

ANNEX 4
SCHEDULES OF SPECIFIC COMMITMENTS ON TRADE IN SERVICES

Part A:
China's Offer to Cambodia
on Trade in Services

CHINA - SCHEDULE OF SPECIFIC 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	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS¹				
ALL SECTORS INCLUDED IN THIS SCHEDULE²	(1)(2)(3)(4): Unbound with respect to the social services established or maintained for a public purpose. Such services may be subject to public monopolies or to exclusive rights granted to private operators. China reserves rights to adopt or maintain any measure it considers necessary to protect its essential security interests to another Party, including screening of investments, if that Party reserves right to adopt or maintain a measure it considers necessary to protect its security interests in its Schedule of Specific Commitments or Non-conforming Measures.	(1)(2)(3)(4): Unbound with respect to the social services established or maintained for a public purpose. Such services may be subject to public monopolies or to exclusive rights granted to private operators. China reserves rights to adopt or maintain any measure it considers necessary to protect its essential security interests to another Party, including screening of investments, if that Party reserves right to adopt or maintain a measure it considers necessary to protect its security interests in its Schedule of Specific Commitments or Non-conforming Measures.	(1)(2)(3)(4): Unbound with respect to the social services established or maintained for a public purpose. Such services may be subject to public monopolies or to exclusive rights granted to private operators. China reserves rights to adopt or maintain any measure it considers necessary to protect its essential security interests to another Party, including screening of investments, if that Party reserves right to adopt or maintain a measure it considers necessary to protect its security interests in its Schedule of Specific Commitments or Non-conforming Measures.	
	(3) “Foreign invested enterprises /companies” in this schedule refer to enterprises that are wholly or partly invested by foreign investors and registered within the territory of China under <i>Foreign Investment Law of the People’s Republic of China (2019)</i> , subject to the terms and limitations set	(3) Unbound for all subsidies to domestic services suppliers except those committed by China in its WTO accession.		

¹ In this Schedule of Specific Commitments, the mention of “foreign” in both horizontal and specific commitments only refers to “Cambodian”.

² Where commitments have been made in respect of “wholly foreign owned enterprises/subsidiaries”, foreign majority or minority ownership is also allowed, unless there are special requirements under China’s laws and regulations. Where commitments have been made in respect of “foreign majority ownership permitted”, foreign minority ownership is also allowed, but foreign majority ownership does not infer the meaning of wholly foreign ownership.

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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
	<p>out under specific sectors in this schedule.</p> <p>The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation.</p> <p>Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.</p> <p>The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations:</p> <ul style="list-style-type: none"> (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes. 		

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(4) (a) Managers, executives and specialists defined as senior employees of a corporation of a Party that has established a representative office, branch or subsidiary in the territory of the People's Republic of China, temporarily moving as intra-corporate transferees, shall be permitted entry for an initial stay of three years;</p> <p>(b) Managers, executives and specialists defined as senior employees of a corporation of Parties, being engaged in the foreign invested enterprises in the territory of the People's Republic of China for conducting business, shall be granted a long-term stay permit as stipulated in the terms of contracts concerned or an initial stay of three years, whichever is shorter;</p> <p>(c) Service salespersons – persons not based in the territory of the People's Republic of China and receiving no remuneration from a source located within China, and who are engaged in activities related to representing a service supplier for the purpose of</p>	<p>(4) Unbound except for terms, conditions, limitations or qualifications concerning the entry and temporary stay of natural persons who fall into the categories referred to in the market access column.</p>	

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>negotiation for the sale of services of that supplier where:</p> <ul style="list-style-type: none"> (i) such sales are not directly made to the general public; and (ii) the salesperson is not engaged in supplying the service: entry for salespersons is limited to a 90-day period. <p>(d) Contractual Service Suppliers (CSS) : Foreign natural persons who enter the territory of China temporarily in order to perform a service pursuant to a contract(s) between their employers and a service consumer(s) of China. Their employers shall be a company/partner/firm of other Parties which has no commercial presence in the territory of China. CSS receive remuneration from their employer while abroad, and have appropriate educational and technical (professional) qualifications relevant to the service to be provided. Their duration of stay is subject to the duration of contract and (if longer) shall not exceed 1 year. They can not perform services which are not related to the service activity which is the subject of the contract. The services provided by CSS are only limited to the specific sectors as follows:</p>		

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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
	<p>1. Accounting Services</p> <p>2. Medical and dental services</p> <p>3. Architectural services</p> <p>4. Engineering services</p> <p>5. Urban planning services (except general urban planning)</p> <p>6. Computer and related services</p> <p>7. Construction and Related Engineering Services</p> <p>8. Education Services: CSS shall acquire a bachelor's degree or above, receive appropriate professional titles or certificates, and have at least 2-year professional work experience. The Chinese party involved in the contract shall be a juridical person which has the function of providing education service</p> <p>9. Tourism Services</p> <p>(e) others</p> <p>Installers and servicers: Qualified specialists supplying installation or maintenance services for machinery or industrial equipment. The supply of that service has to occur on a fee or contractual basis (installation/maintenance contract) between the builder of the machinery or equipment and the owner of that machinery or equipment, both of them being juridical persons.</p>		

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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
	Duration of stay of the installers and servicers is subject to the duration of contract, but shall not exceed 3 months. They can not perform services which are not related to the service activity which is the subject of the contract, and should have appropriate technical (professional) qualifications relevant to the service to be provided.		

