

**Annex 8-1  
India's 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
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) For sectors and sub-sectors scheduled in the sectoral section, the policy on foreign direct investment ("FDI") as announced by the Government of India from time to time, other than those already specified, shall apply. It is clarified that with regard to foreign equity and other restrictions specified in sectoral commitments, such restrictions shall prevail over any provision of the policy on FDI announced from time to time with regard to relevant sectoral commitments.</p>	<p>3) In case of collaboration with public sector enterprises or government undertakings as joint venture partners, preference in access will be given to foreign service suppliers or entities which offer the best terms for transfer of technology.</p> <p>3) Taxation laws for domestic and foreign service suppliers, as per the provisions of the Income Tax Act, 1961 or the relevant applicable law, shall apply.</p> <p>3) Subsidies, where granted, shall be available only to domestic service suppliers.</p>	
	<p>4) Unbound except as per the commitments in the Chapter 9 (Movement of Natural Persons).</p> <p>Business Visitors and Intra-Corporate Transferees will have access in all sectors and sub-sectors committed unless specified in the sectoral section.</p> <p>The category of Installer and Servicer will have access in sectors and sub-sectors, where applicable subject to the conditions inscribed in the Chapter 9 (Movement of Natural Persons).</p> <p>List of Service Sectors in respect of which Contractual Service Suppliers and Independent Professionals will have access is</p>	<p>4) Unbound except as per the commitments in the Chapter 9 (Movement of Natural Persons).</p>	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>given below:</p> <p><b><u>Contractual Service Suppliers</u></b>                      The service contract has to be obtained in one of the sectors listed below and subject to the conditions inscribed in the Chapter 9 (Movement of Natural Persons) and additional conditions mentioned in the sub-sector :</p> <ul style="list-style-type: none"> <li>• Engineering Services (CPC 8672)</li> <li>• Integrated Engineering Services (CPC 8673)</li> <li>• Architectural Services (CPC 8671)</li> <li>• Urban Planning and landscape Architectural Services (CPC 8674)</li> <li>• Computer and Related Services (CPC 84)</li> <li>• Management Consulting Services (excluding all services relating to legal consultancy) (CPC 86501, 86502, 86503, 86505, 86506, 86509)</li> </ul> <p><b><u>Independent Professionals:</u></b>                      The service contract has to be obtained in one of the sectors listed below and subject to the conditions inscribed in the Chapter 9 (Movement of Natural Persons) and additional conditions mentioned in the sub-sector :</p> <ul style="list-style-type: none"> <li>• Accounting and Book-keeping services (CPC Ex. 862)</li> <li>• Engineering Services (CPC 8672)</li> <li>• Integrated Engineering Services (CPC 8673)</li> <li>• Architectural Services (CPC 8671)</li> <li>• Urban Planning and landscape Architectural Services (CPC 8674)</li> <li>• Computer and Related Services (CPC 84)</li> </ul>		

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<ul style="list-style-type: none"> <li>Management Consulting Services (excluding all services relating to legal consultancy) (CPC 86501, 86502, 86503, 86505, 86506, 86509)</li> </ul>		
<b>II. SECTOR – SPECIFIC COMMITMENTS</b>			
<b>1. BUSINESS SERVICES</b>  <b>A. <u>Professional Services</u></b>			
<b>(b) Accounting and Book Keeping Services (CPC 862)</b>  <b>(excluding Auditing Services)</b>	1) None 2) None 3) Unbound 4) Unbound except as in the horizontal section	1) None 2) None 3) Unbound 4) Unbound except as in the horizontal section and further subject to the requirement of obtaining professional indemnity insurance from home country of service provider.	
<b>(d) Architectural Services (CPC 8671)</b>	1) None 2) None 3) None except that the establishment would be only through incorporation as partnership firm constituted by Architects with a foreign equity ceiling of 51 per cent and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, Foreign Investment Promotion Board (“FIPB”) approval would be required.  4) Unbound except as in the horizontal section	1) None 2) None 3) Unbound          4) Unbound except as in the horizontal section	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Engineering Services (CPC 8672)	1) None 2) None 3) None except that the establishment would be only through incorporation with a foreign equity ceiling of 51 per cent and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) Unbound  4) Unbound except as indicated in the horizontal section	
(f) Integrated engineering services (CPC 8673)	1) None 2) None 3) None except that the establishment would be only through incorporation with a foreign equity ceiling of 51 per cent and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal section	1) None 2) None 3) Unbound  4) Unbound except as in the horizontal section	
(g) Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None except that the establishment would be only through incorporation as partnership firm constituted by Architects with a foreign equity ceiling of 51 per cent and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal section	1) None 2) None 3) Unbound  4) Unbound except as in the horizontal section	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(h) Medical and Dental Services (CPC 9312)	<p>1) None for provision of services on provider to provider basis such that the transaction is between established medical institutions covering areas of second opinion to help in diagnosis of cases or in the field of research.</p> <p>2) None</p> <p>3) Only through incorporation with a foreign equity ceiling of 51 per cent subject to the condition that the latest technology for treatment will be brought in and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p> <p>4) Unbound except as indicated in the horizontal section. None for charitable purposes</p>	<p>1) None</p> <p>2) None</p> <p>3) Unbound.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
(i) Veterinary services (CPC 932)	<p>1) None</p> <p>2) None</p> <p>3) None except that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p> <p>4) Unbound except as in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as in the horizontal Section</p>	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(j) Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)	1) None for provision of services on provider to provider basis such that the transaction is between established medical institutions covering areas of second opinion to help in diagnosis of cases or in the field of research. 2) None. 3) Only through incorporation with a foreign equity ceiling of 51 per cent subject to the condition that the latest technology for treatment will be brought in and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 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. Computer and Related Services (CPC 84)	1) None. 2) None. 3) None except that the establishment would be only through incorporation. 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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<p>C. Research and Development Services</p> <p>(a) R&amp;D services on the following natural sciences only:</p> <p>Heat, light, electromagnetism, astronomy, but excluding atomic energy and related matters (CPC 85101)</p> <p>Engineering and technology, including applied science and technology for casting, metal, machinery, electricity, communications, vessels, aircrafts, civil engineering, construction, information, etc. (CPC 85103)</p>	<p>1) Unbound</p> <p>2) Unbound*</p> <p>3) Subject to a foreign equity ceiling of 70 per cent and that the establishment would be only through incorporation and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) Unbound*</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	
<p>R&amp;D services in Agricultural Sciences (CPC 85104)</p>	<p>1) None</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound except as in the horizontal section.</p>	<p>1) None</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound except as in the horizontal section.</p>	
<p>(b) R&amp;D services on social sciences and humanities,</p>	<p>1) None</p> <p>2) None</p> <p>3) Subject to a foreign equity ceiling of 70</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

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excluding law (CPC 852**)	per cent and that the establishment would be only through incorporation and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal section.	4) Unbound except as in the horizontal section.	
D. Real Estate Services  (b) On a fee or contract basis (CPC 822)	1) None 2) None 3) None for Consultancy Services, subject to FIPB approval with a foreign equity ceiling of 51 per cent and also subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal section.	1) None 2) None 3) Unbound  4) Unbound except as in the horizontal section	



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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
E. Rental/Leasing Services (without operators)			
(b) Rental/leasing services without operators relating to aircraft (CPC 83104)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</li> <li>4) Unbound except as in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None, except that prescribed minimum capitalisation norms must be adhered to.</li> <li>4) Unbound except as in the horizontal section.</li> </ol>	
(d) Rental/leasing services without operators relating to other machinery and equipment (CPC 83106 – 83109)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as in the horizontal section.</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None, except that prescribed minimum capitalisation norms must be adhered to.</li> <li>4) Unbound except as in the horizontal section.</li> </ol>	
(e) Rental/leasing services concerning personal and household goods (CPC832)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None, subject to collaboration with Indian partner and also the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</li> <li>4) Unbound except as in the horizontal section.</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None, except that prescribed minimum capitalisation norms must be adhered to.</li> <li>4) Unbound except as in the horizontal section</li> </ol>	
F. Other Business Services			
(c) Management consulting services excluding all services relating to legal consultancy	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None subject to a foreign equity ceiling of 51 per cent and the condition that in the case of foreign investors having prior</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> </ol>	

