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**Working Party on the
Accession of Lao PDR**

REPORT OF THE WORKING PARTY ON THE ACCESSION OF LAO PDR

*Schedule of Specific Commitments on Services
List of Article II MFN Exemptions*

Addendum

As indicated in paragraph 249 of the Report of the Working Party on the Accession of Lao PDR (WT/ACC/LAO/45), the Schedule of Specific Commitments on Services resulting from the negotiations between Lao PDR and WTO Members is annexed to the Protocol on the Accession of the Lao People's Democratic Republic and is reproduced hereunder.

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
I. HORIZONTAL COMMITMENTS (APPLICABLE TO ALL SECTORS INCLUDED IN THIS SCHEDULE)			
Land ownership		(3), (4) Non-Lao PDR natural and juridical persons are not allowed to own land but may own premises and lease land up to 75 years.	
Subsidies and investment incentives		(1), (2), (3), (4) Unbound with respect to subsidies, investment incentives and other state support measures, eligibility for which may be limited to particular regions, categories of persons, or enterprises.	
Commercial presence	(3) To establish a commercial presence, a services provider must be incorporated in specific legal form in accordance with laws and regulations of Lao PDR.	(3) Foreign investors shall provide adequate training opportunities to Lao PDR nationals. (3) Tax measures, generally pertaining to small and medium enterprises may result in a difference of treatment in favour of Lao PDR services and service suppliers.	
Movement of natural persons providing services	(4) Unbound, except for measures affecting the temporary entry and stay of natural persons who qualify under one of the following categories, and in all cases, the total number of foreign natural persons in the following categories shall not exceed 20% of the total staff: A. <u>Business visitors:</u> Natural persons who: - Enter Lao PDR to be engaged in activities related to representing a services supplier for the purpose of negotiating for the sale of the services of that supplier; - Stay in Lao PDR without receiving remuneration from sources within Lao PDR; and - Do not engage in making direct sales to the general public or supplying	(4) Unbound, except for measures concerning the categories of natural persons referred to in the market access column. Unbound for all measures relating to social insurance schemes including <i>inter alia</i> unemployment and pension benefits.	

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>services.</p> <p>The temporary stay of business visitors is subject to a maximum duration of stay of 90 days.</p> <p>B. <u>Intra-Corporate Transferees:</u> Natural persons who have been employed by a juridical person of another Member outside Lao PDR for a period of not less than 1 year immediately preceding the request for transfer to Lao PDR, who seek temporary entry to provide services through commercial establishment of that juridical person in Lao PDR, who cannot be substituted by Lao PDR nationals, and who fall within one of the following categories:</p> <p>(a) <u>Executives:</u> Natural persons within an organization who primarily direct the management of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization; and</p> <p>(b) <u>Managers:</u> Natural persons who possess knowledge at an advanced level of expertise or proprietary knowledge of a juridical entity's products, services, research, equipment, techniques, or management, and who primarily direct the organization or a department of the organization; supervise and control the work of other supervisory, professional or</p>		

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>managerial employees; have the authority to hire and fire or recommend hiring, firing or other personnel actions; and exercise discretionary authority over day-to-day operations. They do not include first-line supervisors, unless the employees supervised are professionals¹, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p>(c) <u>Specialists</u>: Natural persons within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques, or management and where there are shortages of Lao PDR nationals with requisite skills.</p> <p>For the natural persons in the categories defined under intra-corporate transferees, temporary residency and work permit will be issued for 1 year which may be renewed every 6 months for up to 3 years as long as conditions indicated for each category are satisfied.</p>		

¹ Natural persons with professional qualifications for performing work within the scope of a particular profession, where these are required by the laws and regulations of Lao PDR.

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
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional Services			
(a) Legal services, excluding: - Participation in legal proceedings in the capacity of defenders or representatives of their clients before the courts of Lao PDR; - Legal documentation and certification services of the laws of Lao PDR (part of CPC 861)	(1) None. (2) None. (3) Foreign equity participation limited to 49%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) Unbound. (4) Unbound, except as indicated in the horizontal section.	
(b) Accounting, auditing and bookkeeping services (CPC 862)	(1) None. (2) None. (3) Unbound for 7 years after the date of accession. Thereafter, a joint venture with a Lao PDR national accountant who is a full member of the Lao Institute of Certified Public Accountants (LICPA) is required ² . (4) Unbound.	(1) None. (2) None. (3) The majority of directors must be certified accountants who are Lao nationals. (4) Unbound.	
(c) Taxation consulting services (part of CPC 863)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

² For all phased in commitments in this schedule, it is understood that limitations indicated in sectoral headnotes and/or the horizontal commitments section will apply at phase in.