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II. SPECIFIC COMMITMENTS					
1. BUSINESS SERVICES					
A. Professional Services	(1)	None	(1)	None	<p>In accordance with the Chinese laws, regulations and rules, foreign law firms which have established their representative offices in the China (Shanghai) Pilot Free Trade Zone (“FTZ”) may enter into contracts with Chinese law firms in the FTZ. Based on such contracts, these foreign and Chinese law firms may dispatch their lawyers to each other to act as legal counsels.</p> <p>For the aforementioned dispatchment, it means the Chinese law firms may dispatch their lawyers to the foreign law firms to act as legal counsels on Chinese law and international law practice, and the foreign law firms may dispatch their lawyers to the Chinese law firms to act as legal counsels on foreign law and international law practice. The two sides shall perform the cooperation within their respective business scope.</p> <p>In accordance with Chinese laws, regulations and rules, foreign law firms which have established their representative offices in the China (Shanghai) Pilot Free Trade Zone</p>
(a) Legal Services (CPC 861, excluding Chinese law practice)	(2)	None	(2)	None	
	(3)	<p>Foreign law firms can provide legal services only in the form of representative offices. Representative offices can engage in profit-making activities. Business scope of foreign representative offices is only as follows:</p> <p>(a) to provide clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and practices;</p> <p>(b) to handle, when entrusted by clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work;</p> <p>(c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs;</p> <p>(d) to enter into contracts to</p>	(3)	<p>All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers.</p>	

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	<p style="text-align: center;">maintain long-term entrustment relations with Chinese law firms for legal affairs;</p> <p>(e) to provide information on the impact of the Chinese legal environment.</p> <p>Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties. The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in a foreign country and have practiced for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a foreign country and have practiced for no less than three years outside of China.</p>		<p>(“FTZ”) are permitted to form commercial association with Chinese law firms in Shanghai FTZ. Within the validity of commercial association, the two law firms from both sides respectively have independent legal status, name, financial operation, and bear civil liabilities independently. Clients of the commercial association are not limited within Shanghai FTZ. Foreign lawyers in this type of commercial association are not permitted to conduct the practice of Chinese law.</p>
	<p>(4) Unbound except as indicated in horizontal commitments.</p>	<p>(4) Unbound except as indicated in horizontal commitments.</p>	

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Sector or sub-sector	Limitations on market access		Limitations on national treatment		Additional commitments
(b) Accounting, auditing and bookkeeping services (CPC 862)	(1)	None	(1)	None	<ul style="list-style-type: none"> - Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in other WTO Members. - Issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. - Applicants will be informed of results in writing no later than 30 days after submission of their applications. - Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in CPC 865 and 8630.
	(2)	None	(2)	None	
	(3)	Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the Chinese authorities.	(3)	None	
	(4)	Unbound except as indicted in horizontal commitments.	(4)	Unbound except as indicted in horizontal commitments.	

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(c) Taxation services (CPC 8630)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Wholly foreign-owned subsidiaries are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(d) Architectural services (CPC 8671)	(1)	None for scheme design. Co-operation with Chinese professional organisations is required except scheme design.	(1)	None
			(2)	None
			(3)	None
			(4)	Unbound, except as indicated in horizontal commitments.
(e) Engineering services (CPC 8672)	(2)	None	(2)	None
			(3)	None
			(4)	Unbound, except as indicated in horizontal commitments.
			(1)	None
(f) Integrated engineering services (CPC 8673)	(3)	Wholly foreign-owned enterprises are permitted.	(3)	None
			(4)	Unbound, except as indicated in horizontal commitments.
			(1)	None
			(2)	None
(g) Urban planning services (except general urban planning) (CPC 8674)	(4)	Unbound, except as indicated in horizontal commitments.	(4)	Unbound, except as indicated in horizontal commitments.
			(1)	None
			(2)	None
			(3)	None

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(h) Medical and dental services (CPC 9312)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Foreign service suppliers are permitted to establish partly foreign-invested hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted.	(3)	The majority of doctors and medical personnel of the partly foreign-invested hospitals and clinics shall be of Chinese nationality
	(4)	Unbound, except as indicated in horizontal commitments and as follows: Foreign doctors with professional certificates issued by their home country shall be permitted to provide short-term medical services in China after they obtain licenses from the health authorities. The term of service may be up to six months and may extend to one year.	(4)	Unbound, except as indicated in horizontal commitments.

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B. Computer and Related Services (Computer and related services do not cover the economic activity consisting of the provision of content services which require computer and related services as means of supply) (a) Consultancy services related to the installation of computer hardware (CPC 841)	(1)	None	(1)	None			
	(2)	None	(2)	None			
	(3)	None	(3)	None			
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.			
(b) Software implementation services (CPC 842) (c) Data processing services (CPC 843) - Input preparation services (CPC 8431)	(1)	None	(1)	None			
	(2)	None	(2)	None			
	(3)	Wholly foreign-owned enterprises are permitted.	(3)	None			
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.			

