

Schedule of the Republic of the Philippines

Explanatory Notes

1. The classification of services in this schedule is based on the Services Sectoral Classification list (MTN.GNS/W/120) dated 10 July 1991) and is in accordance with the definition in the 1991 UN Provisional Central Product Classification (CPC), unless otherwise specified.
2. The use of the following against individual CPC codes indicates that:

 "*" - the service specified is a component of a more aggregated CPC item specified elsewhere in the Services Sectoral Classification List

 "**" - the specific commitment for that code does not extend to the total range of services covered under the code.
3. The scheduling of 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.
4. The entry Unbound* means unbound due to lack of technical feasibility.

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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 COMMITMENTS			
<p>All Sectors Included In This Schedule</p>	<p>3) <u>In Activities Expressly Reserved by Law to Citizens of the Philippines (i.e. foreign equity is limited to a minority share):</u></p> <p>The participation of foreign investors in the governing body of any corporation engaged in activities expressly reserved to citizens of the Philippines by law shall be limited to the proportionate share of foreign capital of such entities.</p> <p>All executive and managing officers must be citizens of the Philippines.</p> <p><u>Acquisition of Land</u></p> <p>All lands of the public domain are owned by the State. Only citizens of the Philippines or corporations or associations at least</p>	<p>3) <u>Access to Domestic Credit</u></p> <p>A foreign firm, engaged in non-manufacturing activities availing itself of peso borrowings, shall observe, at the time of borrowing, the prescribed 50:50 debt-to-equity ratio. Foreign firms covered are:</p> <p>(a) Partnerships, more than 40 per cent of whose capital is owned by non-Filipino citizens; and</p> <p>(b) Corporations, more than 40 per cent of whose total subscribed capital stock is owned by non-Filipino citizens.</p> <p>This requirement does not apply to banks and non-bank financial intermediaries.</p>	

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	<p>60 per cent of whose capital is owned by such citizens may own land other than public lands and acquire public lands through lease.</p> <p>Foreign investors may lease only private-owned lands.</p> <p>4) <u>Entry and Temporary Stay of Natural Persons Supplying Services</u></p> <p>Non-resident aliens may be admitted to the Philippines for the supply of a service after a determination of the non-availability of a person in the Philippines who is competent, able and willing, at the time of application, to perform the services for which the alien is desired.</p> <p>1), 2), 3), 4) All measures taken by local government units are unbound.</p>		

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	<p>1), 2), 3), 4) All measures governing permanent residents are unbound.</p> <p>1), 2), 3), 4) All measures relating to taxation are unbound.</p>	<p>1), 2), 3), 4) All measures taken by local governments units are unbound.</p> <p>1), 2), 3), 4) All measures governing permanent residents are unbound. The Philippines reserves the right to enact laws on the treatment of permanent residents of foreign countries. Until such time as the Philippines enacts said domestic law the obligations of the Philippines with respect to the permanent residents of the other Parties shall be limited to its obligations under the GATS, and the obligations of the other Parties with respect to the permanent residents of the Philippines shall be limited to their obligations under the GATS.</p> <p>1), 2), 3), 4) All measures relating</p>	

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		to taxation are unbound.	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
SECTOR SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional Services			
All Sub-sectors	<p>3) No foreign equity allowed</p> <p>3) The practice of profession in the Philippines shall be limited to Filipino citizens, save in cases prescribed by law</p>	<p>1) Services Output: For professions with specific services outputs (e.g. plans, specifications, audit reports), such outputs shall be recognized by the Philippine Government only if the foreign professional is registered with the Professional Regulation Commission (PRC)</p>	

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g) Landscape architecture services (CPC 86742)	1) None 2) None 3) Corporate practice is allowed (Section 26, Art. 5, RA 9053) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	1) None 2) None 3) Corporate practice is allowed (Section 26, Art. 5, RA 9053) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	
e) Mechanical engineering	1) None 2) None 3) Corporate practice is not allowed (Section 36, Art. 4, RA 8495) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	1) None 2) None 3) Corporate practice is not allowed (Section 36, Art. 4, RA 8495) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Metallurgical engineering	1) None 2) None 3) Corporate practice is allowed (Section 25, Art. 3 of PD 1536) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	1) None 2) None 3) Corporate practice is allowed (Section 25, Art. 3 of PD 1536) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	
e) Civil engineering	1) None 2) None 3) Corporate practice is not allowed (Section 24, Art. 5, RA 544, as amended by RA 1582) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	1) None 2) None 3) Corporate practice is not allowed (Section 24, Art. 5, RA 544, as amended by RA 1582) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
e) Sanitary engineering	1) None 2) None 3) Corporate practice is allowed (Section 30, Art. 5, RA 1364) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	1) None 2) None 3) Corporate practice is allowed (Section 30, Art. 5, RA 1364) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	
t) Interior Design Services (CPC 87907)	1) None 2) None 3) Corporate practice is not allowed (Section 27, Art. 5, RA 8534) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	1) None 2) None 3) Corporate practice is not allowed (Section 27, Art. 5, RA 8534) Limitations in the horizontal section for Professional Services also apply. 4) Unbound	