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) Architectural services (CPC 8671) (e) Engineering services (CPC 8672) (f) Integrated engineering services (CPC 8673) (g) Urban planning and landscape architectural services (CPC 8674)	(1) None. (2) None. (3) For 5 years after accession, foreign equity participation limited to 51%. Thereafter: none. (4) Unbound, except as indicated in the horizontal section.	(1) The service must be authenticated by an architect or engineer who has appropriate practicing certificate working in a juridical entity established in Lao PDR. (2) The service must be authenticated by an architect or engineer who has appropriate practicing certificate working in a juridical entity established in Lao PDR. (3) None. (4) Unbound, except as indicated in the horizontal section.	
B. Computer and Related Services			
Computer and Related Services (CPC 84)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
C. Research and Development			
(a) R&D services on natural sciences (CPC 851)	(1) None. (2) None. (3) Foreign equity participation limited to 51%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
F. Other Business Services			
(a) Advertising services: - Planning, creating and placement services of advertising (CPC 87120)	(1) None. (2) None. (3) Foreign equity participation limited to 49%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) Unbound. (4) Unbound, except as indicated in the horizontal section.	
(b) Market research services (CPC 86401)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(c) Management consulting services (CPC 865)	(1) None. (2) None. (3) For 3 years after accession, foreign equity participation limited to 51%. Thereafter: None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
(e) Technical testing and analysis services (CPC 8676)	(1) None. (2) None. (3) Foreign equity participation limited to 51%. After 5 years from the date of accession, foreign equity participation limited to 70%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) The majority of directors must be engineers who are Lao PDR nationals. (4) Unbound, except as indicated in the horizontal section.	
(h) Services incidental to mining (CPC 5115)	(1) Unbound ³ . (2) None. (3) Foreign equity participation limited to 51%. After 5 years from the date of accession, foreign equity participation limited to 70%. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound ⁴ . (2) None. (3) The majority of directors must be engineers who are Lao PDR nationals. (4) Unbound, except as indicated in the horizontal section.	
(m) Related scientific and technical consulting services (CPC 86751 and 86752 only)	(1) None. (2) None. (3) Foreign equity participation limited to 51%. After 5 years from the date of accession, foreign equity participation limited to 70%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) The majority of directors must be engineers who are Lao PDR nationals. (4) Unbound, except as indicated in the horizontal section.	
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment): - Repair of energy equipment (part of CPC 88620)	(1) None. (2) None. (3) Foreign equity participation limited to 51%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

³ Unbound due to lack of technical feasibility.

⁴ Unbound due to lack of technical feasibility.

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(t) Specialty design services (CPC 87907)	(1) None. (2) None. (3) For 5 years after accession, foreign equity participation limited to 49%. Thereafter: foreign equity participation limited to 51%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
2. COMMUNICATION SERVICES			
B. Courier services			
Courier services (CPC 7512) consisting of express delivery services ⁵ , except for the following services: (a) the collection, transport and delivery of domestic and cross-border addressed mail to Post Office (PO) boxes in the following categories: (i) addressed letters weighing not more than 200 grams; (ii) small items or packages weighing up to 2 kg; (b) the collection, transport and delivery to PO boxes of domestic and international postal parcels weighing up to 20 kg; (c) the provision of PO boxes; and (d) issuing of postage stamps.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

⁵ Express delivery services include the collection, transport and delivery of documents, printed matter, parcels and/or other goods on an expedited basis, while tracking and maintaining control of these items throughout the supply of the service.

