

WORLD TRADE ORGANIZATION

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**Council for Trade in Services
Special Session**

Original: English

AUSTRALIA

Revised Services Offer

The following revised services offer has been received from the delegation of Australia on 26 May 2005 with the request that it be circulated to Members of the Council for Trade in Services.

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1. Australia submits herewith its revised services offer as part of the negotiations on trade in services. The modifications to the consolidated Schedule of Specific Commitments are inscribed as outlined in the editorial conventions contained in Secretariat document JOB(05)/6. Unless otherwise stated all CPC references correspond to the United Nations Provisional Central Product Classification.
 2. Australia reserves the right to withdraw, modify, or reduce this offer in whole or part, at any time prior to the conclusion of the negotiations.
 3. In the areas of environmental services, legal services and freight logistics, the Australian offer draws upon recent proposals for greater liberalisation and/or for a revised approach to the classification of services. These aspects of the Australian offer in particular are conditional upon the degree of liberalisation proposed in the same sectors in the offers of other WTO Members. In addition, their final form may vary depending on progress in the Doha Round on consideration of classification issues.

AUSTRALIA – SCHEDULE OF SPECIFIC COMMITMENTS - REVISED OFFER (MAY 2005)

Modes of supply: (1) Cross-border (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
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Notification and examination under Australia's foreign investment policy guidelines and the Foreign Acquisitions and Takeovers Act 1975. In addition to the specific foreign investment policy requirement set out in those parts of this Schedule concerning financial services and international shipping, proposals for foreign interests to invest in the services identified in the Schedule are examined under the Government's policy guidelines without the need to demonstrate economic benefits or to provide for Australian equity participation and are approved unless national interest considerations arise.</p> <p>4) Unbound except for measures concerning the entry and temporary stay of natural persons in the following categories:</p>	<p>3) Australia's foreign investment policy guidelines apply to foreign-owned or controlled enterprises after establishment in Australia.</p> <p>At least two of the directors of a public company must be ordinarily resident in Australia.</p> <p>Unbound for current and future measures at the federal, state or local government levels according rights or preferences to any indigenous person or organisation providing for the favourable treatment of any indigenous person or organisation in relation to acquisition, establishment or operation of any commercial or industrial undertaking in the service sector. For the purposes of this Schedule, an indigenous person means a person of the Aboriginal race of Australia or a descendant of an indigenous inhabitant of the Torres Strait Islands.</p> <p>Unbound for subsidies for research and development.</p> <p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column.</p>	

Modes of supply: (1) Cross-border (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) Executives and senior managers, as intracorporate transferees, for periods of initial stay up to four years. Executives and senior managers being natural persons who are employees of a company operating in Australia, and who will be responsible for the entire or a substantial part of that company's operations in Australia, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business, including directing the company or a department or sub-division of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or sub-division of the company.</p> <p>b) Independent executives, without requiring compliance with labour market tests, for periods of initial stay up to a maximum of two years. Independent executives being natural persons who meet the criteria of executives and senior managers who intend, or are responsible for, the establishment in Australia of a new business of a service supplier with its head of operations in the territory of another Member and which has no other representative, branch or subsidiary in Australia.</p> <p>e) Service sellers, as business visitors, without requiring compliance with labour market tests, for periods of initial stay of 6 months and up to a maximum of 12</p>		

Modes of supply: (1) Cross-border (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>months.</p> <p>Service sellers being natural persons not based in Australia who are (sales) representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service supplier, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.</p> <p>Applicants for business visitor visas are natural persons seeking to travel to Australia for business purposes and not intending to engage in work that might otherwise be carried out by an Australian citizen or Australian permanent resident. This requirement will be satisfied where the service seller's remuneration and financial support for the duration of the visit are derived entirely from sources outside Australia.</p>		

Modes of supply: (1) Cross-border (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>d) Specialists, subject to individual compliance with labour market testing, for periods of initial stay up to a maximum of two years with provision of extension provided the total stay does not exceed four years.</p> <p>Specialists being natural persons with trade, technical or professional skills who are responsible for or employed in a particular aspect of a company's operations in Australia. Skills are assessed in terms of the applicant's employment experience, qualifications and suitability for the position.</p> <p>Labour market testing is not required for (i) natural persons who have specialised knowledge at an advanced level of a proprietary nature of the company's operations and have been employed by the company for a period of not less than two years and (ii) if the position in question is within a labour agreement in force at the time of application. A labour agreement is an agreement between the Australian Government, employers or industry organisations and unions for the entry of specialists from overseas.</p> <p>The above commitments do not apply in cases of labour/management dispute.</p> <p>4) Unbound except for measures concerning the entry and temporary stay of natural persons in the following categories:¹</p>	<p>4) Unbound except for measures concerning the categories of natural persons referred to in the market access column.</p>	

¹ These commitments do not apply in cases of labour/management dispute.