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B. Computer and Related Services			
a) Consultancy services related to the installation of computer hardware (CPC 8410)	1) None 2) None 3) 100 percent foreign equity participation is allowed in the following cases: A. paid-in equity capital is not less than US\$200,000 for domestic market enterprises; or B. paid-in equity capital is not less than US\$100,000 for domestic market enterprises employing at least 50 direct employees; or C. paid-in equity capital is not less than US\$100,000 for domestic market enterprises involving advanced technology as determined by the DOST; or	1) None 2) None 3) None, except as indicated in the horizontal section	

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	<p>D. the service provider exports 60 percent or more of its output.</p> <p>Otherwise, only up to 40 percent foreign equity participation is allowed.</p> <p>Limitations listed in the horizontal section shall also apply.</p> <p>4) Unbound</p>	<p>4) Unbound</p>	
<p>b) Software implementation services</p> <ul style="list-style-type: none"> - Systems and software consulting services (CPC 8421) - Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance services (CPC 8425) 	<p>1) None</p> <p>2) None</p> <p>3) 100 percent foreign equity participation is allowed in the following cases:</p> <p>A. paid-in equity capital is not less than US\$200,000 for domestic market enterprises; or</p> <p>B. paid-in equity capital is not less than US\$100,000 for domestic market</p>	<p>1) None</p> <p>2) None</p> <p>3) None, except as indicated in the horizontal section</p>	

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	<p>enterprises employing at least 50 direct employees; or</p> <p>C. paid-in equity capital is not less than US\$100,000 for domestic market enterprises involving advanced technology as determined by the DOST; or</p> <p>D. the service provider exports 60 percent or more of its output.</p> <p>Otherwise, only up to 40 percent foreign equity participation is allowed.</p> <p>Limitations listed in the horizontal section shall also apply.</p> <p>4) Unbound</p>	<p>4) Unbound</p>	

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c) Data processing services (CPC 843)	1) None 2) None 3) 100 percent foreign equity participation is allowed in the following cases: A. paid-in equity capital is not less than US\$200,000 for domestic market enterprises; or B. paid-in equity capital is not less than US\$100,000 for domestic market enterprises employing at least 50 direct employees; or C. paid-in equity capital is not less than US\$100,000 for domestic market enterprises involving advanced technology as determined by the DOST; or D. the service provider exports 60	1) None 2) None 3) None, except as indicated in the horizontal section	

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	<p>percent or more of its output.</p> <p>Otherwise, only up to 40 percent foreign equity participation is allowed.</p> <p>Limitations listed in the horizontal section shall also apply.</p> <p>4) Unbound</p>	<p>4) Unbound</p>	
E. Rental and Leasing Services without Operators			
<p>a) Leasing/rental of vessels without crew</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>Bareboat charter or lease contract subject to approval by the Maritime Industry Authority (MARINA).</p> <p>4) Unbound</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound</p>	

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b) Leasing/renting of aircraft without crew (CPC 83104)	1) None 2) None 3) Lease contract subject to approval by the Civil Aeronautics Board 4) Unbound	1) None 2) None 3) None 4) Unbound	
h) Services incidental to mining (CPC 883) Oil and Gas Exploration and Development	1) Unbound* 2) None 3) Up to 100 percent foreign equity participation is allowed provided there is President's approval. The Constitution allows the President to enter into service contract agreement with foreign-owned corporation for technical, financial or other forms of assistance involving large-scale exploration, development and utilization of petroleum.	1) Unbound* 2) None 3) None Limitations listed in the horizontal section also apply.	

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	Limitations listed in the horizontal section also apply. 4) Unbound	4) Unbound	
Geothermal exploration and development	1) Unbound* 2) None 3) Up to 40 percent foreign equity participation is allowed. Limitations listed in the horizontal section also apply. 4) Unbound	1) Unbound* 2) None 3) None Limitations listed in the horizontal section also apply. 4) Unbound	
Coal exploration and development	1) Unbound* 2) None 3) Up to 40 percent foreign equity participation is allowed. Limitations listed in the horizontal section also apply. 4) Unbound	1) Unbound* 2) None 3) None Limitations listed in the horizontal section also apply. 4) Unbound	

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<p>j) Services related to energy distribution (CPC 887)</p> <p>Energy distribution networks such as pipelines for transmission, distribution and supply of natural gas, and power transmission and distribution systems</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) Up to 40 percent foreign equity participation is allowed.</p> <p>Limitations listed in the horizontal section also apply.</p> <p>4) Unbound</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except as indicated in the horizontal section</p> <p>4) Unbound</p>	
<p>Services related to power generation</p> <p>Construction of power plants (as provided for under the BOT scheme)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) Up to 100 percent foreign equity is allowed under the BOT scheme. However, a Special Contractor's License is required to undertake construction activities.</p> <p>Limitations listed in the horizontal section also apply.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) A Contractor's License (Regular or Special) issued by the Philippine Contractors Accreditation Board (PCAB) is required to undertake construction activities.</p> <p>A. The Regular Contractor's License is reserved for, and issued only to, Filipino sole proprietorships or</p>	