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(CPC 86501**, 86502**, 86503**, 86505**, 86506**, 86509**)	collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal section.	4) Unbound except as in the horizontal section.	
(d) Services related to management consulting (CPC 86601)	1) None 2) None 3) None subject to a foreign equity ceiling of 51 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal section.	1) None 2) None 3) None 4) Unbound except as in the horizontal section.	
(e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None except that establishment would be only through incorporation and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	
(g) Services incidental to fishing (CPC 882)	1) None 2) None 3) Subject to a foreign equity ceiling of 51 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal section.	1) None 2) None 3) None 4) Unbound except as in the horizontal section.	
(k) Placement and supply services of Personnel (CPC 872)	1) None 2) None 3) None subject to a foreign equity ceiling of	1) None 2) None 3) None	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>51 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p> <p>4) Unbound except as in the horizontal section.</p>	<p>4) Unbound except as in the horizontal section.</p>	
(n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633)	<p>1) None</p> <p>2) None</p> <p>3) Subject to a foreign equity ceiling of 49 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p> <p>4) Unbound except as in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as in the horizontal section.</p>	
(o) Building-cleaning services (CPC 874)	<p>1) None</p> <p>2) None</p> <p>3) Subject to a foreign equity ceiling of 49 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p> <p>4) Unbound except as in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as in the horizontal section.</p>	
(q) Packaging Services (CPC 876)	<p>1) None</p> <p>2) None</p> <p>3) Subject to a foreign equity ceiling of 49 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p> <p>4) Unbound except as in the horizontal section.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as in the horizontal section.</p>	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(s) Convention services (CPC 87909*)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Subject to a foreign equity ceiling of 51 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</li> <li>4) Unbound except as in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as in the horizontal section</li> </ol>	
(p) Photographic Services excluding aerial photography, satellite pictures and satellite enabled photography (CPC 875**)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None except that establishment would be only through incorporation with a foreign equity ceiling of 49 per cent and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</li> <li>4) Unbound except as in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as in the horizontal section</li> </ol>	
<p>2C. TELECOMMUNICATION SERVICES</p> <p>a) Voice telephone services (CPC 7521**) + Cellular mobile telephone</p> <p>b) Packet switched Data Transmission Services (CPC 7523**) <ol style="list-style-type: none"> <li>(i) Radio Paging Services</li> <li>(ii) Internet Services</li> </ol> </p>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) The service will be permitted to be provided as per license agreement<sup>1</sup> only after the operator gets a licence from the Designated Authority.</li> </ol> <p>The operator should be a company registered in India with maximum foreign equity direct and/or indirect not exceeding 51 per cent, subject to FIPB approval.</p>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) None except the following: <ol style="list-style-type: none"> <li>(i) The Chief Officer in charge of Technical Network Operations, Chief Security Officer and officer/officials of the licensee companies dealing with the lawful inception of messages should be resident Indian Citizens.</li> <li>(ii) The Majority Directors on the Board of</li> </ol> </li> </ol>	

<sup>1</sup> The License Agreement includes terms and conditions of the license for providing service.

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>c) Circuit switched data transmission services (CPC 7523**)</p> <p>d) Telex Service (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) Others</p> <p>(i) V-Sat Services</p> <p>(ii) Global Mobile Personal Communications Services</p>	<p>Number of licenses, may, however, be limited due to scarce resources such as right of way and spectrum availability subject to a minimum of two licenses in each service area.</p> <p>Resale of telephone services is not permitted.</p> <p>4) Unbound except as indicated in the horizontal commitments.</p>	<p>the licensee shall be Indian Citizens.</p> <p>(iii) The positions of the Chairman, managing Director, Chief Executive Officer and/or Chief Financial Officer, if held by foreign nationals, would require to be security vetted by Ministry of Home Affairs in India annually.</p> <p>(iv) Operation and Maintenance of telecom network by Indian Engineers only.</p> <p>(v) Government Public Sector Undertakings.</p> <p>4) Unbound except as indicated in the horizontal commitments</p>	
<p>Data and Message transmission services, in the following:</p> <p>h) Electronic mail (CPC 7523)</p> <p>i) Voice mail (CPC 7523)</p> <p>j) On-line information and data base retrieval (CPC 7523)</p> <p>k) Electronic Data Interchange (EDI) (CPC 7523**)</p> <p>l) Enhanced/value added facsimile services, including store and forward, store and retrieve</p>	<p>1) None except the provision of all services is subject to commercial arrangements with licensed Telecom service suppliers.</p> <p>2) None</p> <p>3) The service will be permitted to be provided as per license agreement only after the operator gets a licence from the Designated Authority.</p> <p>The operator should be a company registered in India with maximum foreign equity direct and/or indirect not exceeding 74percent, with FIPB approval.</p> <p>4) Unbound except as indicated in the</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the</p>	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(CPC 7523)  n) On-line information and data processing (CPC 843**)	horizontal commitments.	Horizontal section.	
D. Audiovisual Services  (a) Motion picture or video distribution services (CPC 96113)	1) Unbound 2) Unbound* 3) (i) Only through representative offices which will be allowed to function as branches of companies incorporated outside India. (ii) Numerical ceiling in relation to the import of titles for the India- Malaysia CECA will out of a worldwide total of 100 titles per year without any special dispensation to Malaysia and as provided in the horizontal section. 4) Unbound except as indicated in the horizontal commitments.	1) Unbound 2) Unbound* 3) None.   4) Unbound except as indicated in the horizontal commitments.	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES  A. General construction work for buildings	1) None 2) None	1) None 2) None	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(CPC 512)            B. General Construction work for civil engineering (CPC 513)            C. Installation and assembly work (CPC 514+516)            D. Building completion and finishing work (CPC 517)            E. Other (CPC 511+515+518)</p>	<p>3) None except that the establishment would be only through incorporation with a foreign equity ceiling of 74 per cent, and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.            4) Unbound except as indicated in the horizontal commitments.</p>	<p>3) Unbound            4) Unbound except as indicated in the horizontal commitments.</p>	
<p>4. DISTRIBUTION SERVICES (EXCLUDING LIVE ANIMALS)            A. Commission agents' services covering sales on a fee or contract basis of:            Agricultural raw materials (CPC 62111**)            Food products excluding beverages and tobacco (CPC 62112**)            Machinery, industrial equipment and vehicles other than motor vehicles, bicycles and motorcycles</p>	<p>1) None            2) None            3) Subject to foreign equity ceiling of 49 per cent and approval of Reserve Bank of India ("RBI")/FIPB and conformity with Foreign Exchange Management Act ("FEMA") regulations, as applicable and also subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.            4) Unbound, except as in the horizontal commitments.</p>	<p>1) None            2) None            3) Unbound            4) Unbound, except as indicated in the horizontal commitments.</p>	





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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
5. EDUCATIONAL SERVICES			
C. Higher Education Services (CPC 923)	1) None subject to the condition that service providers would be subject to regulations, as applicable to domestic providers in the country of origin. 2) None 3) Subject to a foreign equity ceiling of 51 per cent and the condition that fees to be charged can be fixed by an appropriate authority and that such fees do not lead to charging capitation fees or to profiteering. Subject further to such regulations, already in place or to be prescribed by the appropriate regulatory authority. In the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as in the horizontal commitments.	1) None  2) None 3) Unbound  4) Unbound except as in the horizontal commitments.	
6. ENVIRONMENTAL SERVICES  B. Refuse Disposal Services (CPC 9402)  C. Sanitation and Similar Services (CPC 9403)	1) None 2) None 3) None subject to incorporation and a foreign equity ceiling of 49 per cent and the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal commitments.	1) None 2) None 3) Unbound  4) Unbound except as indicated in the horizontal commitments.	
8. HEALTH-RELATED AND SOCIAL SERVICES			