Modes of supply: (1) Cross-border (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) Intra-corporate transferees as:</p> <p>(i) Executives and senior managers being natural persons who are employees of a company operating in Australia, and who will be responsible for the entire or a substantial part of the company's operations in Australia, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business, including directing the company or a department or subdivision of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or subdivision of the company.</p> <p>Entry and stay of such natural persons is subject to employer sponsorship. Employer sponsorship requirements for this category include minimum skill levels in a gazetted occupation and sponsorship by a bona fide business operating lawfully and actively in Australia. Employer sponsorship requirements may change from time to time. Full details of employer sponsorship requirements, including the list of gazetted occupations, are available on the website of the Australian government department responsible for immigration matters. (As at May 2005, the address of that website was www.immi.gov.au).</p>		

Modes of supply: (1) Cross-border (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>Entry is for periods of stay up to four years, with provision for an extension.</p> <p>(ii) Specialists, being natural persons with advanced trade, technical or professional skills who are employees of a bona fide business operating lawfully and actively in Australia and who have been employed by that company for not less than two years.</p> <p>Entry and stay of such natural persons is subject to employer sponsorship by the employing company. Employer sponsorship requirements for this category include an assessment that the natural person seeking entry has the necessary qualifications, skills and work experience accepted by the relevant authority as meeting the Australian standards for his or her nominated occupation, which must fall within the list of gazetted occupations. Employer sponsorship requirements may change from time to time. Full details of employer sponsorship requirements, including the list of gazetted occupations, are available on the website of the Australian government department responsible for immigration matters. (As at May 2005, the address of that website was www.immi.gov.au.)</p> <p>Entry is for periods of stay up to two years, with provision for an extension.</p> <p>(b) Independent executives being natural persons whose work responsibilities match the description set out below and who</p>		

Modes of supply: (1) Cross-border (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>intend, or are responsible for, the establishment in Australia, of a new business of a service supplier which has its head of operations in the territory of another Member and which has no other representative, branch or subsidiary in Australia. Independent executives will be responsible for the entire or a substantial part of the company's operations in Australia, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business, including directing the company or a department or subdivision of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or subdivision of the company.</p> <p>Entry and stay of such natural persons is subject to employer sponsorship. Employer sponsorship requirements for this category include minimum skill levels in a gazetted occupation and sponsorship by a bona fide overseas business or by a State or Territory Government of Australia. Employer sponsorship requirements may change from time to time. Full details of employer sponsorship requirements, including the list of gazetted occupations, are available on the website of the Australian government department responsible for immigration matters. (As at May 2005, the address of that website was www.immi.gov.au.)</p> <p>Entry is for periods of stay up to a maximum of two years.</p>		

Modes of supply: (1) Cross-border (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>(c) Business visitors being natural persons seeking to travel to Australia for business purposes whose remuneration and financial support for the duration of the visit must be derived from sources outside Australia and who must not engage in making direct sales to the general public or in supplying the services themselves. Business visitors comprise:</p> <p>(i) Service sellers, as business visitors being natural persons not based in Australia who are (sales) representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service supplier.</p> <p>Entry is for periods of stay up to six months, with provision for an extension.</p> <p>(ii) Business visitors, being natural persons seeking to travel to Australia for the purpose of participating in business negotiations or meetings.</p> <p>Entry is for periods of stay up to a maximum of three months.</p>		

Modes of supply: (1) Cross-border (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>(d) Contractual service suppliers (including independent professionals/specialists).</p> <p>Contractual service suppliers (CSS) being natural persons with trade, technical or professional skills.</p> <p>Entry and stay of such natural persons is subject to employer sponsorship. Employer sponsorship requirements for this category include sponsorship by a bona fide overseas business or business operating lawfully and actively in Australia and a contract for the supply of a service within Australia. That business must have engaged the natural person seeking entry and must intend that person to assist in fulfilling its Australian services contract. The natural person seeking entry must be assessed as having the necessary qualifications, skills and work experience accepted as meeting the Australian standards for his or her nominated occupation, which must fall within the list of gazetted occupations. Employer sponsorship requirements may change from time to time. Full details of employer sponsorship requirements, including the list of gazetted occupations, are available on the website of the Australian government department responsible for immigration matters. (As at May 2005, the address of that website was www.immi.gov.au.)</p> <p>Entry is for periods of stay up to 12 months, with provision for an extension.</p>		

Modes of supply: (1) Cross-border (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 data-bbox="465 245 965 400">(e) Other: Spouses of temporary entrants covered by (a), (b) and (d) are accorded full working rights where stay of those temporary entrants is greater than 12 months.</p> <p data-bbox="506 437 987 496">For such spouses, entry and stay is for the same period as for the temporary entrant.</p>		