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	<p>4) Unbound</p>	<p>partnerships/ corporations with at least 60 percent Filipino equity and duly organized and existing under and by virtue of Philippine laws.</p> <p>B. A Special Contractor's License may be given to foreign companies on a project-to-project basis such as BOT.</p> <p>Limitations listed in the horizontal section also apply.</p> <p>4) Unbound</p>	
<p>Operation of power plants(as provided for under the BOT scheme)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except that electric cooperative operation is limited to Filipinos.</p> <p>Limitations listed in the horizontal section also apply.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None, except as indicated in the horizontal section</p>	

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	4) Unbound	4) Unbound	
2. COMMUNICATION SERVICES			
All subsectors	<p>3) No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines at least 60 per cent of whose capital is owned by such citizens.</p> <p>3) Limitations listed in the horizontal section shall apply.</p>		
C. Telecommunications Services			
<p>The following services are offered only on a facilities basis, for public use, using either wired or wireless technology except cable television (CATV)</p> <p>a) Voice telephone services</p>	<p>1) Subject to commercial arrangement with licensed operators</p> <p>2) None</p> <p>3) Entry is subject to the following requirements and conditions:</p>	<p>1) None</p> <p>2) None</p> <p>3) Entry is subject to the following requirements and conditions:</p>	

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(CPC 7521) - Local services - Toll services - Domestic - International b) Packet-switched data transmission services (CPC 7523**) c) Circuit-switched data transmission services (CPC 7523**) d) Telex services (CPC 7523**) e) Telegraph services (CPC 7522) f) Facsimile services (CPC 7521** + 7529**) g) Private leased circuit services (CPC 7522** + 7523) o) Other - Cellular mobile telephone service	A. Franchise from Congress of the Philippines B. Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission C. Foreign equity is permitted up to 40 percent D. Resale of private leased lines is not allowed ¹ E. Private leased circuit services shall not be connected to a public network (PSTN) F. Call back, dial back and other similar schemes, which result in the same operation, are not authorized	A. The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital of that entity B. All executives and managers must be citizens of the Philippines Limitations as indicated in horizontal section for communication services also apply.	

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1 Enfranchised public telecommunications entities (PTE) may be authorized to sell/resell private leased lines.

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>(CPC 75213)</p> <p>- Satellite services</p>	<p>G. Subject to the availability and efficient utilization of radio frequencies.</p> <p>H. Only duly enfranchised and certificated telecommunications, broadcast and/or cable TV entities can access satellite space segment service providers.</p> <p>I. Philippine satellite operators shall be given the preference to provide the space segment capacity requirements of enfranchised entity after all factors are equally considered.</p> <p>J. Satellite space segment service provisioning in the Philippines shall be on the basis of reciprocal arrangements.</p>		

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Limitations as indicated in horizontal section for communication services also apply. 4) Unbound	4) Unbound	
Data and message transmission services Data network services (CPC 75231) Electronic message and information services (CPC 75232)	1) Unbound ² 2) None 3) Entry is subject to the following requirements and conditions: a. Franchise from Congress of the Philippines b. Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission c. Foreign equity is permitted up to 40 percent d. Resale of private leased lines is not	1) None 2) None 3) Entry is subject to the following requirements and conditions: a. The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital of that entity b. All executives and managers must be citizens of the Philippines Limitations as indicated in horizontal section for	

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2 Shall be reviewed in the future in accordance with the developments of its laws and regulations.

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>allowed³</p> <p>e. Private leased circuit services shall not be connected to a public network (PSTN)</p> <p>f. Call back, dial back and other similar schemes, which result in the same operation, are not authorized</p> <p>g. Subject to the availability and efficient utilization of radio frequencies</p> <p>h. Only duly enfranchised and certificated telecommunications, broadcast and/or cable TV entities can access satellite space segment service providers</p> <p>i. Philippine satellite operators</p>	<p>communication services also apply.</p>	

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3 Enfranchised public telecommunications entities (PTE) may be authorized to sell/resell private leased lines.

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>shall be given the preference to provide the space segment capacity requirements of enfranchised entity after all factors are equally considered</p> <p>j. Satellite space segment service provisioning in the Philippines shall be on the basis of reciprocal arrangements</p> <p>Limitations as indicated in horizontal section for communication services also apply.</p> <p>4) Unbound</p>	<p>4) Unbound</p>	

Philippine Reference Paper on Regulatory Principles in Telecommunications Services

The commitments in telecommunication services are in accordance with the General Agreement on Trade in Services and its Annex on Telecommunications. In support of market access commitments undertaken, the following principles will form the basis for the regulatory framework in basic telecommunications.

1. Competitive safeguard

Appropriate measures shall be maintained for the purpose of preventing suppliers from engaging in or continuing anti-competitive practices.

