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitations on market access	Limitations on national treatment	Additional commitments
Advisory, intermediation and other auxiliary financial services Provision and transfer of financial information, and financial data processing and related software	V. For a 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) For a representative office, the number of foreign personnel is limited to three persons on condition that the third person must be in the senior management level. For securities companies, as indicated in the horizontal section	(4) None	

VIETNAM – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

(Regulations of this Offer shall be applicable to foreign bank branches and joint-venture banks from ASEAN countries operating in Vietnam)

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

Sector or sub sector Limitation on market access Limitation on national treatment Additional commitmen

Sector or sub sector	Limitation on market access	Limitation on national treatment	Additional commitments
GUARANTEE	(1) Unbound	(1) Unbound	
	(2) Unbound	(2) Unbound	
	(3) None except	(3) None except	
	I. Provisions in the general conditions on banking services and the Horizontal Commitments;	Provisions in the general conditions on banking services and the Horizontal Commitments;	
	II. Foreign bank branch, joint-venture bank shall only be permitted to conduct banking guarantee operations specifically stipulated as follows:		
	A. Providing banking guarantee in Vietnamese Dong to:		
	a. Individuals who are foreign citizens living and doing business in Vietnam;		

VIETNAM – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitation on market access	Limitation on national treatment	Additional commitments
	 b. Legal entities which are diplomatic corps, representatives of international organizations, foreign economic, social and charity organizations operating in Vietnam; c. Legal entities which are economic organizations in Vietnam having 100% foreign invested capital; joint- ventures between Vietnamese and foreign parties having offices 		
	in Vietnam, Vietnamese economic organizations obtaining foreign funds; d. Legal entities which are Vietnamese economic organizations, other than objects indicated in (c), receiving loans from foreign bank branches and/or joint-venture banks operating in Vietnam;		
	e. Individual who are Vietnamese and legal entities which are Vietnamese organizations, those do not have credit relation with foreign bank branches and/or joint-venture banks operating in Vietnam.		

VIETNAM – SCHEDULE OF SPECIFIC COMMITMENTS

(For the Second Package of Commitments)

Sector or sub sector	Limitation on market access	Limitation on national treatment	Additional commitments
	B. Providing banking guarantee in foreign currency to objects indicated in (a,b,c,d) of Part (A), in borrowing and/or payment relations with foreign counterparts.		
	C. Providing guarantee and re-guarantee in foreign currency to borrowing and payment of commercial banks of Vietnam, foreign bank branches and joint-venture banks operating in Vietnam.		
	(4) Unbound except as indicated in the general conditions on banking services and the Horizontal Commitments.	(4) Unbound except as indicated in the general conditions on banking services and the Horizontal Commitments.	