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES A. <u>Professional Services</u> a) Legal services ² i) Legal advisory and representational services in domestic law (host-country law)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	

² In this section, the following terms have the meanings set out in the “Joint Statement on Legal Services” (TN/S/W/37 and S/CSC/W/46 of 24 February 2005) (“Joint Statement”), which are as shown:

“legal advisory services” – includes provision of advice to and consultation with clients in matters, including transactions, relationships and disputes, involving the application or interpretation of law; participation with or on behalf of clients in negotiations and other dealings with third parties in such matters; and preparation of documents governed in whole or in part by law, and the verification of documents of any kind for purposes of and in accordance with the requirements of law. Does not include advice, consultation and documentation services performed by service suppliers entrusted with public functions, such as notary services. (As defined at 3.A(i) of Joint Statement.)

“legal representational services” – includes preparation of documents intended to be submitted to courts, administrative agencies, and other duly constituted official tribunals in matters involving the application and interpretation of law; and appearance before courts, administrative agencies, and other duly constituted official tribunals in matters involving the application and interpretation of the specified body of law. (Footnote 1: The inclusion of representational services before administrative agencies and other duly constituted official tribunals within the context of legal services does not necessarily mean that a licensed lawyer must supply such services in all cases. The precise scope of services subject to licensing requirements is subject to the discretion of the relevant regulatory authority.) Does not include documentation services performed by service suppliers entrusted with public functions, such as notary services. (As defined at 3.A(ii) of Joint Statement.)

“legal arbitration and conciliation/mediation services” – preparation of documents to be submitted to, preparation for and appearance before, arbitrators, or mediators in any dispute involving the application and interpretation of law. Does not include arbitration and conciliation/mediation services in disputes for which the law has not a bearing which fall under services incidental to management consulting. As a sub-category, international legal arbitration and conciliation/mediation services refers to the same services when the dispute involves parties from two or more countries. (As defined at 3.A(iii) of Joint Statement.)

“domestic law (host country law)” – the law of Australia. (Derived from definition at 3.B(i) of Joint Statement.)

“foreign law” – the law of the territories of WTO Members and other countries other than the law of Australia. (Derived from definition at 3.B(ii) of Joint Statement.)

“international law” – includes law established by international treaties and conventions, as well as customary law. (As defined at 3.B(iii) of Joint Statement.)

Modes of supply: (1) Cross-border (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>ii) Legal advisory services in foreign law and international law and (in relation to foreign and international law only) legal arbitration and conciliation/mediation services.</p> <p>Home country law, including public international law (861**)</p> <p>Advisory services in home-country law, third-country law and international law. International commercial arbitration services. Other alternative dispute resolution services</p>	<ol style="list-style-type: none"> 1) None 2) None 3) Natural persons practising foreign law may only join a local law firm as an employee or as a consultant and may not enter into partnership with or employ local lawyers in WA and SA. 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) At least one equity partner in a firm engaged in advising on foreign law matters must be a permanent resident (NSW, Victoria); at least one equity partner in a foreign law firm must be resident for a minimum period of 180 days per calendar year (Queensland). None 4) Unbound except as indicated in the horizontal section. 	<p>Limited Licence only is required: Only registration with limited licence is required, rather than full admission/licence, in order to provide:</p> <p>(a) legal advisory services in foreign law, where licensed in the relevant foreign jurisdiction(s);</p> <p>(b) legal advisory services in international law; or</p> <p>(c) legal arbitration and conciliation/mediation services in relation to foreign and international law.</p> <p>(By contrast, a Full Licence is required for (a)(i) above (legal advisory and representational services in domestic law (host-country law)), for which full admission is required: i.e. practitioners must satisfy admission requirements, including qualification requirements, applicable to domestic legal practitioners.)</p>

Modes of supply: (1) Cross-border (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) Accounting, auditing and book-keeping services (CPC 862)</p> <p>c) Taxation services (CPC 863)</p> <p>d) Architectural services (CPC 8671)</p> <p>e) Engineering services (CPC 8672)</p>	<p>1) None</p> <p>2) None</p> <p>3) Only natural persons may be registered as auditors and liquidators.</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>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>1) None</p> <p>2) None</p> <p>3) At least one equity partner in a firm must be a permanent resident.</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>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>3) Joint offices involving revenue-sharing between foreign law firms and Australian local law firms are permitted in NSW, Victoria, Queensland, Tasmania, WA, the ACT and the NT subject to the foreign law firms satisfying certain requirements, including in relation to liability, standard of conduct and professional ethics</p>

Modes of supply: (1) Cross-border (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
f) Integrated engineering services (CPC 8673)	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.	
g) Urban planning and landscape architectural services (86741) (CPC 8674)	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.	
h) Dental services (CPC 93123)	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.	
i) Veterinary services (CPC 932)	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.	
B. <u>Computer and related services (CPC 84), excluding measures relating to content covered by CPC 844 and 849</u>	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.	
a) Consultancy services related to the installation of computer hardware (841)	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.	