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<p>2. Interconnection</p> <p>In order to achieve viable, efficient, reliable and universal telecommunications services, a fair and reasonable interconnection of facilities of authorized public network operators and other providers of telecommunications services shall be provided.</p> <p>Interconnection shall be at any technically feasible point in the network, under non-discriminatory terms and conditions, in a timely fashion, and on terms and conditions that are fair, transparent and reasonable.</p> <p>A service supplier requesting interconnection with another supplier will have recourse after a reasonable period of time which has been made publicly known to an independent domestic body, which may be a regulatory body referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.</p>			
<p>3. Universal Service</p> <p>Universal service obligations, as may be defined by the appropriate Authority, shall be administered in a transparent, non-discriminatory and competitively neutral manner.</p> <p>Authorized international gateway and mobile cellular telephone service providers are required by law to install a set number of local exchange lines in designated areas.</p>			
<p>4. Public availability of licensing criteria</p> <p>Where a license is required, the following shall be made publicly available:</p> <ul style="list-style-type: none"> (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a license; (b) the terms and conditions of individual licenses <p>The reasons for the denial of a license will be made known to the applicant upon request.</p>			

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<p>5. Independent regulators</p> <p>The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.</p> <p>The regulation of telecommunication suppliers shall rely principally on an administrative process that is stable, transparent and fair, giving due emphasis to technical, legal, economic and financial considerations, and with due regard to the observance of due process at all times.</p> <p>A national consultative forum shall be maintained to allow interaction among the telecommunications industries, user groups, and academic and research institutions on important issues in the field of communications.</p> <p>6. Allocation and use of scarce resources</p> <p>Any procedures for the allocation and use of scarce resources, which are frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.</p>			
<p>Value added services i.e.</p> <p>h) electronic mail (CPC 7523**)</p> <p>l) value added facsimile service (CPC 7523**)</p> <p>m) code and protocol conversion</p>	<p>1) Unbound⁴</p> <p>2) None</p> <p>3) Entry is subject to the following requirements:</p> <p>a. Foreign equity is permitted up to 40 percent</p> <p>b. Must register with the Philippines</p>	<p>1) None</p> <p>2) None</p> <p>3) Entry is subject to the following requirements and conditions:</p> <p>a. The number of non-Filipino citizens on the Board of Directors of an entity shall be</p>	

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4 Shall be reviewed in the future in accordance with the developments of its laws and regulations.

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	<p>regulatory body but is not allowed to build its own network</p> <p>Limitations as indicated in horizontal section for communication services also apply.</p> <p>4) Unbound</p>	<p>proportionate to the aggregate share of foreign capital of that entity</p> <p>b. All executives and managers must be citizens of the Philippines</p> <p>Limitations as indicated in horizontal section for communication services also apply.</p> <p>4) Unbound</p>	
7. FINANCIAL SERVICES			
<p>The commitments in financial services are in accordance with the General Agreement on Trade in Services and its Annex on Financial Services.</p>			
All subsectors	<p>3) The appropriate regulatory authority in the Philippines shall determine whether public interest and economic conditions justify authorization for the establishment of commercial presence or expansion of existing operations in banking and other financial services in</p>		

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	<p>the Philippines.</p> <p>For foreign financial institutions with internationally recognized standing, such determination shall include a demonstrated capacity to contribute to the attainment of Philippine development objectives particularly in the promotion of trade, investments and appropriate technology transfer; and the country of incorporation has strategic trade and investment relations with the Philippines.</p> <p>In banking, the Monetary Board shall ensure that at all times seventy per cent (70%) of the resources or assets of the Philippine banking system is held by domestic banks which are at least majority-owned by Filipinos.</p> <p>3), 4) Limitations listed in</p>		

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Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	the horizontal section shall also apply		
A. Insurance and Insurance-Related Services			
All subsectors	<p>3), 4) Limitations listed in the all-sector horizontal section and all financial services section of the Philippines' GATS Schedule of Specific Commitments shall apply</p> <p>3) Limitations in market access listed in the specific sub-sectors below shall not apply to existing wholly or majority foreign-owned authorized insurance/reinsurance companies as of the entry into force of the WTO Financial Services agreement</p> <p>4) Qualified non-Filipino citizens may be employed for technical positions only within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry</p>	<p>4) Each employed non-Filipino citizen shall have at least two Filipino understudies</p>	