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
A. Hospital Services (CPC 9311)	1) None for provision of services on provider to provider basis such that the transaction is between two established medical institutions, covering the areas of second opinion to help in diagnosis of cases or in the field of research. 2) None 3) Only through incorporation with a foreign equity ceiling of 51 per cent and subject to the condition that the latest technology for treatment will be brought in and further subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. Publicly funded services may be available only to Indian citizens or may be supplied at differential prices to persons other than Indian citizens. 4) Unbound except as indicated in the horizontal commitments. None for charitable purposes.	1) None.  2) None 3) Unbound  4) Unbound except as indicated in the horizontal commitments	
9. TOURISM AND TRAVEL-RELATED SERVICES  A. Hotels and other lodging services (CPC Ex. 641)	1) None 2) None 3) Only through incorporation with a foreign equity ceiling of 51 per cent and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal commitments.	1) None 2) None 3) None  4) Unbound except as indicated in the horizontal commitments.	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Travel Agency and Tour Operator Services (CPC 7471)	1) None 2) None 3) Only through incorporation with a foreign equity ceiling of 51 per cent and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal commitments.	1) None 2) None 3) None  4) Unbound except as indicated in the horizontal commitments.	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audio-visual services)			
A. Entertainment Services (including theatre, live bands and circus services) (CPC 9619)	1) Unbound 2) None 3) None and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal commitments.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal commitments.	
D. Sporting and other recreational services (CPC 964**) (excluding lottery, gambling and betting services)	1) None 2) None 3) None and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal commitments and subject to reciprocity.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal 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>11. TRANSPORT SERVICES</p> <p>A. Maritime transport services</p>			
<p>The commitments in Maritime Transport are made in accordance with the General Agreement on Trade in Services. All commitments are subject to domestic laws, entry requirements, rules and regulations and the terms and conditions of the Directorate General of Shipping, Reserve Bank of India and any other competent authority in India. For supply of Maritime Auxiliary Services through commercial presence under Mode 3, it will be only through Indian registered company under any Central Act or State Act in India and having its principal place of business in India and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required.</p>			
<p>International Transport</p> <p>(Freight and Passengers excluding cabotage and offshore transport as defined in Attachment)</p>	<p>1) (a) Liner Shipping: None except</p> <ul style="list-style-type: none"> <li>- Preference will be given to Indian Flag vessels for government cargoes; and Government owned/controlled cargo.</li> <li>- Government policy on FOB/FAS will hold good.</li> <li>- Indian Flag vessels will have the first right of refusal for carrying such cargo and only thereafter can foreign flag ships be allowed to be in-chartered/ taken on international rental basis.</li> </ul>	<p>1) (a) Liner Shipping: None except</p> <ul style="list-style-type: none"> <li>- Preference will be given to Indian Flag vessels for government cargoes; and Government owned/controlled cargo</li> <li>- Government policy on FOB/FAS will hold good.</li> <li>- Indian Flag vessels will have the first right of refusal for carrying such cargo and only thereafter can foreign flag ships be allowed to be in-chartered/ taken on international rental basis.</li> </ul>	<p>Access to and use of Port Facilities</p> <p>No measures shall be applied to the following services which deny reasonable and non-discriminatory access to international maritime suppliers:</p> <ol style="list-style-type: none"> <li>1. Pilotage</li> <li>2. Towing, tug assistance &amp; pushing</li> <li>3. Provisioning, fuelling &amp; watering</li> <li>4. Garbage collecting &amp; ballast waste disposal</li> <li>5. Port Captain services</li> <li>6. Navigation aids</li> <li>7. Shore based operational services essential to ship operations, including communications, water and electrical supplies</li> <li>8. Emergency repair facilities</li> <li>9. Anchorage, berth and berthing services</li> </ol>

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) (b) Bulk Shipping: None, Except</p> <p>(i) Dry, Liquid and Gas other than LNG:</p> <ul style="list-style-type: none"> <li>- Preference will be given to Indian Flag vessels for government cargoes; and Government owned/ controlled cargo.</li> <li>- Government policy on FOB/ FAS imports and export will hold good.</li> <li>- Indian Flag vessels will have the first right of refusal for carrying such cargo and only thereafter can foreign flag ships be allowed to be in-chartered/ taken on international rental basis.</li> </ul>	<p>1) (b) Bulk Shipping: None, Except</p> <p>(i) Preference will be given to Indian Flag Vessels.</p> <ul style="list-style-type: none"> <li>- Preference will be given to Indian Flag vessels for government cargoes; and Government owned/ controlled cargo.</li> <li>- Government policy on FOB/ FAS imports and export will hold good.</li> <li>- Indian Flag vessels will have the first right of refusal for carrying such cargo and only thereafter can foreign flag ships be allowed to be in-chartered/ taken on international rental basis.</li> </ul>	
	<p>(ii) LNG: Unbound</p> <p>1) (c) Passenger: None</p> <p>2) None</p> <p>3) (a) None, but condition that for operating a ship under the Indian flag, a registered company, or a cooperative society under any Central Act or State Act having its principal place of business in India, must be established. A maximum of 49 per cent foreign equity, with FIPB approval, is allowed.</p> <p>3) (b) Other forms of commercial presence for the supply of International Maritime Transport Services (as per definitions): Unbound</p>	<p>(ii) LNG: Unbound</p> <p>1) (c) Passenger: None</p> <p>2) None</p> <p>3) (a) None, but condition that for operating a ship under the Indian flag, a registered company, or a cooperative society under any Central Act or State Act having its principal place of business in India, must be established.</p> <p>3) (b) Unbound</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
	4) (a) Ships crews: Unbound 4) (b) key shore personnel: Unbound	4) (a) Ships crews: Unbound 4) (b) key shore personnel: Unbound	

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
MARITIME AUXILIARY SERVICES			
Maritime Cargo Handling services	1) Unbound* 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound	1) Unbound* 2) None 3) None, except as indicated in horizontal commitment/s Head Note to this Schedule 4) Unbound	
Storage and Warehousing services in Ports	1) Unbound* 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound	1) Unbound* 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule 4) Unbound	
Maritime Agency Services	1) Unbound 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound	1) Unbound 2) None 3) None, except as indicated in horizontal commitments/Head Note to this Schedule. 4) Unbound	



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
Maritime Freight Forwarding Services	1) Unbound 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound	1) Unbound 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule 4) Unbound	
International rental/charter of vessels with crew or on bareboat basis (excluding cabotage and offshore transport)	1) Unbound 2) None except obtaining permission from Director General (Shipping) for chartering a foreign flag vessel in the absence of availability of a suitable Indian vessel and in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 3) Unbound 4) Unbound	1) Unbound 2) None, except vessels rented by Indian nationals are considered as foreign vessels. 3) Unbound 4) Unbound	
Maintenance and repairs of seagoing vessels	1) Unbound 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound	1) Unbound 2) None 3) None, except as indicated in horizontal commitments/ Head Note to this Schedule. 4) Unbound	

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
Ship Broking Service (CPC 748**)	1) Unbound 2) None 3) None, except as indicated in the Head Note and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. 4) Unbound except as indicated in the horizontal commitments.	1) Unbound 2) None 3) None, except as indicated in the Head Note  4) Unbound except as indicated in horizontal commitments.	

(\*) Unbound due to lack of technical feasibility

(\*\*) Specific commitment for that code does not extend to the total range of services covered under that code.

## **Attachment to India's Schedule of Specific Commitments: Definitions Related to Maritime Transport Services**

1. "International Transport (Freight and Passenger)", for the purpose of this Schedule, is to mean transportation of international Maritime Freight and Passengers by seagoing vessels from the port of loading in one country to the port of discharge in another country.
2. Cabotage: This Schedule does not include any commitments on "Cabotage" or "Maritime Transport Services" which are described as transportation of passengers or goods between any port located in India and any other port also located in India and traffic originating and terminating in the same port located in the country and further includes transportation of passengers or goods between a port located in India and installation and structures situated on the continental shelf of India.
3. Offshore Transport: For the purposes of the Schedule only, "Offshore Transport" refers to shipping services involving the transportation of passengers or goods between a port located in India and any location installation or structure associated with or incidental to the exploration or exploitation of natural resources of the continental shelf of India, the seabed of the Indian coastal seas and the subsoil of the seabed, or situated on the continental shelf of India.
4. "Other forms of Commercial Presence for the supply of International Transport Services" means ability for International Maritime Transport Service suppliers to undertake local activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which maritime transport constitutes a substantial element.