Modes of supply: (1) Cross-border (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) Software implementation services (842)	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.	
e) Data processing services (843)	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.	
e) Maintenance and repair services of office machinery and equipment including computers (845)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	
C. <u>Research and development services</u>			
b) R&D services on social sciences and humanities (CPC 852)	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 Permanent residency requirement for psychologists (Western Australia).	
D. <u>Real Estate Service</u>			
a) Involving own or leased property (CPC 821)	1) Commercial presence required 2) Commercial presence required 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.	

Modes of supply: (1) Cross-border (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) On a fee or contract basis (CPC 822)	<ol style="list-style-type: none"> 1) Commercial presence required 2) Commercial presence required 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
E. <u>Rental/leasing services without operators</u>			
a) Relating to ships (CPC 83103**) <p>Excludes cabotage, intrastate and offshore trades</p>	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
b) Relating to aircraft (CPC 83104)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
c) Relating to other transport equipment (CPC 83101, 83102, 83105)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
d) Relating to other machinery and equipment (CPC 83106-9)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	

Modes of supply: (1) Cross-border (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>F. <u>Other business services</u></p> <p>a) Advertising services (CPC 87110, 87120**, 87190)</p> <p>Covers services by advertising agencies in creating and placing advertising in periodicals, newspapers, radio and television for clients; outdoor advertising; media representation i.e. sale of time and space for various media; distribution and delivery of advertising material or samples. Does not include production or broadcast/screening of advertisements for radio, television or cinema.</p> <p>b) Market research and public opinion polling services (CPC 864)</p> <p>c) Management consulting services (CPC 865)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	

Modes of supply: (1) Cross-border (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>d) Services related to management consulting (CPC 86601, 86609)</p> <p>Excludes arbitration and conciliation services</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	
<p>e) Technical testing and analysis services (CPC 8676)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p>
<p>f) Services incidental to agriculture, hunting and forestry (CPC 8811**, 8812**, 8814**)</p> <p>Provision of advice and guidance relating to crop and livestock management on consultancy basis. Includes specialised consultancy services only, related to forestry activities, timber evaluation, forest management or planning. Does not include logging.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	

Modes of supply: (1) Cross-border (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) Services incidental to fishing (CPC 882**)</p> <p>Consists of specialised consultancy services only, related to marine or freshwater fisheries, fish hatchery services. Does not include fishing.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	
<p>h) Services incidental to mining and site preparation work for mining (CPC 883, 5115)</p> <p>Consultancy on a fee or contract basis relating to mining and oil field development</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	
<p>i) Services incidental to manufacturing (CPC 884 + 885 except for 88442)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	
<p>j) Services incidental to energy distribution (CPC 887**)</p> <p>Covers consultancy services related to the transmission and distribution on a fee or contract basis of electricity, gaseous fuels and steam and hot water to household,</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	

Modes of supply: (1) Cross-border (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
industrial, commercial and other users			
k) Placement and supply services of personnel (CPC 872)	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.	
l) Investigation and security (CPC 873)	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.	
m) Related scientific and technical consulting services (CPC 86752 *** , 86753) Assembly and assessment of land and geographic related information; practice of the science of measurement; use of that information for the purpose of planning and implementing the administration of the land and sea. May involve surveying activities on, above or below the surface of the land or sea.	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.	

Modes of supply: (1) Cross-border (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
n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + 8861 - 8866)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
o) Building-cleaning services (CPC 874)	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
p) Photographic services (CPC 875)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
s) Convention services (CPC 87909**) Activities of establishments engaged in provision of planning, organising, managing and marketing services for conventions and similar events (including catering and beverage services)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
t) Other: Telephone answering services (CPC 87903)	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	

Modes of supply: (1) Cross-border (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 <i>(CPC 87904)</i>	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.	
Translation and interpretation services <i>(CPC 87905)</i>	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.	
Mailing list compilation and mailing services <i>(CPC 87906)</i>	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.	
Interior design <i>(CPC 87907)</i> Specialised consultancy services related to the post-construction design and fitting out of interior living and working spaces. Includes purchase of necessary goods.	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.	