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>a) Life insurance as follows:</p> <ul style="list-style-type: none"> - Ordinary - Group - Industrial - Health and accident - Annuities 	<p>1) Risks located in the Philippines shall be insured with the companies authorized to transact business in the Philippines</p> <p>2) Same as above</p> <p>3) Commercial presence required subject to:</p> <p>A. Acquisition of up to sixty percent (60%) of voting stock of an existing domestic insurance company; or</p> <p>B. Investments of up to sixty percent (60%) of the voting stock of new locally incorporated insurance company; and</p> <p>C. Participation of non-Filipino citizens in the Board of Directors of locally incorporated insurance company</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>is proportional to the percentage of foreign equity.</p> <p>4) Qualified non-Filipino citizens may be employed for technical positions only within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry</p>	<p>4) Unbound</p>	
<p>b) Non-life:</p> <ul style="list-style-type: none"> - Fire - Marine - Casualty - Surety 	<p>1) Except for marine hull and marine cargo insurance, risks located in the Philippines shall be insured with the companies authorized to transact business in the Philippines</p> <p>2) Same as 1) above</p> <p>3) Commercial presence required subject to:</p> <p>A. Acquisition of up to sixty percent (60%) of voting stock of an existing domestic insurance company</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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. Investments of up to sixty percent (60%) of the voting stock of new locally incorporated insurance company</p> <p>C. Participation of non-Filipino citizen in the Board of Directors of locally incorporated insurance company is proportional to the percentage of foreign equity</p> <p>4) Qualified non-Filipino citizens may be employed for technical positions only within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry</p>	<p>4) Unbound</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
c) Reinsurance, Retrocession	<p>1) Priority cessions to authorized insurance/reinsurance companies</p> <p>2) A. Foreign unauthorized reinsurers should be represented by resident agents duly registered with the Insurance Commission</p> <p>B. Ten percent (10%) of the total cessions to foreign unauthorized reinsurers should be offered first to the Philippine National Reinsurance Corporation formerly National Reinsurance Company of the Philippines</p> <p>3) Commercial presence required subject to:</p> <p>A. Acquisition of up to sixty percent (60%) of voting stock of an existing domestic</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>insurance company</p> <p>B. Investments of up to sixty percent (60%) of the voting stock of new locally incorporated insurance company</p> <p>C. Participation of non-Filipino citizen in the Board of Directors of locally incorporated insurance company is proportional to the percentage of foreign equity</p> <p>4) Qualified non-Filipino citizens may be employed for technical positions only within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry</p>	<p>4) Unbound</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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) Services auxiliary to insurance: - Actuaries, average adjusters	1) None 2) None 3) Commercial presence required subject to foreign equity limitation of 50% or joint venture 4) Qualified non-Filipino citizens may be employed for technical positions only within the first five (5) years of operation of the enterprise, their stay not to exceed five (5) years upon entry	1) Unbound 2) None 3) None 4) Unbound	
B. Banking and Other Financial Services (excluding Insurance and Insurance-Related Services)			
Commercial banking a) Acceptance of deposits and other repayable funds from the public b) Lending of all types, including consumer credit, mortgage credit and financing of commercial transaction d) All payment and money transmission services,	1) Commercial presence is required 2) None 3) I. <u>Forms of commercial Presence</u> A foreign bank, widely-owned and publicly listed, may avail itself only of one form of commercial presence at a time. However,	1) None 2) None 3) None	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>including credit, charge and debit cards, travellers cheques and bankers drafts</p> <p>e) Guarantees and commitments</p> <p>f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <ul style="list-style-type: none"> - money market instruments (bank's own promissory notes, repurchase agreements, and certificates of assignment/participation with recourse); - foreign exchange; - derivative products including, but not limited to, futures and options; - exchange rate and interest rate instruments, including products 	<p>this shall not preclude secondary investment in the equity of a locally incorporated bank not exceeding thirty per cent (30%) of voting stock or forty per cent (40%) upon approval by the President of the Philippines.</p> <p>(a) Establishment of foreign bank branches</p> <p>Bound for ten (10) new licenses for the period 1995-2000. Full banking authority to new and existing foreign bank branches.</p> <p>Each foreign bank shall be allowed to establish a maximum of six (6) branches, with the first three (3) of these branches at locations of its choice and the remaining three (3) branches at locations designated by the Monetary Board.</p> <p>The prescribed capital shall consist of the permanently assigned</p>		

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>such as swaps, forward rate agreements; and</p> <p>- other allowable negotiable instruments and financial assets</p> <p>g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues</p> <p>i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository and trust services</p>	<p>capital and "net due to" account not exceeding the equivalent of four (4) times the amount of permanently assigned capital. The permanently assigned capital and fifteen percent (15%) of the required "net due to" account shall be inwardly remitted and converted into Philippine currency.</p> <p>(b) Acquisition of up to sixty percent (60%) of the voting stock of an existing domestic bank.</p> <p>(c) Investing in up to sixty percent (60%) of the voting stock of a new locally incorporated banking subsidiary.</p> <p>Non-Filipino citizens may become members of the Board of Directors of a bank to the extent of the foreign</p>		

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>participation in the equity of said bank.</p> <p>For foreign service suppliers other than banks, aggregate share in the voting stock of a locally incorporated bank shall be limited to thirty per cent (30%) or up to forty per cent (40%) upon approval by the President of the Philippines. Shareholding in a locally incorporated bank must not exceed twenty per cent (20%) for an individual and thirty per cent (30%) for a corporation.</p> <p>II. <u>Scope of operations</u></p> <p>Prior authorization is required for the following:</p> <ul style="list-style-type: none"> - acceptance of deposit substitutes 		