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- (b) acquisition on their own about or on behalf of their customers (and the resale to their customers) for any transport and related services, including anchorage, berth and berth services, and onward transport services by any mode, particularly road and rail, inland waterways, necessary for the supply of the integrated services;
- (c) the preparation of transport documents, customs documents, or other documents related to the origin and character of goods transported;
- (d) the provision of business information, including computerized information systems and electronic data interchange;
- (e) setting up of business arrangements with any locally established shipping agency and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to horizontal commitments on movement of personnel);
- (f) organizing any aspect of the call of the vessel or taking control over cargoes;
- (g) the provision of Ships Managers' Services.

**NOTE:** In order to enforce certain standards and conditions which need to be fulfilled by shipping service suppliers, particularly those providing ship personnel and crew and also those engaged in providing ships management services, and to ensure that the owner, operator, agent or manager has:

- the capability of implementing international standards as well as IMO stipulations and recommendations;
- the necessary financial structure so that he is responsible and accountable;
- the capability of implementing, the safety; and marine pollution controls;
- fulfilled requirements of quality management and his operations are transparent,

a system of registration/ licensing of shipping service supplier is under consideration in India.

5. “Ship Managers” means persons entering India as the agents or representatives of a ship’s owner or operator for the purposes of assessing requirements, negotiating and authorizing expenditures necessary to the maintenance and operations of a vessel as well as the Handling of Cargo.

6. “Maritime Cargo Handling Services” means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dock workers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered, include the organization and supervision of:

- the loading/discharging of cargo to/from a ship;
- the lashing/unlashing of cargo;
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.

The organization and supervision includes the arrangements for (1) engaging skilled workers (dockworkers), (2) using all necessary equipment for on board or shore use and appropriate storage space, whether by ownership, rental or otherwise, (3) the checking of parcels and markings, the weighing and measuring of cargo, and (4) the administrative duties and responsibilities related to the services.

7. “Maritime Freight Forwarding Services” means the activity of organizing and monitoring shipments on behalf of shippers through providing such services as the arrangement of actual transport and related services, consolidation, aggregation, packing of cargo, preparation of documentation and provision of business information.

8. “Maritime Agency Services” means activities in representing, within a given geographic area, the business interests of-one or more shipping lines or shipping companies for the following purposes:

- marketing and sales of maritime transport and related activities from quotation to invoicing (cargo booking and canvassing);
- issuance of bills of lading on behalf of the companies;
- acquisition and resale of other necessary related services (settlement of disbursements and claims) preparation of documentation, and provision of business information;
- acting on behalf of the companies in organizing the call of the ship or taking control of cargoes;
- to make arrangement in order to get all necessary port services required by the foreign vessel during its stay in Indian Ports;
- to appoint a stevedoring company for cargo loading and unloading on behalf of its principal;
- to collect freight on behalf of the principal.

9. "Government Cargo" means cargo originating from other countries (import cargoes including crude oil), petroleum by products, coal, natural gas, raw materials for fertilizers, food-grains etc.) purchased by Indian Government Agencies/Departments or based on loan/ credit agreements with other countries, as well as exports by Indian Government Agencies/ Departments including Government aid.

10. "Maintenance and Repairs of Vessels" means services such as repairs and management of vessels, mending, fixing or overhauling of a vessel, management of crew and marine insurance, provided on behalf of a maritime passenger or cargo transport business, or vessel leasing business.

11. "International rental of vessels with crew or on bare-boat charter basis" means rental and/ or leasing services of all types of sea-going vessels with crew or on bare-boat basis (whereafter the ship will be manned by Indian nationals only during the period of rental/ lease) for the purposes of international trade (like tankers, dry bulk cargo vessels, cargo and freight vessels *et cetera*).

## **Annex 8-1**

### **Schedule of Malaysia**

#### **Explanatory Notes**

1. Alphabets indicated against individual sectors or sub-sectors and numbers in brackets are references to the Services Sectoral Classification List (GATT Document MTN.GNS/W/120, dated 10 July 1991) and the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991). These alphabetical and numerical divisions are indicated to enhance the clarity in the description of specific commitments, but shall not be construed as being a part of the specific commitments.
2. The scheduling of specific commitments follows the Guidelines for the Scheduling of Specific Commitments (WTO Document S/L/92, dated 28 March 2001). The Guidelines shall not, however, be construed as being legally binding.
3. The modes of supply 1), 2), 3) and 4) indicated in this Schedule correspond respectively to the supply of services defined in subparagraphs(u)(i), (ii), (iii) and (iv) of Article 8.2 (Definitions) in Chapter 8 (Trade in Services).
4. The entry "Unbound" means unbound due to lack of technical feasibility.
5. The use of "\*\*\*" against individual CPC codes indicates that the specific commitment for that code does not extend to the total range of services covered under that code.
6. Wherever Malaysia has committed "None" for Mode 3 under the specific commitments, this means that the foreign equity given is at 100%.

**Annex 8-1**  
**Malaysia's 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>HORIZONTAL SECTION</b>			
<p>ALL SECTORS INCLUDED IN THIS SCHEDULE UNLESS OTHERWISE INDICATED</p>	<p>3) <u>Acquisition, Mergers and Take-overs</u> The acquisition of assets or interests of Malaysian companies and businesses, mergers or take-overs require approval and apply to the following:</p> <p>(a) the acquisition of the voting rights of a Malaysian corporation by any single foreign interest or associated group of 15 per cent or more, or an aggregate foreign interest of 30 per cent or more or exceeding RM 10 million in value;</p> <p>(b) any proposed acquisition of any assets or interests by any means which will result in ownership or control passing to foreign interest; and</p> <p>(c) control of Malaysian corporations through any form of joint-venture agreement, management agreement, technical assistance agreement or other arrangements.</p>	<p>3) <u>Land, Property and Real Estate</u> Approval may be denied if the acquisition, disposal or dealing of land or any interest in land, property and real estate is undertaken for speculative or non-productive purpose or for purposes which may conflict with the interest of the State.</p> <p><u>Incentives/Preferences</u> Incentives are limited to eligible Malaysian-owned corporations engaged in service sectors promoted by the Government.</p> <p>Any measure and special preference granted to Bumiputera, Bumiputera status companies, trust companies and institutions set up to meet the objectives of the New Economic Policy ("NEP") and the National Development Policy ("NDP") shall be unbound.</p> <p>Corporations in which the Government has an interest shall, in acquiring services,</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
	<p>Approval is normally granted. However it may be denied in circumstances where the proposed investment conflicts with the interest of the State.</p> <p>4) Unbound except as per the commitments in the Chapter 9 (Movement of Natural Persons).</p> <p>Business Visitors and Intra-Corporate Transferees will have access in all sectors and sub-sectors committed, unless specified in the sectoral section.</p> <p>The category of Installer and Servicer will have access in sectors and sub-sectors, where relevant or applicable.</p> <p>List of Service Sectors in respect of which Contractual Service Suppliers (“CSS”) and Independent Professionals (“IP”) will have access is given below:</p> <ul style="list-style-type: none"> <li>• Accounting, auditing and bookkeeping services (CPC 862)</li> <li>• Architectural Services (CPC 8671)</li> <li>• Engineering Services (CPC 8672)</li> <li>• Integrated Engineering Services (CPC 8673)</li> <li>• Urban Planning Services (CPC 86741)</li> <li>• Landscaping Services (CPC 86742*)</li> </ul>	<p>give first consideration to service suppliers in which the Government has an interest. This requirement does not prevent the acquisition of services from other service suppliers where their services are competitive in terms of price, quality and delivery.</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</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
	<ul style="list-style-type: none"> <li>• Specialised Medical Services (CPC 93122)</li> <li>• Veterinary Services (CPC 932)</li> <li>• Management Consulting Services (CPC 8650*)</li> <li>• Computer and Related Services (CPC 841, 842, 843, 844, 845, 84910, 84990** )</li> <li>• Technical Testing and Analysis Services (CPC 8676)</li> <li>• Research and experimental development services on natural sciences and engineering (CPC 85101, 85103, 85109)</li> <li>• Services related to management consulting (CPC 86601)</li> <li>• Wastewater Management (CPC 9401)</li> <li>• Related scientific and technical consulting services (CPC 8675)</li> </ul> <p>Access shall be available under this category only in the specific service sector in which contract has been entered into and subject to conditions inscribed in the Chapter 9 (Movement of Natural Persons).</p> <p>List of Professions in respect of which CSS and IP will have access is given below:</p> <ul style="list-style-type: none"> <li>• Quantity Surveyor/Cost Engineer</li> <li>• Property Valuator</li> <li>• Dental Specialist (For Institution of Higher Learning)</li> </ul>		