Modes of supply: (1) Cross-border (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>2. COMMUNICATION SERVICES</p> <p>C. <u>Telecommunications services</u></p> <p>Covers the following sub-sectors from the Services Sectoral Classification List (W/120) and related CPC numbers 7521,7522,7523, 7529**</p> <p>(a) Voice telephone services</p> <p>(b) Packet-switched data transmission services</p> <p>(c) Circuit-switched data transmission services</p> <p>(d) Telex services</p> <p>(e) Telegraph services</p> <p>(f) Facsimile services</p> <p>(g) Private leased circuit services</p> <p>o) <u>Other</u></p> <p>Digital Cellular services</p> <p>Paging services</p> <p>Personal Communications Services</p>	<p>1) None</p> <p>2) None</p> <p>3) Primary supply of satellite services limited to two service providers (licensed general carriers) until 30 June 1997.</p> <p>Primary supply of public mobile cellular telecommunications services limited to three service providers (licensed mobile carriers) until 30 June 1997.</p> <p>The Government has introduced legislation aimed at implementing an unlimited number of basic telecommunications carrier licences from 1 July 1997 and no sector specific foreign equity limits for new carriers. Australia binds itself to the outcome of this Parliamentary process in terms of numbers of carrier licences and foreign equity applying to new carrier licences. An entity holding a new carrier licence must be a public body or a constitutional corporation under Australian law or a partnership where each partner is a constitutional corporation under Australian law.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	<p>The attached reference paper on regulatory principles is incorporated as additional commitments by Australia.</p> <p>Australia undertakes additional commitments as indicated in the attached Reference Paper on telecommunications and in the attached document "Australia's additional (Article XVIII) commitments on telecommunications services in addition to those set out in the Reference Paper on telecommunications".</p>

Modes of supply: (1) Cross-border (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>Trunked Radio System Services</p> <p>Mobile Data Services</p> <p>Services covered by the Broadcasting Services Act 1992 are excluded from the basic telecommunications sector</p>	<p>The first licensed general carrier, Telstra Corporation Limited (Telstra), is majority government owned. Legislation permitting the sale of one third of the government's equity in Telstra comes into effect on 1 May 1997. Foreign equity will be limited to 35% of this one third (about 11.7% of total equity) with a limit of 5% of the one third (about 1.7% of total equity) available to individual or associated group foreign investors. The maximum aggregate foreign ownership allowed in Telstra is 35 per cent of the Telstra shares that are not held by the Australian Government. The maximum individual foreign ownership allowed in Telstra is 5 per cent of the Telstra shares that are not held by the Australian Government.</p> <p>There are no limits on total foreign equity in Optus (holder of general carrier and mobile licence). However, foreign investment policy requirements for Optus are such that there are certain limits on the share of equity which any individual foreign shareholder may hold. There is a requirement for majority Australian ownership of Vodafone (holder of a mobile carrier licence). Measures shall be maintained to ensure that these arrangements continue to apply after 30 June 1997.</p> <p>4) Unbound except as indicated in horizontal section.</p>	<p>The Chairman and directors of Optus must be Australian citizens, other than those directors (who must comprise the minority) appointed by the two current major foreign investors.</p> <p>4) Unbound except as indicated in horizontal section.</p>	
<p>h) Electronic mail (CPC 7523**)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p>	

Modes of supply: (1) Cross-border (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) Voice mail (CPC 7523**)	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	
j) On-line information and data base retrieval (CPC 7523**)	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	
k) Electronic data interchange (EDI) (CPC 7523**)	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	
l) Enhanced/value-added facsimile services, including store and retrieve (CPC 7523**)	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	
m) Code and protocol conversion (CPC 7523**)	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	

Modes of supply: (1) Cross-border (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. CONSTRUCTION AND RELATED ENGINEERING SERVICES</p> <p>A. <u>General construction work for buildings</u> (CPC 512)</p> <p>B. <u>General construction work for civil engineering</u> (CPC 513)</p> <p>C. <u>Installation and assembly work</u> (CPC 514, 516)</p> <p>D. <u>Building completion and finishing work</u> (CPC 517)</p> <p>E. <u>Other</u> (CPC 511 + 515 + 518)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	

Modes of supply: (1) Cross-border (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>4. DISTRIBUTION SERVICES</p> <p>A. <u>Commission agents' services</u> (CPC 62113-62118)</p> <p>B. <u>Wholesale trade services</u> (CPC 6223-6228)</p> <p>C. <u>Retailing services</u> (CPC 631, 63212, 6322-9, 6322, 6323, 6324, 6325, 6329, 61112, 6113, 6121)</p> <p>Australia's commitments in relation to these services extend to cover the following services not listed in relevant CPC classifications: inventory management of goods, assembling, sorting and grading of goods, breaking bulk, re-distribution and delivery services for retailing.</p> <p>Does not cover dispensing of pharmaceuticals.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound except for mail order 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p> <p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p> <p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p>