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>and other repayable funds from the public;</p> <ul style="list-style-type: none"> - guarantees and commitments; - performance of trust, investment management and other fiduciary functions; - foreign currency deposit unit operations; - derivatives activities <p>Underwriting (firm and best efforts basis) may be performed only by commercial banks with expanded commercial banking authority.</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>4) A non-Filipino citizen employed as officer or assigned to do technical functions shall have two Filipino understudies</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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
h) Money broking and foreign exchange broking	1) Commercial presence is required 2) None 3) Required to be organized as a commercial bank or a non-bank financial intermediary. For commercial banks, all other limitations mentioned in mode 3 above for commercial banks shall apply. Foreign equity participation is bound at forty per cent (40%) for non-bank financial intermediary. 4) Unbound, except as provided in the horizontal section	1) None 2) None 3) None 4) For commercial banks and financing companies, foreign service suppliers shall perform technical functions only, with Filipino understudy	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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
Credit card services	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Required to be organized as a commercial bank or non-bank financial intermediary</p> <p>For commercial banks, all other limitations mentioned under mode 3 above for commercial banks shall apply.</p> <p>Foreign equity participation is bound at forty per cent (40%) for non-bank financial intermediary.</p> <p>4) Unbound, except as those provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) A non-Filipino citizen employed as officer or assigned to do technical functions shall have two Filipino understudies</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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
Promotion and provision of information about the services/products offered by a foreign bank	1) Commercial presence is required 2) None 3) None 4) Unbound, except as those provided in the horizontal section	1) None 2) None 3) None 4) Unbound, except as those provided in the horizontal section	
k) Financial advisory services as follows: - Credit reference and analysis - Investment and portfolio research and advice	1) None 2) None 3) Required to be organized as a commercial bank, or an investment house, or a non-bank financial intermediary For commercial banks, all limitations mentioned under mode 3 above for commercial banks shall apply. For investment houses, all limitations mentioned under mode 3 for investment houses shall apply.	1) None 2) None 3) None	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Foreign equity participation is bound at forty percent (40%) for non-bank financial intermediary.</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>4) A non-Filipino citizen employed as officer or assigned to do technical functions shall have two Filipino understudies</p>	
<p>Investment houses:</p> <ul style="list-style-type: none"> - Purchase and sell, distribute or arrange to distribute on a guaranteed basis securities of corporations - Participate as soliciting dealer of selling group member in tender offers, block sales, or exchange offering of securities - Dealing in options, rights or warrants relating to securities - Act as financial consultant, investment adviser or broker 	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Must be organized as a stock corporation</p> <p>Subject to foreign equity limitation of fifty one percent (51%) of the voting stock, subject to reciprocity.</p> <p>The majority of the members of the Board of Directors shall be citizens of the Philippines.</p> <p>An investment house is not allowed to engage in banking operations.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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"> - Act as portfolio manager/financial agent - Design pension, profit-sharing and other employee benefits plans 	<p>Prior authorization is required for the performance of quasi-banking functions.</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>4) Unbound, except as provided in the horizontal section</p>	
<p>Factoring</p>	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Must be performed by a financing company only, organized as a corporation.</p> <p>Subject to foreign equity limitation of forty percent (40%) of the voting stock, subject to reciprocity.</p> <p>Membership of aliens in the Board of Directors is limited to one-third of the Board's total membership in the case of a corporation; no foreign managing partners in the case of a general partnership.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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 provided in the horizontal section	4) A non-Filipino citizen employed as officer or assigned to do technical functions shall have two Filipino understudies	
Financial leasing	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Must be performed by a financing company only, organized either as a corporation or general partnership</p> <p>Subject to foreign equity limitation of forty percent (40%) of the voting stock, subject to reciprocity.</p> <p>Membership of aliens in the Board of Directors is limited to one-third of the Board's total membership in the case of a corporation; no foreign managing partners in the case of a general partnership.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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 provided in the horizontal section	4) A non-Filipino citizen employed as officer or assigned to do technical functions shall have two Filipino understudies.	
<p>Securities dealership/brokerage</p> <p>f) Trading for own account or for account of customers, whether in an exchange, in an over-the-counter market or otherwise, the following:</p> <ul style="list-style-type: none"> - Equities and its derivative products such as warrants and options - Transferable securities 	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Must be performed by an investment house or as a securities broker/dealer organized as a corporation</p> <p>For investment houses, all other limitations mentioned under mode (3) above for investment houses shall apply.</p> <p>For securities broker/dealer - must be a member of the stock exchange. Membership is limited to 200.</p> <p>Underwriting is allowed only on best-effort basis.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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 provided in the horizontal section	4) Unbound, except those provided in the horizontal section	
g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Must be performed by an Investment House or as a securities broker/dealer organized as a corporation</p> <p>For investment houses, all other limitations mentioned under mode (3) above for investment houses shall apply.</p> <p>For securities broker/dealer - must be a member of the stock exchange. Membership is limited to 200.</p> <p>Underwriting is allowed only on best-effort basis.</p> <p>4) Unbound, except as provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as those provided in the horizontal section</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>Performance of the functions of a stock transfer agent such as but not limited to monitoring the issuance and transfer of stock certificates</p>	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Must be organized as a corporation with at least one certified public accountant duly licensed in the Philippines</p> <p>4) Unbound, except as those provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as those provided in the horizontal section</p>	
<p>Transactions of an issuer primarily engaged in the business of investing, reinvesting or trading securities</p>	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Must be performed by an investment company</p> <p>Foreign equity bond at forty percent (40%).</p> <p>All members of the Board of Directors must be citizens of the Philippines</p> <p>4) Unbound, except as those provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as those provided in the horizontal section</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>Sale of contracts for the payment of benefits or performance of future services such as life, education, pension and interment plans</p>	<p>1) Commercial presence is required</p> <p>2) None</p> <p>3) Foreign equity bond at forty percent (40%)</p> <p>4) Unbound, except as those provided in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as those provided in the horizontal section</p>	
<p>Stock broker dealer</p>	<p>1) Commercial presence is required</p> <p>2) Unbound</p> <p>3) A. Forms of commercial presence</p> <p style="padding-left: 40px;">1. Foreign equity participation in domestic corporation</p> <p style="padding-left: 40px;">2. Establishment of a branch office by a foreign corporation in the Philippines</p> <p>B. Scope of operations prior registration with the Philippine</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>Philippine SEC reserves the right to rationalized domestic registration procedures in its effort to promote cross border trading.</p> <p>For branch offices of foreign corporations:</p> <p>For the effective implementation of cross border trading and solicitation of securities business, the Philippine SEC may explore mutual recognition of securities registration and registration of broker dealers and sales agent in domicile country. Thus, the Philippine SEC reserves the right to accord favorable</p>