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Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments				
- Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433)	(1) None	(1) None					
	(2) None	(2) None					
	(3) None	(3) None					
	(4) Unbound except as indicated in horizontal commitments.	(4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.					
- Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886)	(1) None	(1) None					
	(2) None	(2) None					
	(3) Wholly foreign-owned subsidiaries are permitted.	(3) None					
	(4) Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.					
D. Real Estate Services (a) Real estate services involving own or leased property (CPC 821) (b) Real estate services on a fee or contract basis (CPC 822)	(1) None	(1) None					
	(2) None	(2) None					
	(3) Wholly foreign-owned enterprises are allowed.	(3) None					
	(4) Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.					

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Sector or sub-sector	Limitations on market access		Limitations on national treatment		Additional commitments
E. Rental and leasing services (CPC 831, 832, excluding CPC 83202)	(1)	None	(1)	None	
	(2)	None	(2)	None	
	(3)	Wholly foreign-owned enterprises are allowed. Foreign service suppliers are required to have global assets of US\$ 5 million.	(3)	Wholly foreign-owned enterprises are allowed. Foreign service suppliers are required to have global assets of US\$ 5 million.	
	(4)	Unbound except as indicated in horizontal commitments	(4)	Unbound except as indicated in horizontal commitments	
F. Other Business Services	(1)	None	(1)	None	
(a) Advertising Services (CPC 871)	(2)	None.	(2)	None	
	(3)	None.	(3)	None	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	
(b) Market research services (CPC 86401, only limited to investigation services designed to secure information on the prospects and performance of an organization's products in the market)	(1)	Unbound	(1)	Unbound	
	(2)	Unbound	(2)	Unbound	
	(3)	Only partly foreign-invested enterprises with foreign majority ownership are permitted. Economic needs tests are required.	(3)	Unbound	
	(4)	Unbound except as indicated in horizontal commitments. Requirement for a commercial presence.	(4)	Unbound except as indicated in horizontal commitments.	

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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
(c) Management Consulting services (CPC 865)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Wholly foreign-owned subsidiaries are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(d) Services related to management consulting (only limited to the following sub-sector) - Project management services other than for construction (CPC 86601)	(1)	None	(1)	Unbound
	(2)	None	(2)	Unbound
	(3)	Only partly foreign-invested enterprises with foreign majority ownership are permitted. Economic needs tests are required.	(3)	Unbound
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

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Sector or sub-sector	Limitations on market access		Limitations on national treatment	Additional commitments
(e) Technical testing and analysis services (CPC 8676)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish partly foreign-invested enterprises conducting technical testing, analysis and freight inspection with no less than US\$ 350,000 in registered capital. Wholly foreign-owned subsidiaries are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(f) Services incidental to forestry (CPC 8814)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Only partly foreign-invested enterprises with foreign majority ownership are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(i) Services incidental to manufacturing (CPC 884, 885, except for 88442, and excluding prohibited or restricted industries for foreign service)	(1)	Unbound	(1)	Unbound
	(2)	None	(2)	None
	(3)	Wholly foreign-owned subsidiaries are allowed.	(3)	None

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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
suppliers by Chinese laws and regulations, and excluding services China considers relating to its national security interests.)	(4) Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	
(k) Placement and supply services of Personnel (CPC 872, excluding CPC 87209)	(1) Unbound (2) Unbound (3) Only partly foreign-invested enterprises with foreign majority ownership are permitted. Economic needs tests are required. (4) Unbound except as indicated in horizontal commitments.	(1) Unbound (2) Unbound (3) Unbound (4) Unbound except as indicated in horizontal commitments.	
(m) Related scientific technical consulting services (CPC 8675) - Geological, geophysical (excluding regional gravity and magnetism prospecting services) and other scientific prospecting services (CPC 86751) - Sub-surface surveying services (CPC 86752)	(1) None (2) None (3) Only in the form of prospecting and surveying services for iron, copper, manganese, coal bed methane and shale gas in cooperation with Chinese partners. (4) Unbound except as indicated in horizontal commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal commitments.	

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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
- Onshore oil-field services	(1) None	None	(1) None	None	
	(2) None	None	(2) None	None	
	(3)	Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) or China Petrochemical Corp. (SINOPEC) in the designated areas approved by the Chinese government. In order to carry out the petroleum contract, the foreign service supplier shall establish a branch, subsidiary or representative office within the territory of the People's Republic of China and go through registration formalities in accordance with the laws. The domiciles of the said offices shall be determined through consultation with CNPC or SINOPEC. The foreign service supplier shall open its bank account with a bank approved by the Chinese authorities to engage in foreign exchange business within the Chinese territory.	(3)	The foreign service supplier shall furnish CNPC or SINOPEC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations. CNPC or SINOPEC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies.	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	

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Sector or sub-sector	Limitations on market access		Limitations on national treatment	Additional commitments
(o) Building-cleaning services (CPC 874)	(1)	Unbound*	(1)	Unbound*
	(2)	None	(2)	None
	(3)	Wholly foreign-owned enterprises are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(p) Photographic services (CPC 875, excluding aerial photography for mapping))	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Foreign-invested enterprises are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(q) Packaging services (CPC 876)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Wholly foreign-owned subsidiaries are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

* Unbound due to lack of technical feasibility.

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(r) Printing of packaging materials, on a fee or contract basis (Only limited to the printing of packaging materials)	(1)	Unbound	(1)	Unbound
	(2)	Unbound	(2)	Unbound
	(3)	Wholly foreign-owned enterprises are permitted. Economic needs tests are required.	(3)	Unbound
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(s) Convention services (CPC 87909)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Only partly foreign-invested enterprises with foreign majority ownership are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
(t) Translation and interpretation services (CPC 87905)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Wholly foreign-owned enterprises are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Qualifications are as follows: three years of experience in translation or interpretation and a good command of the working language(s).

