



## Trade in Services Negotiations: Thailand Experience

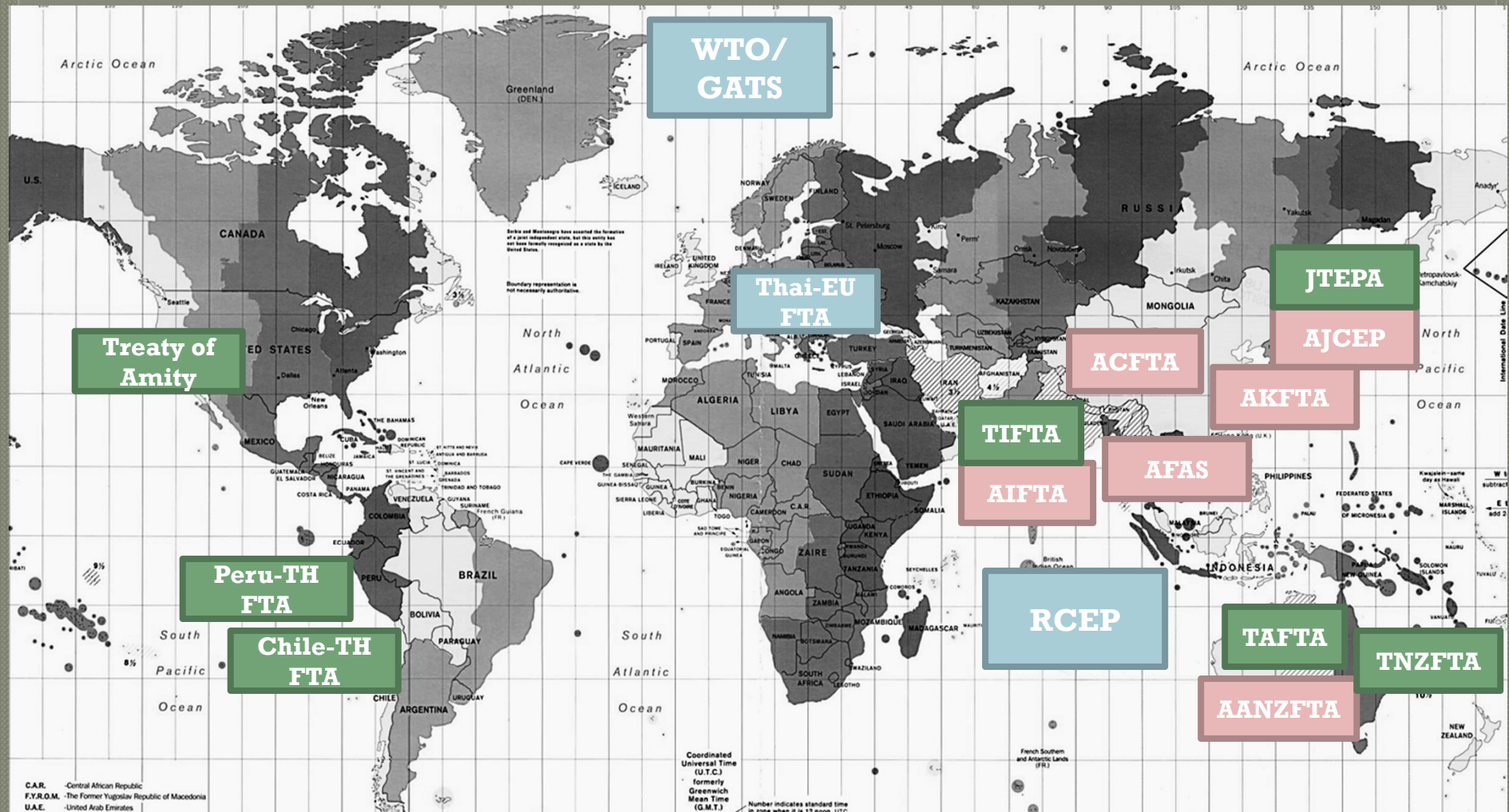
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# Thailand's Experiences on:

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- Overview of Trade in Services Negotiations
- Structure of Trade in Services under Thailand's FTAs
- Approach/Modality of Trade in Service Negotiations
- Text based Negotiations
- Request – offer / Market Access Negotiations
- Other Experiences

# Overview of Trade in Services Negotiation



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# Structure of Trade in Services under Thailand's FTAs

TIS is one of the  
Agreements under  
Framework/umbrella  
agreement :

Treaty of Amity,  
ACFTA, AFAS, AIFTA,  
AKFTA

Comprehensive  
Agreement/FTAs where  
TIS is one of the

Chapters:

TAFTA, TH-Chile FTA,  
JTEPA, AJCEP,  
AANZFTA, RCEP, etc

No substantial difference but it is just a style.  
The comprehensive one is quite preferable in the modern FTAs

# Approach/Modality of TIS negotiations

## Positive list:

List out sectors to be opened

AFAS  
ACFTA,  
AKFTA,  
AJFTA,  
etc

## Negative list:

List out measures needed to be reserved or maintained

Treaty of amity

## Hybrid:

It can be anything/many styles where the Parties agreed upon,

TAFTA

# Positive List Approach

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Almost all TH's FTAs are Positive List Approach

**But!**

some minor differences:

- **AJCEP** : Standstill obligations in sectors specific commitments
- **AJCEP/JTEPA** : Transparency list is committed as a value-addition
- **AIFTA** : No MFN provision, even negotiated MFN
- MNPs is included under TIS Chapter or as a separate Chapter

# Hybrid Approach

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## Limitations

### Distribution Services

- In compliance with the Ministry of Finance Announcement (Liquor Administration) B.E. 2543 (2000), distilled liquor distribution services must be operated by a limited company under Thai laws with foreign equity participation less than 49 percent.

### Education Services

- Under the Private School Act B.E. 2525 (1982), private school licensees must be Thai-born nationals. Foreign equity participation must be less than 50 percent and number of foreign shareholders must less than 50 percent of the total number of shareholders. The manager of a private school must be a Thai national.
- Under the Private Higher Education Institute Act B.E. 2546 (2003), number of foreigners must less than 50 percent of the total number of competent members of the council of a private higher education institute.

### Tourism and Travel Related Services

- Under the Travel Agency and Tourist Guide Business B.E. 2535 (1992), foreign equity participation in a travel agency and tourist guide business must less than 49 percent and number of foreign shareholders must less than 50 percent of the total number of shareholders.

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_3366](https://www.yunbaogao.cn/report/index/report?reportId=5_3366)