Modes of supply: (1) Cross-border (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>D. <u>Franchising</u> (CPC 8929)</p> <p>5. EDUCATIONAL SERVICES</p> <p>B. <u>Secondary education services</u> (CPC 922**) Covers general as well as technical and vocational education at the secondary level in private institutions</p> <p>C. <u>Higher education services</u> (CPC 923**) Covers provision of private tertiary education services including at university level</p> <p>E. <u>Other education services</u> (CPC 929**) Covers English language tuition</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section.</p> <p>1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section.</p>	

Modes of supply: (1) Cross-border (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>6. ENVIRONMENTAL SERVICES^{3, 4}</p> <p>A. <u>Sewage services</u> <u>Wastewater management</u> (CPC 9401) <i>This covers removal, treatment and disposal of household, commercial and industrial sewage and other waste waters including tank emptying and cleaning, monitoring, removal and treatment of solid wastes.</i></p> <p>B. <u>Refuse disposal services</u> <u>Solid/hazardous Waste management</u> (CPC 9402, 9403) <i>This covers hazardous and non-hazardous waste collection, treatment and disposal (including incineration, composting and landfill); sweeping and snow removal, and other sanitation services.</i></p> <p>C. <u>Sanitation and similar services</u> (9403)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	

³ The Australian offer on environmental services excludes the provision of water for human use, including water collection, purification and distribution through mains.

⁴ The classification scheme adopted in the Australian offer on environmental services is largely based upon the scheme proposed by the EC in 2000 (see pages 6-7 of the EC paper “GATS 2000: Environmental Services”, S/CSS/W/38), but see especially footnote 3 above.

Modes of supply: (1) Cross-border (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>C. <u>Protection of ambient air and climate</u> (CPC 9404)</p> <p><i>This covers services at power stations or industrial complexes to remove air pollutants; monitoring of mobile emissions and implementation of control systems or reduction programmes.</i></p>	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
<p>D. <u>Remediation and cleanup of soil and water</u> (CPC 9406**)⁵</p> <p><i>Treatment, remediation of contaminated/polluted soil and water</i></p> <p><i>This covers cleaning- up systems in situ or mobile, emergency response, clean-up and longer term abatement of spills and natural disasters; and rehabilitation programmes (e.g. recovery of mining sites) including monitoring.</i></p>	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	
<p>E. <u>Noise and vibration abatement</u> (CPC 9405)</p> <p><i>This covers monitoring programmes, and installation of noise reduction systems and screens.</i></p>	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ol style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	

⁵ Australia's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services.

Modes of supply: (1) Cross-border (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>F. <u>Protection of biodiversity and landscape (CPC 9406**)</u>⁶</p> <p><i>Nature and landscape protection services</i></p> <p><i>This covers ecology and habitat protection and promotion of forests and promoting sustainable forestry.</i></p> <p>G. <u>Other environmental and ancillary services (CPC 94090)</u></p> <p><i>This covers other environment protection services, including services related to environmental impact assessment.</i></p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	
<p>7. FINANCIAL SERVICES</p> <p>Australia undertakes its specific commitments on financial services in accordance with the "Understanding on Commitments in Financial Services" (hereinafter referred to as the "Understanding").</p> <p>The obligations under the Understanding are addressed in this Schedule additionally to those covered by the provisions of Part III of the Agreement and the Annex on Financial Services. The market access commitments with respect to "cross-border supply" and "consumption abroad" (as described in paragraphs 2(a) and 2(b) of Article I of the Agreement) bound in this Schedule are limited to the services indicated in paragraphs B.3 and B.4 of the Understanding, respectively.</p> <p>These specific commitments on financial services are subject to the general limitations contained in the "Horizontal Commitments" section of Australia's GATS Schedule.</p>			

⁶ Australia's commitments under items 6.D and 6.F combine to cover the entirety of CPC 9406 services.

Modes of supply: (1) Cross-border (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. <u>Insurance and insurance-related services</u></p>	<p>3) Approval of non-resident life insurers is restricted to subsidiaries.</p> <p>3) Registered foreign life insurance companies are required to have a principal officer resident in Australia.</p> <p>1), 3) An authorised insurance company operating in Australia as a non-incorporated entity must appoint an Australian resident as agent of the insurer.</p> <p>3) Most State and Territory Governments maintain restrictions, by way of monopolies or licensing provisions and associated controls on premiums and other terms of policies, in the following areas of insurance:</p> <p style="padding-left: 40px;">Compulsory Third Party Motor Vehicle Accident: VIC, WA, TAS, NT(monopolies); NSW, QLD, SA, ACT(licensing, premiums/ policy terms).</p> <p style="padding-left: 40px;">Workers Compensation: SA, VIC, QLD monopolies); NSW, WA, TAS (licensing, premiums/ policy terms).</p> <p style="padding-left: 40px;">Comcare is the monopoly provider of workers' compensation insurance to Commonwealth Government employees.</p> <p>4) The temporary entry of specialists in the operation of an insurance service supplier established in Australia is permitted subject to the terms stipulated in the horizontal section.</p>	<p>3) Sub-national guarantees are provided to some State and Territory Insurance Offices.</p>	