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. Telecommunication services Commitments are taken consistent with "Notes for Scheduling Basic Telecom Services Commitments" (S/GBT/W/2/Rev.1) and "Market Access Limitations on Spectrum Availability" (S/GBT/W/3).			
<p>The following services (a-o) can be supplied only on a facilities basis, and for public use services:</p> <p>Basic telecommunication services</p> <p>(a) Voice telephone services (CPC 7521)</p> <p>(b) Packet-switched data transmission services (CPC 7523**)</p> <p>(c) Circuit-switched data transmission services (CPC 7523**)</p> <p>(d) Telex services (CPC 7523**)</p> <p>(e) Telegraph services (CPC 7522)</p> <p>(f) Facsimile services (CPC 7521**+ 7529**)</p> <p>(g) Private leased circuit services (CPC 7522**+7523**)</p> <p>(o) Other:</p> <p>- Terrestrial-based mobile phone services</p>	<p>(1) Wire-based services, Terrestrial-based mobile services and Satellite-based services: Service must be offered through commercial arrangements with an entity established in Lao PDR and licensed to provide international telecommunication services.</p> <p>(2) None.</p> <p>(3) Only through acquisition of existing operators and foreign equity participation limited to 49% for 5 years after the date of accession. Thereafter, commercial presence for new investments will be allowed with foreign equity participation limited to 60%.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Wire-based services, Terrestrial-based mobile services and Satellite-based services: Service must be offered through commercial arrangements with an entity established in Lao PDR and licensed to provide international telecommunication services.</p> <p>(2) None.</p> <p>(3) None as phased-in in the market access column.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>Lao PDR undertakes the obligations in the Reference Paper attached hereto within 2 years of accession.</p>

** The (**) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance (e.g. voice mail is only a component of CPC item 7523).

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
Value-added telecommunication services			
(h) Electronic-mail (CPC 7523**)	(1) None.	(1) None.	
(i) Voice mail (CPC 7523**)	(2) None.	(2) None.	
(j) Online information and data base retrieval (CPC 7523**)	(3) None.	(3) None.	
(k) Electronic data interchange (EDI) (CPC 7523**)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(l) Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523**)			
(m) Code and protocol conversion			
(n) On-line information and/or data processing (including transaction processing) (CPC 843**)			

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			
A. General construction work for buildings (CPC 512)	(1) Unbound. (2) None. (3) Foreign equity participation limited to 70%.	(1) Unbound. (2) None. (3) None.	
B. General construction work for civil engineering (CPC 513)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
C. Installation and assembly work (CPC 514+516)			
D. Building completion and finishing work (CPC 517)			
E. Other: (CPC 511+515+518)			
4. DISTRIBUTION SERVICES			
The distribution of goods under the Controlled List of the Ministry of Industry of Commerce - arms, ammunition, explosives and explosive substances, highly toxic chemicals, narcotics, cultural items, books, newspapers and magazines, precious metals and stones, medicines and medical equipment, endangered species, gambling machines, money printing machines, processed oil and crude oil, alcohols, tobacco products, rice - is excluded from commitments.			
B. Wholesale trade services (part of CPC 61111, 6113, 6121)	(1) None. (2) None. (3) Unbound for 7 years after the date of accession. Thereafter, foreign equity participation limited to 49%. Subject to meeting economic need tests ⁶ . (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) None. (2) None. (3) Unbound. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	
C. Retailing services (part of CPC 61112, 6113, 6121)	(1) Unbound. (2) Unbound. (3) Unbound for 7 years after the date of accession. Thereafter, foreign equity participation limited to 49%. Subject to meeting economic need tests ⁷ . (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) Unbound. (2) Unbound. (3) Unbound. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	

⁶ The main criteria include the number of existing service suppliers in a particular geographical area, the stability of market and geographical scale.

⁷ The main criteria include the number of existing service suppliers in a particular geographical area, the stability of market and geographical scale.

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 (part of CPC 8929) ⁸	(1) None. (2) None. (3) Unbound for 7 years after the date of accession. Thereafter, foreign equity participation limited to 49%. Subject to meeting economic need tests ⁹ . (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) None. (2) None. (3) Unbound. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	
5. PRIVATE EDUCATIONAL SERVICES The education curriculum and contents must be approved by the Ministry of Education of Lao PDR. With respect to C and D below, the commitments cover only technical, natural sciences and technology, business administration and business studies, economics, accounting, international law and language training fields. The scope of private education services concerns only fully-privately funded services.			
A. Primary education services (part of CPC 921) B. Secondary education services (part of CPC 922)	(1) Unbound. (2) None. (3) Foreign equity participation limited to 51%. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound. (2) None. (3) Directors must be qualified teachers who are Lao PDR nationals. (4) Unbound, except as indicated in the horizontal section.	
C. Higher education services (part of CPC 923) D. Adult education (part of CPC 924) E. Other education services: - Short term foreign language training only (part of CPC 929)	(1) None. (2) None. (3) Foreign equity participation limited to 51%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) Directors must be qualified teachers who are Lao PDR nationals. (4) Unbound, except as indicated in the horizontal section.	