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Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments	
- Maintenance and repair services (CPC 633,6112,6122)	(1)	None		(1)	None		
	(2)	None		(2)	None		
	(3)	Wholly foreign-owned subsidiaries are permitted.		(3)	None		
	(4)	Unbound except as indicated in horizontal commitments.		(4)	Unbound except as indicated in horizontal commitments.		

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Sector or sub-sector	Limitations on market access		Limitations on national treatment	Additional commitments
2. COMMUNICATION SERVICES				
B. Courier Services (CPC 75121, except for those specifically reserved to Chinese postal authorities by the related law at the time of China's accession to WTO on December 11th 2001)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Wholly foreign-owned subsidiaries are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
C. Telecommunication Services ³ Value-added Services Including the following: (h) Electronic mail (i) Voice mail (j) On-line information and database retrieval (k) Electronic data interchange (l) Enhanced/Value-added facsimile services (including store and forward, store and retrieve) (m) Code and protocol conversion	(1)	See mode 3	(1)	None
	(2)	None	(2)	None
	(3)	Foreign service suppliers are permitted to establish partly foreign-invested value-added telecommunication enterprises, and foreign investment in the enterprises shall be no more than 50 per cent.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

³ China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

All international telecommunications services shall go through gateways established with the approval of China's telecommunications authorities, which will act as an independent regulatory authority in accordance with the principles of paragraph 5 of the Reference Paper.

Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

CHINA - SCHEDULE OF SPECIFIC 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
(n) On-line information and/or data processing (including transaction processing)				
Basic Telecommunication Services	(1)	See mode 3	(1) None	China undertakes the obligations contained in the Reference Paper in Attachment 1 attached hereto.
- Paging Services	(2)	None	(2) None	
	(3)	Foreign service suppliers are permitted to establish partly foreign-invested enterprises with foreign equity participation of no more than 50 per cent.	(3) None	
	(4)	Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	
Mobile Voice and Data Services:	(1)	See mode 3	(1) None	
- Analogue / Digital / Cellular Services	(2)	None	(2) None	
- Personal Communication Services	(3)	Foreign service suppliers are permitted to establish partly foreign-invested enterprises only, and foreign investment in the enterprises shall be no more than 49 per cent.	(3) None	
	(4)	Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	
- Domestic Services	(1)	See mode 3	(1) None	
(a) Voice services	(2)	None	(2) None	
(b) Packet-switched data				

CHINA - SCHEDULE OF SPECIFIC 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
transmission services (c) Circuit-switched data transmission services (f) Facsimile services (g) Domestic private leased circuit services	(3)	Foreign service suppliers are permitted to establish partly foreign-invested enterprises only, and foreign investment in the enterprises shall be no more than 49 per cent.	(3) None	
- International Services (a) Voice services (b) Packet-switched data transmission services (c) Circuit-switched data transmission services (f) Facsimile services (g) International closed user group voice and data services (use of private leased circuit service is permitted)	(4)	Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	
D. Audiovisual Services - Videos, including entertainment software and (CPC 83202), distribution services - Sound recording distribution services	(1) (2) (3)	None None Foreign services suppliers are permitted to establish partly foreign-invested enterprises with Chinese partners to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products.	(1) None (2) None (3) None	In accordance with China's commitments under GATS, and without prejudice to compliance with China's regulations on the administration of films, China allows the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.

CHINA - SCHEDULE OF SPECIFIC 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	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	
- Cinema Theatre Services	(1)	None	(1)	None	
	(2)	None	(2)	None	
	(3)	Wholly foreign-owned services suppliers are permitted to construct and/or renovate cinema theatres.	(3)	None	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES				
CPC 511, 512, 513 ⁴ , 514, 515, 516, 517, 518 ⁵)	(1)	Unbound*	(1)	Unbound*
	(2)	None	(2)	None
	(3)	Wholly foreign-owned enterprises are permitted. Wholly foreign-owned enterprises can only undertake the following four types of construction projects. 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50 per cent; and Chinese-foreign jointly constructed projects with foreign investment less than 50 per cent but technically difficult to be implemented by Chinese construction enterprises alone. 4. Chinese invested construction projects which are difficult to be	(3)	None
				The foreign construction enterprises established in the China (Shanghai) Pilot Free Trade Zone ("FTZ") may undertake the Chinese-foreign jointly constructed projects in Shanghai. Under such circumstances, these foreign construction enterprises will be exempted from the foreign investment ratio requirement in the projects.

⁴ Including dredging services relating to infrastructure construction.

⁵ Coverage of CPC 518 is limited only to the rental and leasing services of construction and/or demolition machines with operator which are owned and used by foreign construction enterprises in their supply of services.

* Unbound due to lack of technical feasibility.