Modes of supply: (1) Cross-border (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. <u>Banking and Other financial service</u> (excluding insurance)</p>	<p>1) The investment at interest in Australia of official reserves by foreign central banks and foreign government monetary institutions is approved by the Reserve Bank provided that it obtains assurance from the investing authority that it will aim to be a stable holder of the Australian dollar and that it will consult with the Bank in the event of significant changes in its Australian dollar portfolio. Monetary institutions, responsible for both reserve assets and commercial investments, are permitted to invest in Australia up to a limit under the same conditions.</p> <p>1), 3) A foreign bank located overseas is able to offer its services to Australian enterprises, but is not allowed to raise deposit funds in Australia or undertake business within Australia unless it is an authorised bank (or establishes a money market corporation, subsidiary etc.). Foreign banks located overseas may, however, raise funds in Australia through the issue of debt securities provided that those securities are offered/traded in parcels of not less than \$A500,000 and the securities and any information memoranda clearly state the issuing bank is not authorised under the Banking Act in Australia.</p> <p>1), 3) Dealings in foreign exchange in Australia must be carried out through a dealer authorised by the Reserve Bank. Only banks, including branches of overseas banks, and financial institutions incorporated in Australia with the required minimum capital base are eligible to seek authorization as a foreign exchange dealer.</p>		

Modes of supply: (1) Cross-border (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) Foreign banks satisfying prudential requirements and that are able to demonstrate their potential contribution to competition in Australia may conduct banking in Australia. Foreign banks may undertake banking operations in Australia through locally incorporated subsidiaries and/or an authorised branch. However, a branch may not accept "retail" deposits. A foreign bank wishing to accept "retail" deposits must seek authorization as a locally incorporated subsidiary for that purpose. Foreign bank branches may accept deposits (and other funds) in any amount from incorporated entities, non-residents and their own employees. Deposits (and other funds) may only be accepted from other sources where the initial deposit (or other funds) is greater than \$A250,000. Deposit-taking outside of this is considered to be "retail" banking business.</p> <p>1), 3) A number of State and Territory Governments operate central financing authorities through which the Government's wholly or partly-owned statutory authorities and business enterprises are obliged to borrow (and in some cases invest) their funds, or otherwise obtain certain financial services:</p> <p>SA - South Australian Government Financing Authority, Local Government Finance Authority of South Australia TAS - Tascorp NSW - NSW Treasury Corporation VIC - Treasury Corporation of Victoria QLD - Queensland Treasury Corporation, Queensland Investment Corporation NT - Northern Territory Treasury Corporation WA - Western Australian Treasury Corporation</p>	<p>3) Commonwealth owned entities which may conduct financial operations are guaranteed by the Commonwealth Government. While the Commonwealth sold its remaining shareholding in the Commonwealth Bank of Australia (CBA) on 19 July 1996, a transitional Commonwealth guarantee has been provided to all of the liabilities of the CBA. The length of time that the guarantee applies depends on the characteristic of the liability. Transitional guarantees also apply to the former Commonwealth-owned Australian Industry Development Corporation.</p> <p>1), 3) The financial operations of some State or Territory owned entities may be guaranteed by the State or Territory Governments. A number of State and Territory Governments have also provided transitional guarantees to some of the assets and liabilities of former State-owned or controlled banks.</p>	

Modes of supply: (1) Cross-border (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) The provisions of the <i>Trust Bank (Corporatisation) Act 1997</i> dealing with the Trust Bank of Tasmania may require a joint venture arrangement.</p> <p>3) The Australian Stock Exchange liquid capital requirements for stockbrokers may have the effect of favouring participation in the Exchange by subsidiaries rather than branches of foreign companies.</p> <p>An applicant must be a body corporate in order to obtain approval to conduct a stock exchange or a futures exchange.</p> <p>3) To obtain an Australian market licence, an applicant must be a body corporate</p> <p>3) The responsible entity of a registered managed investment scheme must be a public company that holds an Australian financial services licence authorising it to operate a managed investment scheme.</p> <p>4) The temporary entry of specialists in the operation of a financial service supplier established in Australia is permitted subject to the terms stipulated in the horizontal section.</p>	<p>3) The provisions of the Act require that at least a majority of the directors of the Trust Bank be resident in Tasmania and that policy and control of the Trust Bank be exercised in Tasmania.</p> <p>3) A majority of the directors of a stockbroking organisation participating in the Australian Stock Exchange must be Australian residents.</p>	

