



THE “ART OF SCHEDULING”

- An Introduction II -



Trade in Services Division
WTO



Application of Articles XVI, XVII & XVIII





Basic Obligation (I):

“Each Member shall set out in a schedule the specific commitments it undertakes under Part III of the Agreement.” (Art. XX:1)

Note: Structure of schedules, number of commitments, sectors covered or levels of liberalization are not defined in GATS.



Scope and coverage of specific commitments

Article XVI (Market Access)

All measures, whether discriminatory or not, falling under one of six categories

Article XVII (National Treatment)

All (other) measures discriminating against services or service suppliers of any other Member.

Article XVIII (Additional Commitments)

Non-discriminatory measures not falling under Article XVI or XVII.

How Schedules of Commitments are structured



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

| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|----------------------------|--|--|-------------------------------|
| Life insurance | <p>1) Unbound, except for the supply of life insurance to foreign persons residing in ...</p> <p>2) Unbound, except for the supply of life insurance to foreign persons residing in ...</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> | |

How to describe services sectors?



- There is no compulsory system
 - Members can use their own classification system
 - only requirement: **greatest possible degree of clarity!**
- There are two reference instruments:
 - Services Sectoral Classification List (W/120)
 - UN Central Product Classification List (CPC)

How to reduce sector coverage? (Exclusion of 'public-service' segments)



| Sector or subsector | Limitations on market access | Limitations on national treatment | Additional commitments |
|--|---|---|------------------------|
| <p>A. <u>Primary Education Services</u> (CPC 921, excluding national compulsory education in CPC 92190))</p> <p><u>Alternatively:</u> "... excluding publicly owned and publicly funded facilities" etc.</p> | <p>1) Unbound 2) None 3) Joint schools will be established, with foreign majority ownership permitted 4) Unbound, except as indicated in Horizontal Commitments</p> | <p>1) Unbound 2) None 3) Unbound 4)</p> | |



Obligation (II):

commitments are undertaken, the schedule shall specify:

limitations and conditions on access“ (Art. XX:1(a))

focus is on measures limiting market access rather than on implementation measures (e.g. licensing requirements) or laws and regulations.

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_7716