CHINA - SCHEDULE OF SPECIFIC 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
	<p>implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government.</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>	<p>(4) Unbound except as indicated in horizontal commitments.</p>	

CHINA - SCHEDULE OF SPECIFIC 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
4. DISTRIBUTION SERVICES (as defined in Attachment 2)				
A. Commission Agents' Services (excluding salt, tobacco)	(1) Unbound		(1) Unbound	Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Attachment 2. Foreign service suppliers are permitted to provide the full range of related subordinate services, including after sales services, as defined in Attachment 2, for the products they distribute.
	(2) None		(2) None	
B. Wholesale Trade Services (excluding salt, tobacco)	(3) Wholly foreign-owned enterprises are permitted.		(3) None	
	(4) Unbound except as indicated in horizontal commitments.		(4) Unbound except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
C. Retailing Services (excluding tobacco).	<p>(1) Unbound except for mail order.</p> <p>(2) None</p> <p>(3) Wholly foreign-owned enterprises are permitted, except for: - chain stores which sell products of different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: books, newspapers, magazines, pharmaceutical products, pesticides, mulching films, processed oil, chemical fertilizers and products listed in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations.</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>	<p>(1) Unbound except for mail order.</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>	<p>Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Attachment 2.</p> <p>Foreign service suppliers are permitted to provide full range of related subordinate services, including after sales services, as defined in Attachment 2, for the products they distribute.</p>

CHINA - SCHEDULE OF SPECIFIC 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
D. Franchising	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	None	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
E. Wholesale or retail trade services away from a fixed location.	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	None ⁶	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

⁶ See paragraph 310 of the Working Party Report on the Accession of China to the WTO.

CHINA - SCHEDULE OF SPECIFIC 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
5. EDUCATIONAL SERVICES				
<p>(Excluding special education services e.g. military, police, political and party school education)</p> <p>A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190)</p> <p>B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210)</p> <p>C. Higher education services (CPC 923)</p> <p>D. Adult education services (CPC 924, including non-academic training of beauty treatment, spa, and acupuncture)</p> <p>E. Other education services (CPC 929, including non-academic training in the following areas: a. English language b. cooking c. handicraft</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) Partly foreign-invested schools are permitted, with foreign majority ownership permitted.</p> <p>(4) Unbound except as indicated in horizontal commitments and the following: Foreign individual education service suppliers may enter into China to provide education services when invited or employed by Chinese schools and other education institutions.</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) Unbound</p> <p>(4) Qualifications are as follows: - possession of Bachelor's degree or above; - and an appropriate professional title or certificate, with two years' professional experiences.</p>		

CHINA - SCHEDULE OF SPECIFIC 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
6. ENVIRONMENTAL SERVICES (excluding environmental quality monitoring and pollution source inspection)				
A. Sewage Services (CPC 9401)	(1)	Unbound except for environmental consultation services.	(1) None	
B. Solid Waste Disposal Services (CPC 9402)	(2)	None	(2) None	
C. Cleaning Services of Exhaust Gases (CPC 9404)	(3)	Wholly foreign-owned enterprises are permitted.	(3) None	
D. Noise Abatement Services (CPC 9405)	(4)	Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	
G. Sanitation Services (CPC 9403)				
E. Nature and Landscape Protection Services (CPC 9406 excluding the construction and operation of Natural Reserves and Ramsar Sites)	(1)	Unbound except for environmental consultation services.	(1) None	
	(2)	None	(2) None	
	(3)	Foreign services suppliers engaged in environmental services are permitted to provide services by establishing partly foreign-invested enterprises only, with foreign majority ownership permitted.	(3) None	
F. Other Environmental Protection Services (CPC 9409)	(4)	Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
7. FINANCIAL SERVICES			
<p>A. All Insurance and Insurance-Related Services⁷</p> <p>(a) Life, health and pension/annuity insurance</p> <p>(b) Non-life insurance</p> <p>(c) Reinsurance</p> <p>(d) Services auxiliary to insurance</p>	<p>(1) Unbound except for:</p> <p style="margin-left: 20px;">(a) reinsurance;</p> <p style="margin-left: 20px;">(b) international marine, aviation, and transport insurance; and</p> <p style="margin-left: 20px;">(c) brokerage for large scale commercial risks, international marine, aviation, and transport insurance, and reinsurance.</p> <p>(2) Unbound for brokerage. Other, none.</p> <p>(3) A. <u>Form of establishment</u> Foreign non-life insurers are permitted to establish as a branch, or as a foreign-invested enterprise, with no form of establishment restrictions.</p> <p style="margin-left: 20px;">Foreign life insurers are permitted to establish as a branch, or as a foreign-invested enterprise, with no form of establishment restrictions.</p> <p style="margin-left: 20px;">Foreign Insurance brokerage companies are permitted to establish foreign-invested companies.</p> <p style="margin-left: 20px;">Internal branching is permitted for</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None, except for: - Foreign insurance institutions shall not engage in the statutory insurance business, except for third party auto liability insurance.</p>	

⁷ Any further authorization provided to foreign insurers after accession under more favorable conditions than those contained in this schedule (including the extension of grandfathered investments through branching, sub-branching or any other legal form), will be made available to other foreign service suppliers which so requested.

CHINA - SCHEDULE OF SPECIFIC 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
	<p>foreign insurance firms which have established foreign-invested insurance companies in China.</p> <p>Internal branching is permitted for foreign insurance brokerage companies which have established foreign-invested insurance brokerage companies in China.</p> <p>B. <u>Business Scope</u></p> <ul style="list-style-type: none"> - Foreign non-life insurers are permitted to provide "master policy" (See Attachment 3) insurance/insurance of large scale commercial risks, which has no geographic restrictions. In accordance with national treatment, foreign insurance brokers are permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable. - Qualified foreign investors are permitted to engage in insurance agency business and loss adjustment business in China. - The business scope of foreign insurance brokerage company will be the same as Chinese insurance brokerage company. 		