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"> <li>• Pharmacist (Temporary registered pharmacist with criteria set by guidelines under Pharmacy Board Malaysia)</li> <li>• (Specialist) Nurses, Physiotherapist and Paramedics</li> <li>• Taxation Professionals</li> <li>• Lecturer (For Institution of Higher Learning)</li> <li>• Town Planner</li> <li>• Dock and Harbour Construction Engineer</li> <li>• Information Technology Auditor</li> <li>• Audio &amp; Video Equipment Engineer</li> </ul> <p>Access shall be available under this category only in the specific professions in which contract has been entered into and subject to conditions inscribed in the Chapter 9 (Movement of Natural Persons).</p>		
<b>II. SECTOR SPECIFIC COMMITMENTS<sup>1</sup></b>			
<b>1. BUSINESS SERVICES</b>			
<b><u>A. Professional Services</u></b>			
a. Legal services covering advisory and consultancy services relating only to home country laws, international law and offshore corporation laws	1) None 2) None 3) Only through a corporation incorporated in the Federal Territory of Labuan	1) None 2) None 3) None	

<sup>1</sup> An asterisk against a CPC code number indicates that the corresponding service sub-sector in this schedule covers only a part or parts of the service subsector classified under the CPC concordance.

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
of Malaysia (CPC 8619)	<p>Legal services shall only be supplied to offshore corporations established in the Federal Territory of Labuan.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
b. Accounting, auditing and bookkeeping services (CPC 862)	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally registered partnership with Malaysian accountants or Malaysian accounting firms and aggregate foreign interests shall not exceed 49 per cent.</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 for the categories of natural persons referred to in the market access column.</p>	<p>4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with professional bodies will be conducted in the English language</p>
c. Taxation services (CPC 863)	<p>1) None</p> <p>2) None</p>	<p>1) None</p> <p>2) None</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
	<p>3) Only through a locally registered partnership with authorized Malaysian tax agents or private limited companies and the aggregate foreign interests in the partnership or private limited company shall not exceed 40 per cent.</p> <p>4) In addition to the conditions as indicated in the horizontal section, the specialists/experts are subject to registration as tax agents under Section 153 of the Income Tax Act 1967 and/or other requirements by the domestic regulations as well as fulfillment of residency requirements.</p>	<p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	<p>4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with professional bodies will be conducted in the English language</p>
d. Architectural services (CPC 8671)	<p>1) None</p> <p>2) None</p> <p>3) (a) Architectural services may be supplied only by a natural person</p> <p>(b) For multidisciplinary practices (Architecture, Engineering and Quantity Surveying)<sup>2</sup>, foreign equity up to a maximum of 30 per cent for joint ventures by professionals who are</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) None</p> <p>(b) Unbound</p>	

<sup>2</sup> While a multidisciplinary practice can comprise architects, engineers and quantity surveyors, for the purposes of this offer, it does not include quantity surveying services.

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>registered in the country of origin.</p> <p>4) Unbound except as indicated in the horizontal section. In addition, the category of IP and CSS is subject to an architect who is a consultant to a project in collaboration with a Malaysian Professional Architect for wholly foreign funded projects.</p>	<p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	<p>4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with professional bodies will be conducted in the English language</p>
e. Engineering services (CPC 8672)	<p>1) None</p> <p>2) None</p> <p>3) (a) Engineering services may be supplied only by a natural person.</p> <p>(b) For multidisciplinary practices (Architecture, Engineering and Quantity Surveying)<sup>3</sup>, foreign equity up to a maximum of 30 per cent for joint ventures by professionals who are registered in the country of origin.</p> <p>4) Unbound except as indicated in the horizontal section. In addition, the category of IP and CSS is subject to temporary</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) None</p> <p>(b) Unbound</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	<p>4) The qualifying examination to determine the</p>

<sup>3</sup> While a multidisciplinary practice can comprise architects, engineers and quantity surveyors, for the purposes of this offer, it does not include quantity surveying services.

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>registration for a period of one year per temporary registration.</p>		<p>competence and ability to supply the services for the purposes of registration with professional bodies will be conducted in the English language</p>
<p>f. Integrated engineering services (CPC 8673)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a representative office, regional office or locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both for the purpose of services contract awarded in Malaysia.</p> <p>The aggregate foreign shareholding in the joint-venture corporation shall not exceed 30 per cent.</p> <p>Establishment of such joint-venture corporation is only for a duration necessary to complete the services contract.</p> <p>4) Unbound except as indicated in the horizontal section. In addition, the category of IP and CSS is subject to for a period of up to one year or the duration necessary to complete the services contract.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</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
<p>g. Urban Planning Services</p> <p>Covering development services programmes regarding land use, site selection, control and utilisation, road systems and servicing of land with a view to creating and maintaining systematic, coordinated urban planning. (CPC 86741)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint organization with Malaysian registered town planners and the aggregate foreign equity shall not exceed 30 per cent.</p> <p>Establishment of such joint venture corporation is only for duration necessary to complete the services contract.</p> <p>4) Unbound except as indicated in the horizontal section. In addition, the category of IP and CSS is subject to a town planner who is a consultant (with recognised qualifications and subject to registration) for wholly public funded projects and in collaboration with a Malaysian urban planning company.</p>	<p>1) None</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	<p>The Board's qualifying requirement for registration of Body Corporate to provide urban planning services in Malaysia.</p> <p>The Board's qualifying requirements for registration to determine the competency and eligibility to provide urban planning services in Malaysia.</p>
<p>Landscaping services covering the provision of advisory, planning and designing services for the aesthetic landscaping of golf courses and theme parks (CPC 86742*)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30 per cent.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</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
	4) Unbound except as indicated in the horizontal section.	4) Unbound, except for the categories of natural persons referred to in the market access column.	
<p>h. Specialised Medical Services (CPC 93122)</p> <p>covering forensic medicine, nuclear medicine, geriatrics, microvascular surgery, neurosurgery, cardiothoracic surgery, plastic surgery, clinical immunology and oncology, traumatology, anesthesiology, intensive care specialist, child psychiatry and physical medicine</p>	<p>1) None</p> <p>2) None</p> <p>3) Specialised medical services may be supplied only by a natural person.</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) None except other than:</p> <ul style="list-style-type: none"> <li>- Practice only in private hospitals of at least 70 beds;</li> <li>- Practice to be only at a specified location and a change in location requires approval; and the setting up of individual or joint group practices is not permitted.</li> </ul>	<p>4) The qualifying examination to determine the competence and ability to supply the services for the purposes of registration with professional bodies will be conducted in the English language</p>
<p>i. Veterinary services (CPC 9320)</p>	<p>1) None</p> <p>2) None</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 for the categories of natural persons referred to in the market access column.</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
<p><b>B. Computer and Related Services</b></p> <p>a. Consultancy services related to the installation of computer hardware (CPC 841)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>b. Software implementation (CPC 842)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>d. Data processing services (CPC 843)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of</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
	horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.	natural persons referred to in the market access column.	
e. Database services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
f. Maintenance and Repair Services of Computers (CPC 845)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
g. Other computer services (CPC 849**) - data preparation	1) None 2) None	1) None 2) None	