⁸ As related to the provision of a distribution service which is subject to a specific commitment under Section II.4 of this Schedule.

⁹ The main criteria include the number of existing service suppliers in a particular geographical area, the stability of market and geographical scale.

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 SERVICES¹⁰			
Services considered as public utilities at a national or local level may be subject to public monopolies or to exclusive rights granted to private operators.			
A. Wastewater management (part of CPC 9401)	(1) Unbound, except related consulting services.	(1) Unbound, except related consulting services.	
B. Waste management (part of CPC 9402 and 9403)	(2) None. (3) None.	(2) None. (3) None.	
C. Protection of ambient air and climate (part of CPC 9404)	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
D. Remediation and cleanup of soil and water (part of CPC 9406)			
E. Noise and vibration abatement (part of CPC 9405)			
7. FINANCIAL SERVICES			
Access by foreign services suppliers and the provision of new financial services within the scope of the commitments below and that have not yet been provided by the private sector in Lao PDR at the date of accession, may be subject to measures adopted for prudential reasons. Direct branching is not allowed. Financial institutions in Lao PDR must adopt a specific legal form. All the commitments are subject to entry requirements, domestic laws, rules and regulations and the terms and conditions of the Bank of Lao PDR, the Ministry of Finance and/or any other competent authority in Lao PDR, as the case may be, which are consistent with Article VI of the GATS and paragraph 2 of the Annex on Financial Services and do not impair the commitments undertaken herewith.			
A. All insurance and insurance-related services			
Insurance companies are restricted from offering both Life and Non-life insurance services. Excluded from the scope of these commitments are compulsory insurance, including but not limited to motor vehicle insurance, collective accident insurance for workers, depositors' protection fund and social security fund.			
(i) Direct insurance (A) Life insurance	(1) Unbound. (2) Unbound. (3) Unbound for 5 years after the date of accession. Thereafter, foreign equity participation limited to 51%. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) Unbound. (2) Unbound. (3) None. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	

¹⁰ Environmental services exclude the provision of water for human use, including water collection, purification and distribution through mains.

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(B) Non-life insurance	<p>(1) Unbound except for insurance services in international transportation, including of risks relating to:</p> <ul style="list-style-type: none"> (i) international maritime transport and international commercial aviation, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising there-from; and (ii) goods in international transit. <p>(2) Unbound except for insurance services in international transportation, including of risks relating to:</p> <ul style="list-style-type: none"> (i) international maritime transport and international commercial aviation, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising there-from; and (ii) goods in international transit. <p>(3) Unbound for 5 years after the date of accession. Thereafter, foreign equity participation limited to 51%.</p> <p>(4) Unbound, except for executives and managers as per conditions in the horizontal section.</p>	<p>(1) Unbound except for insurance services in international transportation, including of risks relating to:</p> <ul style="list-style-type: none"> (i) international maritime transport and international commercial aviation, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising there-from; and (ii) goods in international transit. <p>(2) Unbound except for insurance services in international transportation, including of risks relating to:</p> <ul style="list-style-type: none"> (i) international maritime transport and international commercial aviation, with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising there-from; and (ii) goods in international transit. <p>(3) None.</p> <p>(4) Unbound, except for executives and managers as per conditions in the horizontal section.</p>	
(ii) Reinsurance and retrocession	<p>(1) None.</p> <p>(2) None.</p> <p>(3) Unbound for 5 years after the date of accession. Thereafter, unbound except for foreign equity participation limited to 51%.</p> <p>(4) Unbound, except for executives and managers as per conditions in the horizontal section.</p>	<p>(1) None.</p> <p>(2) None.</p> <p>(3) None.</p> <p>(4) Unbound, except for executives and managers as per conditions in the horizontal section.</p>	