CHINA - SCHEDULE OF SPECIFIC 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
	<ul style="list-style-type: none"> - Foreign non-life insurers are permitted to provide the full range of non-life insurance services to both foreign and domestic clients. - Foreign insurers are permitted to provide health insurance, individual/group insurance and pension/annuities insurance to foreigners and Chinese. - Foreign insurers are permitted to provide reinsurance services for life and non-life insurance as a branch, or as a foreign-invested enterprise, without geographic or quantitative restrictions on the number of licenses issued. <p>C. <u>Licenses</u> Licenses are issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows:</p> <ul style="list-style-type: none"> - it shall have total assets of more than US \$5 billion at the end of the year prior to application, except for insurance brokers. 		
	(4) Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
<p>B. Banking and Other Financial Services (excluding insurance and securities)</p> <p>Banking services as listed below:</p> <p>(a) Acceptance of deposits and other repayable funds from the public;</p> <p>(b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction;</p> <p>(c) Financial leasing;</p> <p>(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts(including import and export settlement);</p> <p>(e) Guarantees and commitments;</p> <p>(f) Trading for own account or for account of customers: foreign exchange.</p>	<p>(1) Unbound except for the following:</p> <ul style="list-style-type: none"> - Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; - Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. <p>(2) None</p> <p>(3) <u>A. Geographic coverage</u> For foreign currency and local currency business, there is no geographic restriction.</p> <p><u>B. Clients</u> For foreign currency business, foreign financial institutions are permitted to provide services in China without restriction as to clients.</p> <p>For local currency business, the relevant requirements as to clients are solely prudential.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Except for prudential measures, foreign financial institutions may do business, without restrictions or need for case-by-case approval, with foreign invested enterprises, non-Chinese natural persons, Chinese natural persons and Chinese enterprises. Otherwise, none.</p>	<p>For financial leasing services, foreign financial leasing corporations are permitted to provide financial leasing service at the same time as domestic corporations.</p>	

CHINA - SCHEDULE OF SPECIFIC 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
	<p>C. <u>Licensing</u> Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses).</p>			
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
- Motor vehicle financing by non-bank financial institutions	(1)	Unbound except for the following: - Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; - Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1)	Unbound
	(2)	None	(2)	None
	(3)	None	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
- Other financial services as listed below:	(1)	None	(1)	None
(k) Provision and transfer of	(2)	None	(2)	None

CHINA - SCHEDULE OF SPECIFIC 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 information, and financial data processing and related software by supplier of other financial services; (1) Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.	(3) None. Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted. (4) Unbound except as indicated in horizontal commitments.	(3) None (4) Unbound except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
Securities	(1)	Unbound except for the following: - (a) Foreign securities institutions may engage directly (without Chinese intermediary) in B share business (b) Foreign service suppliers which meet the requirement of China's relevant laws and regulations are permitted to provide the following services to Chinese Qualified Institutional domestic Investors (QDII): - Trading for account of QDII; - Securities trading advice or portfolio management; - Custody for overseas assets of QDII.	(1) None	
	(2)	None	(2) None	
	(3)	(a) Unbound, except for the following: - Representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. - Foreign service suppliers, which meet the regulatory requirements and conditions, upon approval, are permitted to establish wholly foreign-owned fund management companies to engage (without	(3) None	

CHINA - SCHEDULE OF SPECIFIC 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
	<p>Chinese intermediary) in domestic securities investment fund management business.</p> <p>Foreign service suppliers, which meet the regulatory requirements and conditions, upon approval, are permitted to establish wholly foreign-owned securities companies to engage (without Chinese intermediary) in domestic securities business.</p> <p>Foreign service suppliers are permitted to hold 100percent equity of futures companies.</p> <p>(b) Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses).</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>	<p>(4) Unbound except as indicated in horizontal commitments.</p>	

CHINA - SCHEDULE OF SPECIFIC 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
8. HEALTH RELATED AND SOCIAL SERVICES			
B. Social Services - Services for the aged (part of CPC 93311 and 93323)	(1) None (2) None (3) Foreign service suppliers are permitted to establish wholly foreign-owned profit-making institutions for the aged in China. (4) Unbound, except as indicated in horizontal commitments.	(1) None. (2) None. (3) Unbound (4) Unbound, except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
9. TOURISM AND TRAVEL RELATED SERVICES				
A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	(1) None	(2) None	(1) None	
	(2) None	(3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China. Wholly foreign-owned subsidiaries are permitted.	(2) None	
	(3) Unbound, except as indicated in horizontal commitments and as follows: - Foreign managers, specialists including chefs and senior executives who have signed contracts with partly foreign-invested hotels and restaurants in China are permitted to provide services in China.	(3) None	(4) Unbound, except as indicated in horizontal commitments.	
	(4) Unbound, except as indicated in horizontal commitments and as follows: - Foreign managers, specialists including chefs and senior executives who have signed contracts with partly foreign-invested hotels and restaurants in China are permitted to provide services in China.	(4) Unbound, except as indicated in horizontal commitments.	(4) Unbound, except as indicated in horizontal commitments.	
B. Travel Agency and Tour Operator (CPC 7471)	(1) None	(2) None	(1) None	
	(2) None	(3) None	(2) None	
	(3) None	(3) None, except that foreign-invested travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei.	(3) None, except that foreign-invested travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei.	