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 for clients not involving data processing services (CPC 84910)</p> <p>- other computer services n.e.c. covering training services for staff of clients; data recovery services; and development of creative content (CPC 84990**)</p>	<p>3) None</p> <p>4) Unbound except as indicated in the horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.</p>	<p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p><b>C. Research and Development Services</b></p> <p>Research and experimental development services on social sciences and humanities (CPC 8520 except 85203 and 85204)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporation or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 51 percent</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 for the categories of natural persons referred to in the market access column.</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
<p>a. Research and development services on natural sciences and engineering</p> <p>(CPC 851** except for research and development services involving Malaysia's natural resources, biodiversity and genetic materials and CPC 85105 research and development services on medical sciences and pharmacy)</p> <p>Limited to industrial activities and defined as any systematic or intensive study carried out in the field of science or technology with the object of using the results of the study for the production or improvement of materials, devices, products, produce or processes but does not include:</p> <p>(i) Quality control of products or routine</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporation or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 70 percent.</p> <p>4) Unbound except as indicated in the horizontal section, and, in the case of the services of Independent Professionals, such service must be supplied pursuant to a service contract with a juridical person.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</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
testing of materials, devices, products or produce; (ii) Research in the social sciences or humanities; (iii) Routine data collection; (iv) Efficiency surveys or management studies; and (v) Market research or sales promotion.			
c. Interdisciplinary research and development services  (CPC 853** except for interdisciplinary research and development services involving Malaysia's natural resources, biodiversity and genetic materials)  Covering industrial activities; all science and engineering disciplines, including biotechnology and information communication technology; and defined	1) None 2) None 3) Only for contract research and development company locally incorporated as a joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign equity shall not exceed 70 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
<b>Sector or Sub-sector</b>	<b>Limitations on Market Access</b>	<b>Limitations on National Treatment</b>	<b>Additional Commitments</b>
<p>as any systematic or intensive study carried out in the field of science or technology with the object of using the results of the study for the production or improvement of materials, devices, products, produce or processes but does not include:</p> <p>(i) Quality control of products or routine testing of materials, devices, products or produce;</p> <p>(ii) Research in the social sciences or humanities;</p> <p>(iii) Routine data collection;</p> <p>(iv) Efficiency surveys or management studies; and</p> <p>(v) Market research or sales promotion.</p>			
<p><b><u>E. Rental/Leasing Services without Operators</u></b></p> <p>a. Relating to ships excluding cabotage and offshore trades (CPC</p>	1) None	1) None	

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
83103)	2) None 3) None 4) Unbound except as indicated in the horizontal section.	2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
b. Relating to aircraft (CPC 83104)	1) None 2) None 3) Only through a representative office, regional office or Malaysian-controlled corporation acting as an agent. 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. Relating to construction and mining equipment and industrial plant and equipment (CPC 83107*)	1) None 2) None 3) Only through a representative office, regional office or Malaysian-controlled corporation acting as an agent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	

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. Leasing or rental services concerning other machinery and equipment without operator (CPC 83109*)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
e. Other : Leasing or rental services concerning personal and household goods (CPC 832)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
<b>F. Other Business Services</b> a. Advertising Services (CPC8711,8712,8719)	1) None 2) None 3) Only through a locally incorporated joint-venture corporation with Malaysian	1) None 2) None 3) None	



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>individuals or Malaysian-controlled corporation or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 percent.</p> <p><u>Advertisement through electronic media</u> Advertisement must have at least 70 per cent local content including setting, local natural persons, etc.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>b. Market research and public opinion polling services (CPC 864)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent.</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 for the categories of natural persons referred to in the market access column.</p>	
<p>Management Consulting Services-general, financial (excluding business tax), marketing, human resources, production and public relations services</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</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
(CPC 8650).	4) Unbound except as indicated in the horizontal section.	4) Unbound, except for the categories of natural persons referred to in the market access column.	
c. Management consulting services covering advisory, guidance and operational assistance services concerning management of the transmission of non-conventional energy (CPC 8650*)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
c. Management consulting services covering advisory, guidance and operational assistance on environmental management services including risk assessment services (CPC 8650*)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 49 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
c. Management consulting services covering advisory and guidance in the field of pharmacy as follows:	1) None 2) None 3) Only through a locally incorporated	1) None 2) None 3) None	

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"> <li>- Basic material Manufacturing consultancy in the manufacture of drugs in raw material form;</li> <li>- New systems of drug delivery;</li> <li>- Biotechnology - new techniques for influencing the process and products of living cells;</li> <li>- New techniques in drug development and methods of producing drugs and vaccine; and</li> <li>- Vaccine production.</li> </ul> (CPC 8650*)	company with foreign equity allowed up to 51 per cent.  4) Unbound except as indicated in the horizontal section.	4) Unbound, except for the categories of natural persons referred to in the market access column.	
c. Management consulting services covering advisory and guidance on International Value-Added Network Services, rural telecom development and human resource development in telecommunications (CPC 8650*)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	

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. Project management services other than for construction (CPC 86601)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 49 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
e. Technical Testing and Analysis Services (CPC 8676 except 86764).	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
e. Technical Inspection Services (CPC 86764)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent. 4) Unbound except as indicated in the	1) None 2) None 3) None 4) Unbound, except for the categories of	

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
	horizontal section, and, in the case of the services of IP, such service must be supplied pursuant to a service contract with a juridical person.	natural persons referred to in the market access column.	
Specialty photography services (CPC 87504)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
g. Services incidental to agriculture and fishing covering only specialised consultancy, advisory and operational assistance on crop and fisheries management, including, value-added services such as preservation techniques, etc. (CPC 881*, 882*)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent. 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
h. Services incidental to manufacturing (CPC 884, 885 except 88442)	1) None 2) None	1) None 2) None	

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>3) Only through a locally incorporated company with foreign equity allowed up to 51 per cent.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>Operational Headquarters (OHQ) Services covering general management and administration, business planning, procurement of raw materials, technical support, marketing control and sales promotion planning, training and personnel management, provision of treasury and fund management services and research and development carried out by a company in Malaysia for its offices and related companies outside Malaysia. (CPC 87909)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated wholly foreign-owned company.</p> <p>A foreign-owned company, a regional office of a foreign-owned company which transfers its OHQ services to Malaysia, a regional office of a foreign-owned company established in Malaysia and a foreign-owned company which is already incorporated in Malaysia may seek to qualify as an OHQ.</p> <p>OHQ must operate in Malaysia and fulfil the following criteria:</p> <p>(a) carry out at least 3 of the OHQ service activities;</p> <p>(b) have a sizeable network of companies outside Malaysia which includes the parent company or its head office and</p>	<p>1) None</p> <p>2) None</p> <p>3) None</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
	<p>related companies;</p> <p>(c) have a well established foreign-owned company which is sizeable in terms of assets and employees;</p> <p>(d) have a network of companies with substantial number of qualified executives, professionals, technical and other supporting personnel;</p> <p>(e) be able to make decisions independently without consultations with its head office or parent company located outside Malaysia;</p> <p>(f) be able to contribute to the Malaysian economy by:</p> <p>(i) using services such as legal, accounting etc. provided by Malaysians;</p> <p>(ii) creating job opportunities for Malaysians;</p> <p>(iii) enabling greater inflow of foreign funds.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to in the market access column.</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
<p>Regional Distribution Centre (“RDC”) (CPC 87909).</p> <p>(An RDC is a collection and consolidation centre for finished goods, components and spare parts produced by its own companies for its own brand to be distributed to dealers, importers or subsidiaries or other unrelated companies within or outside the country. Among the activities are bulk breaking, repackaging and labelling)</p>	<p>1) None</p> <p>2) None</p> <p>3) None except that an RDC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an RDC.</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 for the categories of natural persons referred to in the market access column.</p>	
<p>International Procurement Centre (“IPC”) (CPC 87909).</p> <p>(IPC refers to a locally incorporated company which carries on the business in Malaysia to undertake procurement and sales of raw materials, components and finished products for its group of related and unrelated companies in Malaysia and abroad)</p>	<p>1) None</p> <p>2) None</p> <p>3) None except that an IPC must be locally incorporated, conducts its business in Malaysia and fulfils the criteria of an IPC.</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 for the categories of natural persons referred to in the market access column.</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
Student placement services covering promoting, recruiting and facilitating students for studies outside Malaysia (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Translation and interpretation services (CPC 87905)	1) None 2) None 3) Translation and interpretation services may be supplied only by a natural person 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.  Translation and/or interpretation from the English language to the Malay language or vice-versa is not permitted.	
Collection Agency services (CPC 87902)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound	