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
(iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services.	(1) None. (2) None. (3) Unbound for 5 years after the date of accession. Thereafter, foreign equity participation limited to 51%. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	
B. Banking and other financial services (excluding insurance) Commitment is with respect to commercial banking only and limited to financial institutions licensed to provide banking services. Foreign juridical person must incorporate as either a joint stock or limited liability company, but may not incorporate as a sole ownership limited liability company.			
(v) Acceptance of deposits and other repayable funds from the public (vi) Lending of all types, including, <i>inter alia</i> , consumer credit, mortgage credit, factoring and financing of commercial transactions (vii) Financial leasing (viii) All payment and money transmission services including credit, charge and debit cards, travellers cheques and bankers drafts (ix) Guarantees and commitments (x) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: (A) money market instruments (including cheques, bills, certificates of deposits); (B) foreign exchange; (C) derivative products, including, but not limited to, futures and options; (D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements; (E) transferable securities; (F) other negotiable instruments and financial assets, including	(1) Unbound for 5 years after the date of accession. Thereafter, unbound except for: (xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; and (xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. (2) Unbound for 5 years after the date of accession. Thereafter, unbound except for: (xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; and (xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and	(1) Unbound, for 5 years after the date of accession. Thereafter, unbound except for: (xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; and (xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. (2) Unbound for 5 years after the date of accession. Thereafter, unbound except for: (xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; and (xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
bullion. (xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; (xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.	analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. (3) For (v) to (x): Unbound for 5 years after the date of accession. Thereafter, foreign equity participation limited to 51%. For (xv) to (xvi): Unbound for 7 years after the date of accession. Thereafter, foreign equity participation limited to 51%. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. (3) For (v) to (x): None. For (xv) to (xvi): The admission to the market of new financial services may be subject to the existence of, and consistency with, related laws and regulations. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	
8. PRIVATE HEALTH RELATED AND SOCIAL SERVICES (Other than those listed under II.1.A.h-j.) The scope of private health related and social services concerns only fully-privately funded services.			
A. Private hospital services (Modern hospital with more than 100 beds in big cities only) (part of CPC 93110)	(1) Unbound. (2) None. (3) None. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) Unbound. (2) None. (3) Unbound. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and restaurants (including catering) (part of CPC 641 (excluding guesthouses ¹¹ and 6419), CPC 642, and CPC 643)	(1) None. (2) None. (3) For lodging services: limited to establishments with three stars rating or higher. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

¹¹ Defined as "furnished accommodation with up to 14 bedrooms, mainly provided in private apartments or homes on a temporary lodging, and with a two stars rating or lower".

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. Travel agencies and tour operators services (CPC 7471)	(1) None. (2) None. (3) Foreign equity participation limited to 70%. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) None. (2) None. (3) Foreign service supplying enterprises can only do inbound services. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	
D. Other: - Tourism consultancy services	(1) None. (2) None. (3) None. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except for executives and managers as per conditions in the horizontal section.	
11. TRANSPORT SERVICES			
C. Air Transport Services			
(d) Maintenance and repair of aircraft (part of CPC 8868)	(1) None. (2) None. (3) Foreign equity participation limited to 51%. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
- Selling and marketing of air transport services - Computer reservation system (CRS) services	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

REFERENCE PAPER

I. 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 licenses.

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.

Lao PDR - LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or sub-sector	Description of the measure indicating its inconsistency with Article II	Country or countries to which the measures applies	Intended duration	Conditions creating the need for the exemption
Audiovisual services: - Production and distribution of television programmes and cinematographic works	Measures based upon coproduction agreements of audiovisual works, which confer National Treatment to audiovisual works covered by such agreements.	Countries with which such bilateral or plurilateral agreements are in force, now or in the future.	Indefinite	The aim of these agreements is to promote cultural links between the countries concerned.
Audiovisual Services: - Production and distribution of television programmes and cinematographic works	Measures granting the benefit of support programmes to audiovisual works, and suppliers of such works meeting origin criteria.	Countries with which bilateral and plurilateral agreements are in force, now or in the future, in the area of cultural cooperation.	Indefinite	These programmes aim at preserving and promoting the cultural identity of countries with which Lao PDR has a long-standing cultural links.
Audiovisual Services: - Production and distribution of audiovisual works through broadcasting transmission to the public	Measures which extend National Treatment to audiovisual works which meet certain origin criteria regarding access to broadcasting transmission.	Countries with which bilateral or plurilateral agreements are in force, now or in the future, in the area of cultural cooperation.	Indefinite	These measures aim, within the sector, to promote cultural values both within Lao PDR, and with other countries, including in the region.
Internal Waterways and land transport	Preferential treatment for transportation cooperation within Mekong river basin.	Parties to the Greater Mekong Subregion agreement.	Indefinite	To facilitate tourism and trade, including freight and passenger transportation between countries in the subregion.
All sectors	Measures extending preferential treatment to services and services suppliers under bilateral investment and trade agreements.	Parties to bilateral agreements with Lao PDR that entered into force before the date of accession.	Duration of bilateral agreements	The aim is to promote investment and foster development in Lao PDR.