CHINA - SCHEDULE OF SPECIFIC 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
	(4) Unbound except as indicated in horizontal commitments.	(4) Unbound except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)				
D. Sporting and other recreational services (Only limited to CPC 96411, 96412, 96413, including yoga, excluding golf &E-Sports)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	None	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

CHINA - SCHEDULE OF SPECIFIC 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
11. TRANSPORT SERVICES				
<p>A. Maritime Transport Services</p> <p>- International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)</p>	<p>(1) (a) Liner shipping (including passenger transportation): None</p> <p>(b) Bulk, tramp and other international shipping (including passenger transportation): None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) (a) Ship's crew: Unbound except as indicated in horizontal commitments.</p> <p>(b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in horizontal commitments.</p>	<p>(1) (a) None</p> <p>(b) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) (a) Unbound except as indicated in horizontal commitments.</p> <p>(b) Unbound except as indicated in horizontal commitments.</p>	<p>The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:</p> <ol style="list-style-type: none"> 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services. 	
<p>H. Auxiliary Services</p> <p>(a) Maritime cargo-handling services (CPC 741)</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>		

* Unbound due to lack of technical feasibility.

CHINA - SCHEDULE OF SPECIFIC 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
(c) Customs clearance services for maritime transport	(1)	Unbound*	(1)	Unbound*	
	(2)	None	(2)	None	
	(3)	None.	(3)	None	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	
(d) Container station and depot services	(1)	Unbound*	(1)	Unbound*	
	(2)	None	(2)	None	
	(3)	None	(3)	None	
	(4)	Unbound except as indicated in horizontal commitments	(4)	Unbound except as indicated in horizontal commitments.	
(e) Maritime agency services	(1)	None	(1)	None	
	(2)	None	(2)	None	
	(3)	None	(3)	None	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	

* Unbound due to lack of technical feasibility.

CHINA - SCHEDULE OF SPECIFIC 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
B. Internal Waterways Transport (b) Freight transport (CPC 7222)	(1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound (4) Unbound except as indicated in horizontal commitments.	(1) Limitations as indicated under market access column. (2) None (3) Unbound (4) Unbound except as indicated in horizontal commitments.		
C. Air Transport Services (d) Aircraft repair and maintenance services (CPC 8868)	(1) Unbound* (2) None (3) Foreign service suppliers are permitted to establish partly foreign-invested aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the enterprises. (4) Unbound except as indicated in horizontal commitments.	(1) Unbound* (2) None (3) The partly foreign-invested enterprises have the obligation to undertake business in the international market. (4) Unbound except as indicated in horizontal commitments.		

* Unbound due to lack of technical feasibility.

CHINA - SCHEDULE OF SPECIFIC 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
- Computer Reservation System (CRS) services	(1)	<p>(a) Foreign computer reservation systems may provide services to Chinese aviation enterprises and aviation agents by connecting through a Chinese computer reservation system.</p> <p>(b) Foreign Computer Reservation System may provide services to representative offices and sales offices established in the destination cities in China by foreign aviation enterprises which have the right to engage in business according to the bilateral aviation agreements.(c) Direct access to and use of foreign computer reservation systems by aviation agents are subject to approval of the General Administration of Civil Aviation of China (CAAC).</p>	(1) None	
	(2)	None	(2) None	
	(3)	Foreign service suppliers are permitted to establish partly foreign-invested enterprises with Chinese Computer Reservation System in China. The Chinese side shall hold controlling shares or be in a dominant position in the enterprises. Licenses for the	(3) Unbound	

CHINA - SCHEDULE OF SPECIFIC 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
	(4)	establishment of enterprises are subject to economic needs test. Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
E. Rail Transport Services	(1)	None	(1)	None
- Freight transportation by rail (CPC 7112)	(2)	None	(2)	None
	(3)	Wholly foreign-owned subsidiaries are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
F. Road Transport Services	(1)	None	(1)	None
- Freight transportation by road in trucks or cars (CPC 7123)	(2)	None	(2)	None
	(3)	None	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

CHINA - SCHEDULE OF SPECIFIC 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
Passenger Transportation - Urban and suburban regular transportation (CPC 71211) - Urban and suburban special transportation (CPC 71212) - Interurban regular transportation (CPC 71213) - Interurban special transportation (CPC 71214)	(1)	Unbound	(1)	Unbound	
	(2)	Unbound	(2)	Unbound	
	(3)	None	(3)	None	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	
H. Services Auxiliary to all Modes of Transport - Storage and warehousing services (CPC 742)	(1)	Unbound	(1)	Unbound	
	(2)	None	(2)	None	
	(3)	Wholly foreign-owned subsidiaries are permitted.	(3)	None	
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.	