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
Duplicating services (CPC 87904)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound	
Specialty design services (CPC 87907**) <p>Covering only interior designs</p>	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound	
<b>2. COMMUNICATION SERVICES</b>			
C. Telecommunication Services			
<u>Basic Telecommunications</u>			
1. Voice service (wired or wireless) (CPC 7521)	1) None 2) None	1) None 2) None	
2. Packet-switched data transmission services, including frame-relay services, and internet services (CPC 7523)	3) (a) Only through acquisition of shares of existing licensed public telecommunications operators.  (b) Foreign shareholding up to 49 per cent in these service providers is allowed.	3) None	
3. Circuit-switched data			

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 (CPC 7523) 4. Facsimile services (CPC 7521**, CPC 7529**) 5. Private leased circuit services (CPC 7522** and CPC 7523**)	4) Unbound, except as indicated in the horizontal section.	4) Unbound, except for the categories of natural persons referred to in the market access column.	
6. Paging services (CPC 75291)	1) None 2) None 3) (a) Only through a locally incorporated JV corporation with Malaysian individuals or Malaysia controlled corporations; or Only through acquisition of shares of an existing licensed service providers. (b) Foreign shareholding up to 49 per cent in these service providers is allowed. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Other telecommunication services 7. Domestic/ International satellite services and	1) None	1) None	

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
satellite links/capacities (inclusive of mobile satellite) 8. Satellite earth station 9. International switching and other international gateway 10. Mobile services analogue/digital cellular 11. Trunked radio services 12. Video transport services	2) None 3) (a) Only through acquisition of shares of existing licensed service providers. (b) Foreign shareholding up to 49 per cent in these service providers is allowed. 4) Unbound, except as indicated in the horizontal section.	2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Data and message transmission services Covering electronic mail, voice mail, online information and database retrieval, enhanced facsimile, code and protocol conversion, electronic data interchange (CPC 7523)	1) None 2) None 3) (a) Only through a locally incorporated JV corporation with Malaysian individuals or Malaysia controlled corporations; or Only through acquisition of shares of an existing licensed service providers. (b) Foreign shareholding up to 49 per cent in these service providers is allowed. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market	

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
		access column.	
Voice telephone service (CPC 7521)	1) None 2) None 3) (a) Only through a locally incorporated JV corporation with Malaysian individuals or Malaysia controlled corporations; or Only through acquisition of shares of an existing licensed service providers. (b) Foreign shareholding up to 49 per cent in these service providers is allowed. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Mobile telephone service (CPC 75213)	1) None 2) None 3) (a) Only through a locally incorporated JV corporation with Malaysian individuals or Malaysia controlled corporations; or Only through acquisition of shares of an existing licensed service providers. (b) Foreign shareholding up to 49 per cent in these service providers is allowed.	1) None 2) None 3) None	

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 the horizontal section.	4) Unbound, except for the categories of natural persons referred to in the market access column.	
Telegraph services (CPC 7522)	1) None 2) None 3) (a) Only through a locally incorporated JV corporation with Malaysian individuals or Malaysia controlled corporations; or Only through acquisition of shares of an existing licensed service providers. (b) Foreign shareholding up to 49 per cent in these service providers is allowed. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Telex services (CPC 7523)	1) None 2) None 3) (a) Only through a locally incorporated JV corporation with Malaysian individuals or Malaysia controlled corporations; or Only through acquisition of shares of an existing licensed service providers.	1) None 2) None 3) None	

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) Foreign shareholding up to 49 per cent in these service providers is allowed.  4) Unbound, except as indicated in the horizontal section.	4) Unbound, except for the categories of natural persons referred to in the market access column.	
Mobile data services (CPC 7523)	1) None 2) None 3) (a) Only through a locally incorporated JV corporation with Malaysian individuals or Malaysia controlled corporations; or Only through acquisition of shares of an existing licensed service providers. (b) Foreign shareholding up to 49 per cent in these service providers is allowed. 4) Unbound, except as indicated in the horizontal section.	1) None 2) None 3) None  4) Unbound, except for the categories of natural persons referred to in the market access column.	
D. <u>Audiovisual Services</u>  Motion picture, video tape and audio recording distribution services (CPC 96113)	1) None 2) None 3) Only through a locally incorporated joint-	1) None 2) None 3) None	

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
	venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and the aggregate foreign shareholding shall not exceed 30 per cent.  4) Unbound except as indicated in the horizontal section	4) Unbound except for the categories of natural persons referred to in the market access column.	

**3. CONSTRUCTION AND RELATED ENGINEERING SERVICES**

Pre-erection Work at Construction Site (CPC 511)	1) None 2) None	1) None 2) None	
Construction Work for Buildings (CPC 512)	3) (a) Only through a representative office, regional office, or locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 51 percent for contractor Grade G7 and shall not exceed 49 per cent for contractor Grade G6 and below.	3) (a) None	
Construction Work for Civil Engineering (CPC 513)	(b) Foreign construction companies that are not locally incorporated may carry out the following construction projects jointly with local contractors, on project-by-project basis: (i) Construction projects wholly		
Assembly and Erection of Prefabricated Constructions (CPC 514)		(b) Unbound	
Special Trade Construction (CPC 515) Installation Work (CPC 516) Building Completion and			



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
Finishing Work (CPC 517)	<p>financed by foreign investment and/or grants</p> <p>(ii) Construction projects financed by loans of international tendering according to the terms of loans</p> <p>(iii) Projects with foreign investment equal to or more than 50 per cent where local expertise is not available;</p> <p>(iv) 100% Malaysian funded construction projects where local expertise is not available</p> <p>Subject to compulsory sub-contracting to local sub-contractors.</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
Renting services related to equipment for construction or demolition of buildings or civil engineering works, with operator (CPC 518)	<p>1) None</p> <p>2) None</p> <p>3) Only through a representative office, regional office, or locally incorporated joint venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 30 per cent.</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 for the categories of natural persons referred to in the market</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
		access column.	
<b>4. DISTRIBUTION SERVICES</b>			
A. Commission agents' services covering sales on a fee or contract basis of machinery, industrial equipment and vehicles other than motor vehicles, bicycles and motorcycles (CPC 62114)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 49 per cent. 4) Unbound	1) None 2) None 3) None 4) Unbound	
B. Wholesale trade services  Hides and skins and of leather (CPC 62215)  Fur articles (CPC 62234)  Leather goods and travel accessories (CPC 62267)  Machinery and equipment related supplies (CPC 62287)	1) None 2) None 3) Only through a locally incorporated company with foreign equity allowed up to 49 per cent. 4) Unbound	1) None 2) None 3) None 4) Unbound	
<b>5. EDUCATIONAL SERVICES</b>			
C. <u>Higher Education</u>  Other Higher Education	1) Unbound except for requirement of commercial presence	1), 2), 3) Unbound including for grant of federal or state funding or subsidies such	

