

Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area

LAO PDR'S SCHEDULE OF MOVEMENT OF NATURAL PERSONS COMMITMENTS

1. Lao PDR's commitments under the Movement of Natural Persons Chapter, and under Article 3 (National Treatment) and Article 4 (Market Access) of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party, apply only in relation to the categories of persons set out below.

2. In accordance with Articles 3, 4 and 8 (National Treatment, Market Access and Specific Commitments) of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Lao PDR specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Lao PDR.

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
<i>For all categories of business visitors and intra-corporate transferees listed in this Schedule: Unless otherwise specified in the Sectoral Section below, these horizontal commitments apply to all sectors listed in Laos'</i>	In all cases: (i) total number of unskilled foreign natural persons of any establishment shall not exceed 10% of the total staff; (ii) total number of skilled foreign natural persons of any establishment shall not exceed 20% of the total staff.	Lao PDR makes no commitments for any measures relating to social insurance schemes including <i>inter alia</i> unemployment and pension benefits.	

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
Schedule to the Trade in Services Chapter.			
	<p>A. <u>Business Visitors</u></p> <p>A natural person who:</p> <ul style="list-style-type: none"> - enters to the Lao PDR to be engaged in activities related to representing a services supplier for the purpose of negotiating for the sale of the services of that supplier; and - stays in the Lao PDR without receiving remuneration from sources within the Lao PDR; and - does not engage in making direct sales to the general public or supplying services. <p>The temporary stay of the business visitor is subject to a</p>		

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
	maximum duration of stay of sixty days.		
	<p>B. <u>Intra-Corporate Transferees</u></p> <p>Natural persons who have been employed by a juridical person of another Party outside the Lao PDR for a period of not less than one year immediately preceding the request for transfer to the Lao PDR, who seek temporary entry to provide services through commercial establishment of that juridical person in the Lao PDR, who cannot be substituted by Lao nationals, and who fall within one of the following categories:</p>		

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
	<p>a) <u>Executives</u>: Natural persons within an organization who primarily direct the management of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization; and</p> <p>b) <u>Managers</u>: Natural persons who possess knowledge at an advanced level of expertise or proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management,</p>		

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
	<p>and who primarily direct the organization or a department of the organization; supervise and control the work of other supervisory, professional or managerial employees; have the authority to hire and fire or recommend hiring, firing or other personnel actions; and exercise discretionary authority over day-to-day operations. They do not include first-line supervisors, unless the employees supervised are professionals, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p>c) <u>Specialists</u>: Natural persons within an organization who possess knowledge at an</p>		

HORIZONTAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
	<p>advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques, or management and where there are shortages of Lao nationals with requisite skills.</p> <p>For the natural persons in the categories defined under intra-corporate transferees, temporary residency and work permit will be issued for six months which may be renewed for up to one year as long as conditions indicated for each category are satisfied.</p>		

SECTORAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
BUSINESS SERVICES			
Landscape architectural services (CPC 86742)		This has to be in compliance with Law on Taxation.	
Accounting, Auditing and Bookkeeping Services (CPC 862)	No commitments.	No commitments.	
COMMUNICATION SERVICES			
Telecommunication Services			
(a) Voice telephone service (CPC 7521) (e) Telegraph services (CPC 7522)		This has to be in compliance with Law on Taxation.	

SECTORAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
(f) Facsimile services (CPC 7529)			
TOURISM			
Hotel and other Lodging Services (CPC 64110) Beverage Serving Services Without Entertainment (CPC 64310)	No commitments, except that the following persons are permitted to enter and stay in Laos for a period of up to 6 months, with provision for extension, subject to approval of the competent authority of the Government Lao PDR: general manager, sales and marketing manager, operation manager, congress manager and tourism consultant.	No commitments.	
Meal Serving Services with Full restaurant	No commitments, except that the following persons	No commitments.	

SECTORAL SECTION			
	MARKET ACCESS	NATIONAL TREATMENT	ADDITIONAL COMMITMENTS
Services (CPC 64210) Travel agencies and tour operators services (Part of CPC 7471).	are permitted to enter and stay in Laos for a period of up to 6 months, with provision for extension, subject to approval of the competent authority of the Government Lao PDR: general manager, sales and marketing manager, operation manager, congress manager and tourism consultant.		