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>Securities and Exchange Commission as a stock broker dealer is required before it can engage in the buying and selling of securities.</p> <p>C. Establishment of stock broker dealer branches all over the country</p> <p>Each foreign stock broker dealer (i.e., domestic corporation but majority of outstanding stocks is foreign owned, or foreign corporation with brand license) shall be limited to two (2) branches the location of which shall be subject to approval of the Philippines Securities and Exchange Commission.</p> <p>For domestic corporations with foreign equity participation, non-Filipino citizens may become members of the Board of Directors of a</p>		<p>treatment to those service providers/suppliers of member countries that accord similar treatment to Filipino financial service suppliers in their country, on a discriminatory basis.</p>

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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>stock broker dealer to the extent of foreign equity participation in the said stock broker dealer.</p> <p>For foreign corporations allowed to transact business in the Philippines, a resident agent has to be appointed as a condition precedent to the issuance of the license.</p> <p>4) Unbound, except as those provided in the horizontal section</p>	<p>4) Generally none but subject to Philippine labor laws</p>	
Salesman of a stock broker dealer	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Prior registration as a salesman of a broker dealer with the Philippine Securities and Exchange Commission is required before a natural person can be employed as such or as an agent, by a dealer, issuer or broker to buy and sell securities</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>A salesman of a foreign stock broker dealer (i.e., domestic corporation but majority of outstanding stocks is foreign owned, or foreign corporation with branch license issued by the Philippine Securities and Exchange Commission) may be registered and licensed as such by the Philippine SEC without need of examination provided that:</p>

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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 provided in the horizontal section	4) Generally none but subject to Philippine labor laws	<p>(1) The foreign stock broker dealer sponsoring the salesman has been registered and issued a secondary license as a stock broker dealer by the Philippine SEC before it can engage in the buying and selling of securities;</p> <p>(2) The salesman has been registered and issued a license as such by his home country's regulatory agency which has jurisdiction over the sponsoring foreign stock broker dealer;</p> <p>(3) There are no big gaps in the proficiency requirements or business conduct rules between the salesman's host country and the Philippine SEC but will have to undergo training to ensure that the salesman understands Philippine laws, rules and regulations;</p> <p>(4) The salesman maintains active status of his</p>

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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 and license as such in his home country; and</p> <p>(5) The salesman's home country allows Filipinos who has been registered and licensed by the Philippine SEC as a salesman (of a Philippine-registered stock broker dealer) to act as such in the salesman's home country.</p> <p>Philippine SEC reserves the right to rationalize domestic registration procedures in its effort to promote cross border trading.</p> <p>For the effective implementation of cross border trading and solicitation of securities business, the Philippine SEC may explore mutual recognition of securities registration and registration of broker dealers and sales agent in domicile country. Thus, the Philippine SEC reserves the right to accord favorable treatment to those service</p>