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 provided by privately funded higher education institutions excluding private higher education institutions with government equity or that receive government assistance (CPC 92390)</p>	<p>2) None</p> <p>3) Only through a joint venture with foreign equity not exceeding 49 per cent.</p> <p>Up to 51% foreign equity will be considered which include among others:</p> <p>(a) courses deemed important to attain Malaysia's educational objectives;</p> <p>(b) potential to generate export revenues.</p> <p>4) Unbound except for measures affecting the entry and temporary stay of natural persons defined below:</p> <p><b><u>Intra-corporate Transferees</u></b> <b><u>Lecturers and experts</u></b></p> <p>10 lecturers and/or experts but not more than 30 per cent of lecturers employed in an educational institution who possess the necessary qualifications, knowledge, credentials or experience.</p>	<p>as but not limited to land grants, tax benefits, scholarships and loans limited to institutions with Government of Malaysia equity or citizens/permanent residents.</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<b>6. ENVIRONMENTAL SERVICES</b>			
<p>Wastewater Management (CPC 9401)</p> <p>Covers only removal,</p>	<p>1) None</p> <p>2) None</p>	<p>1) None</p> <p>2) None</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
<p>treatment of industrial effluents.</p> <p>(Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, provincial, district or municipalities or contracted out by them)</p>	<p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 49 per cent.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>3) None</p> <p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>Cleaning services of exhaust gases (CPC 9404- corresponds to Cleaning Services of Exhaust Gases)</p> <p>Covers only services provided at industrial premises to remove air pollutants including monitoring of mobile emissions and implementation of control systems or reduction programmed.</p> <p>(Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, provincial, district or</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 49 per cent.</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 for the categories of natural persons referred to in the market access column.</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
municipalities or contracted out by them).			
<p>Noise abatement services (CPC 9405-corresponds to Noise Abatement Services)</p> <p>Covers only monitoring programmed, and installation of noise reductions and screens in residential, commercial and industrial premises.</p> <p>(Only for services contracted by the private sector. Does not include public works functions owned and operated by federal, provincial, district or municipalities or contracted out by them).</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 49 per cent.</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 for the categories of natural persons referred to in the market access column.</p>	
<p>Nature and Landscape Protection Services – covering only contaminated soil cleanup and remediation (part of CPC 94060)</p> <p>(Only for services contracted by the private sector. Does not include public works</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 49 per cent.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</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
functions owned and operated by federal, provincial, district or municipalities or contracted out by them).	4) Unbound except as indicated in the horizontal section	4) Unbound, except for the categories of natural persons referred to in the market access column.	
<b>8. HEALTH RELATED AND SOCIAL SERVICES</b>			
A. Hospital Services  Private hospital services (CPC 93110*)	1) None  2) None  3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint venture corporation shall not exceed 49 percent; and  The joint-venture corporation shall operate a hospital with a minimum of 100 beds.  4) Unbound except as indicated in the horizontal section	1) None  2) None  3) Establishment of feeder outpatient clinics is not permitted  4) Unbound, except for the categories of natural persons referred to in the market access column.	
Welfare services delivered through residential institutions to old person and the handicapped (CPC 93311).	1) None  2) None  3) None  4) Unbound except as indicated in the	1) None  2) None  3) None  4) Unbound, except for the categories of	

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
	horizontal section.	natural persons referred to in the market access column.	
Welfare services delivered through residential institutions to children (CPC 93312).	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Child day-care services including day-care services for the handicapped (CPC 93321).	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Vocational rehabilitation services for handicapped (CPC 93324).	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market	

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
		access column.	

9. TOURISM AND TRAVEL RELATED SERVICES

<p><u>Hotel, tourist resort and restaurant services</u>                      covering the management and operation of hotels or resorts, including outlets which may not necessarily include ownership of such properties                      (CPC 641, 642, 643)</p>	<p>1) None                      2) None                      3) (a) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51 per cent.                      (b) None for 4 &amp; 5 star establishments only.                      4) Unbound except as indicated in the horizontal section.</p>	<p>1) None                      2) None                      3) None                      4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>B. Travel agencies and tour operators services                      (CPC 7471)</p>	<p>1) None                      2) None                      3) None for inbound travel only.                      4) Unbound except as indicated in the horizontal section.</p>	<p>1) None                      2) None                      3) None                      4) Unbound, except for the categories of natural persons referred to in the market access column.</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
<p>Convention and exhibition management services (CPC 87909)</p> <p>covering the provision of planning, organizational, management and marketing services for conventions and other similar events</p>	<p>1) None</p> <p>2) None</p> <p>3) (a) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian controlled corporations or both and aggregate foreign shareholdings shall not exceed 51 per cent.</p> <p>(b) None for seating capacity of above 5,000 only.</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 for the categories of natural persons referred to in the market access column.</p>	
<p>Theme Park (CPC 96194)</p>	<p>1) None</p> <p>2) None</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 for the categories of natural persons referred to in the market access column.</p>	
<p>10. RECREATIONAL, CULTURAL AND SPORTING SERVICES</p>			
<p>Other entertainment services (CPC 96191, 96192, 96194)</p>	<p>1) None</p> <p>2) None</p>	<p>1) None</p> <p>2) None</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
	3) Entertainment services may be supplied only by a natural person  4) Unbound except as indicated in the horizontal section.	3) None  4) Unbound, except for the categories of natural persons referred to in the market access column.  Participation of Malaysian entertainers/artistes may be required based on guidelines of the relevant Ministries.	
Sporting Services (CPC 9641)  (Sports event promotion and organisation 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 for the categories of natural persons referred to in the market access column.	
<b>11. TRANSPORT SERVICES</b>			
Class C Freight Transportation (Private Carrier License to transport own goods) (CPC 7123)	1) None 2) None 3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign	1) None 2) None 3) None	

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>shareholding in the joint-venture corporation shall not exceed 49 per cent.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<p>International Maritime Transport Services</p> <p>Passenger Transportation (CPC 7211)</p> <p>Freight Transportation excluding cabotage (CPC 7212)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a representative office, regional office or locally-incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 per cent.</p> <p><u>Malaysian registered vessels</u> To register a vessel in Malaysia, the following conditions must be met:</p> <p>(i) Owner of that vessel must be a Malaysian citizen or corporation incorporated in Malaysia;</p> <p>(ii) Majority shareholding to be held by Malaysians;</p> <p>(iii) Majority of the board of directors to be Malaysians; and</p> <p>(iv) Principal place of business to be in Malaysia.</p> <p>4) Unbound except as indicated in the</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except for the categories of</p>	<p>Following services at the port are available to international maritime transport suppliers:</p> <p>i) Pilotage</p> <p>ii) Towing and tug assistance</p> <p>iii) Provisions, fuelling and watering</p> <p>iv) Garbage collection and ballast waste disposal</p> <p>v) Port Captain's services</p> <p>vi) Navigations aids</p> <p>vii) Shore-based operational services including communications, water and electrical suppliers</p> <p>viii) Emergency repair</p> <p>ix) Anchorage, berth and berthing services.</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
	horizontal section.	natural persons referred to in the market access column.	
<p>Maritime Freight Forwarding Services</p> <p>Covering activities consisting of organizing and monitoring shipment operations on behalf of shippers, through the procurement of transport and related services, preparation of documentation and provision of business information</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a representative office, regional office or locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both. Foreign equity allowable up to maximum of 49 per cent.</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 for the categories of natural persons referred to in the market access column.</p>	
<p>Maritime Agency services (CPC 7454)</p> <p>(shipping agent only)</p>	<p>1) None</p> <p>2) None</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>	
<p>Vessel salvage and refloating services (CPC 7454)</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>1) None</p> <p>2) None</p> <p>3) None</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
	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
Rental of cargo vessels without crew (Bareboat Charter) for international shipping (CPC 83103)	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	
Maintenance and repairs of sea going vessels. (CPC 8868**)	1) None 2) None 3) Only through a representative office, regional office or locally incorporated joint venture corporation with Malaysian individuals or Malaysian controlled corporation or both. Foreign equity allowable up to maximum of 49 per cent. 4) Unbound, except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound, except for the categories of natural persons referred to in the market access column.	
Storage and warehousing services  Covering private bonded warehousing services only (CPC 742**)	1) None 2) None 3) Only through a locally incorporated joint-venture with Malaysian individuals or	1) None 2) None 3) None	

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>Malaysian-control corporations or both and aggregate foreign shareholding shall not exceed 51 per cent.</p> <p>4) Unbound, except as indicated in the horizontal section.</p>	<p>4) Unbound, except for the categories of natural persons referred to in the market access column.</p>	
<b>12. OTHER SERVICES</b>			
<p>Skills training services</p> <p>covering the provision of training for technical, supervisory and production related functional levels in new and emerging technologies as follows:</p> <p>1) automated manufacturing technology;</p> <p>2) advanced materials technology;</p> <p>3) biotechnology;</p> <p>4) electronics;</p> <p>5) information technology; and</p> <p>6) avionics/aviation technology (CPC 97090)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only through a locally incorporated joint-venture corporation with Malaysian individuals or Malaysian-controlled corporations or both and aggregate foreign shareholding in the joint-venture corporation shall not exceed 30 per cent; and</p> <p>Establishment of local branches requires additional licenses</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 for the categories of natural persons referred to in the market access column.</p>	