CHINA - SCHEDULE OF SPECIFIC 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
- Freight forwarding agency services (CPC 748)	<p>(1) None</p> <p>(2) None</p> <p>(3) Foreign freight forwarding agencies which have at least three consecutive years experience are permitted to set up partly foreign-invested freight forwarding agency in China. Wholly foreign-owned subsidiaries permitted. Operation term of the partly foreign-invested enterprises shall not exceed 20 years. After one year operating in China, a partly foreign-invested enterprise can set up branches. A foreign freight forwarding agency may set up a second partly foreign-invested enterprise after its first enterprise has been in operation for two years.</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated in horizontal commitments.</p>	

CHINA - SCHEDULE OF SPECIFIC 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
- Freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish partly foreign-invested enterprises conducting technical testing, analysis and freight inspection with no less than US\$ 350,000 in registered capital. Wholly foreign-owned subsidiaries are permitted.	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

CHINA - SCHEDULE OF SPECIFIC 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		Limitation on national treatment	Additional commitments
12. OTHER SERVICES NOT INCLUDED ELSEWHERE				
- Specialty design services (CPC87907)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	None	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.
- Hairdressing and other beauty services (CPC 9702)	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	None	(3)	None
	(4)	Unbound except as indicated in horizontal commitments.	(4)	Unbound except as indicated in horizontal commitments.

Attachment 1
Reference Paper

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that:

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time; or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

Group on Basic Telecommunications

Note by the Chairman

Revision

It has been suggested by a number of delegations that it might be helpful to produce a brief and simple note on assumptions applicable to the scheduling of commitments in basic telecoms. The purpose of the attached note is to assist delegations in ensuring the transparency of their commitments and to promote a better understanding of the meaning of commitments. This note is not intended to have or acquire any binding legal status.

NOTES FOR SCHEDULING BASIC TELECOM SERVICES COMMITMENTS

1. Unless otherwise noted in the sector column, any basic telecom service listed in the sector column:
 - (a) encompasses local, long distance and international services for public and non-public use;
 - (b) may be provided on a facilities-basis or by resale; and
 - (c) may be provided through any means of technology (e.g., cable⁸, wireless, satellites).
2. Subsector (g) --private leased circuit services -- involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column. This would include capacity via cable, satellite and wireless network.
3. In view of points 1 and 2 above, it should not be necessary to list cellular or mobile services as a separate subsector. However, a number of Members have done so, and a number of offers have commitments only in these subsectors. Therefore, in order to avoid extensive changes in schedules, it would seem appropriate for Members to maintain separate entries for these subsectors.

⁸ Including all types of cable.

Group on Basic Telecommunications

Original: English

CHAIRMAN'S NOTE

Market Access Limitations on Spectrum Availability

Many Members have entries in the market access column of their schedules indicating that commitments are "subject to availability of spectrum/frequency" or similar wording. In light of the physical nature of spectrum and the constraints inherent in its use, it is understandable that Members may have sought to rely on these words to adequately protect legitimate spectrum management policies. There is, however, doubt that words such as "subject to availability of spectrum/frequency" as listed in the market access column of many Members' schedules achieve that objective.

Spectrum/frequency management is not, *per se*, a measure which needs to be listed under Article XVI. Furthermore under the GATS each Member has the right to exercise spectrum/frequency management, which may affect the number of service suppliers, provided that this is done in accordance with Article VI and other relevant provisions of the GATS. This includes the ability to allocate frequency bands taking into account existing and future needs. Also, Members which have made additional commitment in line with the Reference Paper on regulatory principles are bound by its paragraph 6.

Therefore, words such as "subject to availability of spectrum/frequency" are unnecessary and should be deleted from Members' schedules.

Attachment 2

Distribution Services

Distribution trade services are comprised of four main sub-sectors:

- commission agents services;
- wholesaling;
- retailing; and
- franchising.

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929.

Commission Agents' Services consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

Wholesaling consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Retailing services consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

Franchising services consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

Attachment 3

Insurance: Definition of "Master Policy"

Master policy is the policy that provides blanket coverage for the same legal person's property and liabilities located in different places. Master policy may only be issued by the business department of an insurer's head office or that of its authorized province-level branch offices. Other branches are not allowed to issue master policy.

Master policy business with the state key construction projects as its subject-matter insured. If investors on the state key construction projects (i.e., projects that are so listed and annually announced by the State Development and Planning Commission) meet either of the following requirements, they may purchase master policy from insurers that are located in the same place as the investors' legal persons do.

The investment on the subject-matter insured is all from China (including the reinvestment from the foreign-invested enterprises in China), and the sum of investment of the investor accounts for over 15 per cent of the total investment.

The investment is partially from abroad, and partially from China (including the reinvestment from the foreign-invested enterprises in China), and the sum of investment of the Chinese investor accounts for over 15 per cent for the total domestic investment.

For those projects that draw investment all from abroad, every insurer may provide coverage in the form of master policies.

Master policy covering different subjects-matter insured of the same legal person. For those subjects-matter insured located in different places and owned by the same legal person (excluding financial, railway, and post and telecommunications industries and enterprises), master policy may be issued on the basis of either of the following conditions.

For the sake of payment of premium tax, insurance companies incorporated where the legal person or accounting unit of the insurance applicant is located are allowed to issue master policy.

If over 50 per cent of insurance amount of the subject-matter insured is from a larger or medium sized city, then insurers in that city are allowed to issue master policy, no matter whether the insurance applicant's legal person or accounting unit is located in the city.

Motor insurance, credit insurance, employer liabilities insurance, statutory insurance, and other insurance business excluded by the CIRC can not be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.