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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
			providers/suppliers of member countries that accord similar treatment to Filipino financial service suppliers in their country, on a discriminatory basis.
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotel/Lodging services (CPC 64110)	1) None 2) None 3) None, except as indicated in the horizontal section 4) Unbound	1) None 2) None 3) None, except as indicated in the horizontal section 4) Unbound	
A. Restaurants (CPC 6421-64310)	1) Unbound* 2) None 3) Foreign nationals may wholly operate a restaurant provided that the minimum paid in capital of US\$2.5 million is complied, provided further that pre-qualification requirements are complied in accordance with appropriate government agencies.	1) Unbound* 2) None 3) Foreign nationals may wholly operate a restaurant provided that the minimum paid in capital of US\$2.5 million is maintained. Prior notification of cessation of operation. Foreign nationals may also establish	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Foreign nationals may also establish branches provided that the minimum paid in capital of US\$ 830,000.00 per restaurants are complied.</p> <p>Limitations listed in the horizontal section also apply.</p>	<p>additional branches provided that the minimum paid in capital of US\$830,000.00 per restaurant are maintained.</p> <p>Prior notification for opening and closing of branches/stores.</p> <p>Provided further that 30% local inventory requirement under certain conditions and prohibitions to engage in certain restaurant activities are complied.</p> <p>Every registered foreign restaurant are to submit to the Department of Trade and Industry the following reports:</p> <p>(a) A general information sheet in the prescribed form showing, among others, the accredited stores of the enterprise and the status of operations of the entity;</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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) An audited financial statement and income tax return;</p> <p>(c) Certification by responsible officer of the company showing the maintenance of the required minimum capital unless the foreign investor has notified the SEC and the DTI of its intention to repatriate its capital and cease operations in the Philippines.</p> <p>Qualified foreign restaurants are not allowed to engage in certain retailing activities outside their accredited branches through the use of mobile or rolling stores or carts, the use of sales representatives, door-to-door selling, and sari-sari stores and such other similar retailing activities.</p>	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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	Limitations listed in the horizontal section shall apply. 4) Unbound	
B. Travel Agencies (CPC 74710)	1) None 2) None 3) None, except as indicated in the horizontal section 4) Unbound	1) None 2) None 3) None, except as indicated in the horizontal section 4) Unbound	
D. Professional Congress Organizers	1) None 2) None 3) 60% foreign equity is allowed Limitations listed in the horizontal section also apply 4) Unbound	1) None 2) None 3) None, except as indicated in the horizontal section 4) Unbound	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES			
All Subsectors	<p>3) No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines at least 60 per cent of whose capital is owned by such citizens.</p> <p>Limitations listed in the horizontal section shall also apply.</p> <p>4) Only aliens qualified to hold technical positions may be employed within the first five years of operation of the enterprise, their stay not to exceed five (5) years upon entry.</p> <p>Each employed alien should have at least two (2) Filipino understudies.</p>		

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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
	Limitations listed in the horizontal section shall also apply.		
A. Maritime Transport Services			
a), b) International Transport (passenger and freight) (CPC 7211 and 7212), except (a) cabotage transport, and (b) government-owned cargoes ⁵	1) None 2) None 3) None, except as indicated in the horizontal section for transport services 4) Unbound	1) None 2) None 3) None 4) Unbound	
d) Maintenance and repair of vessels	1) Unbound* 2) Any repairs, conversion or dry-docking of Philippine-owned or registered vessels are required to be done at domestic ship repair yards registered with the Maritime Industry Authority (MARINA) 3) None	1) Unbound* 2) None 3) None	

⁵ Subject to the Cargo Reservation Law which requires that cargoes owned by government-owned or controlled corporations shall be shipped on board Philippine flag vessels.

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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	4) Unbound	
C. Air Transport Services			
d) Maintenance and repair of aircraft (CPC 8868)	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	1) Unbound* 2) None 3) None, except as indicated at the horizontal section 4) Unbound	
e) Selling and marketing of air transport ⁶ General Sales Agent (GSA) and Cargo Sales Agent (CSA)	1) None 2) None 3) None 4) Unbound	1) None 2) None 3) None, except as indicated in the horizontal section 4) Unbound	

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⁶ Selling and marketing services (in the case of the Philippines) are categorized and defined following existing Philippine laws and rules and regulations of its aeronautical authorities as Off-line Carriers, General Sales Agent (GSA) and Cargo Sales Agent (CSA).

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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
Off-line carriers	1) None, except CAB permit is required 2) None 3) None, except a GSA must be approved by CAB and the appointment of a resident agent 4) Unbound	1) None 2) None 3) None, except as indicated in the horizontal section 4) Unbound	
E. Rail Transport Services			
a), b) Passenger and freight transport (CPC 7111 and 7112)	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	
d) Maintenance and repair of rail transport equipment (CPC 8868**)	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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) Maintenance and repair of road vehicles (CPC 6112)	1) Unbound* 2) None 3) None 4) Unbound	1) Unbound* 2) None 3) None 4) Unbound	
G. Pipeline Transport (CPC 713)	1) Unbound* 2) None 3) Up to 40 percent foreign equity participation is allowed Limitations listed in the horizontal section also apply. 4) Unbound	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	
H. Services Auxiliary to All Modes of Transport			
a) Cargo handling services (CPC 741) b) Storage and warehouse services Container yard and depot services	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	

SCHEDULE OF THE REPUBLIC OF THE PHILIPPINES

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
c) Freight forwarding services	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	1) Unbound* 2) None 3) None, except as indicated in the horizontal section 4) Unbound	