Modes of supply: (1) Cross-border (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>8. HEALTH-RELATED AND SOCIAL SERVICES</p> <p>B. <u>Other human health services</u> (CPC 93199**) Covers podiatry and chiropody services. Includes podiatry services carried out in health clinics, and in residential health facilities other than hospitals, as well as in own consulting rooms, patients' homes or elsewhere.</p> <p>9. TOURISM AND TRAVEL RELATED SERVICES</p> <p>A. <u>Hotels and restaurants</u> (CPC 641, 642, 643)</p>	<p>1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p> <p>Permanent residency requirement for chiropodists (South Australia).</p> <p>Permanent residency requirement for podiatrists (Western Australia).</p> <p>1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	

Modes of supply: (1) Cross-border (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. <u>Travel agencies and tour operator services</u> (CPC 7471) ⁷	1) Commercial presence required 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.	
C. <u>Tourist guide services</u> (CPC 7472)	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.	
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES			
B. <u>News agency services</u> (CPC 962)	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.	
D. <u>Sporting and other recreational services</u>			
Sporting services (CPC 9641)	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.	
Other recreational services (CPC 96491)	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.	
Covers recreation park and beach services			

⁷ On the selling and marketing of air transport services, see Section II.11.C of this Schedule.

Modes of supply: (1) Cross-border (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. <u>Maritime transport services</u></p>			<p>The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: pilotage, towing and tug assistance; provisioning, fuelling and watering; garbage collection and ballast waste disposal; Port Captain's services; navigation aids (a); shore-based operational services essential to ship operations, including communications water and electrical supplies; emergency repair facilities; anchorage, berth and berthing services.</p> <p>(a): except for Queensland, where vessels of 35 m and above must pay conservancy fees to fund navigational aids, while this obligation applies only to Australian vessels of 50m and above. Where road, rail and related auxiliary services are not otherwise fully covered</p>

Modes of supply: (1) Cross-border (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>International transport (freight and passengers) (CPC 7211 and 7212 less cabotage and offshore transport - as defined in Attachment A Note to schedule)</p>	<p>1) a) Liner Shipping: Part X of the Trade Practices Act 1974 requires that every ocean carrier who provides international liner cargo shipping services to or from Australia shall, at all times, be represented for the purpose of the Act, by a person who is an individual resident in Australia, has been appointed by the ocean carrier as the ocean carrier's agent for the purposes of the Act, and is specified in the register of ocean carrier agents as the ocean carrier's agent. None, see Note to Schedule.</p> <p>1) b) Bulk, tramp and other international shipping, including international passenger transportation: None.</p> <p>2) None</p>	<p>1) a) Part X of the Trade Practices Act 1974 — allows Australian flag operators to apply to the Trade Practices Commission to examine whether conference members and non-conference operators with substantial market power are hindering Australian flag shipping operators from engaging efficiently in the provision of outward liner cargo services to an extent which is reasonable. None, see Note to Schedule.</p> <p>1) b) None</p> <p>2) None</p>	<p>in this schedule, a multimodal transport operator shall have the ability, on reasonable and non-discriminatory terms and conditions, to rent, hire or charter trucks, railway carriages, ships and related equipment for the purpose of onward forwarding of international cargoes carried by sea, or have access to and use of these forms of transport services for the purpose of providing multimodal transport services See Note to Schedule</p>

Modes of supply: (1) Cross-border (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><u>Maritime auxiliary services</u></p> <p>International rental of vessels with crew (less cabotage and offshore transport - as defined in <i>Attachment A-Note to Schedule</i>)</p> <p>Maritime cargo handling services (as described in Note to Schedule)</p>	<p>3) a) Establishment of registered company for the purpose of operating a fleet under the national flag of Australia: nationality requirements for ownership and registration of vessels as defined by the Shipping Registration Act 1981.</p> <p>3) b) Other forms of commercial presence for the supply of international maritime transport services (as defined in <i>Attachment A-Note to Schedule</i>): None</p> <p>4) a) Ships crews: Unbound except as indicated in the horizontal section.</p> <p>4) b) Key shore personnel: 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>1) Unbound*</p> <p>2) None</p> <p>3) Licences/concessions are granted by port authorities***</p> <p>4) Unbound except as indicated in the horizontal section. In addition there is a requirement for shore labour to undertake loading and unloading of ships under the Navigation Act 1912</p>	<p>3) a) Unbound</p> <p>3) b)None</p> <p>4) a)Unbound except as indicated in the horizontal section.</p> <p>4) b)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>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section. In addition there is a requirement for shore labour to undertake loading and unloading of ships under the Navigation Act 1912</p>	<p><i>See Note to Schedule</i></p>

Modes of supply: (1) Cross-border (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
Storage and warehousing services (<i>CPC</i> 742)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.	
Maritime freight forwarding services (as defined in <i>Attachment A Note to Schedule</i>)	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	
Customs clearance services (as described in Note to Schedule)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
Preshipment inspection (as defined in <i>Attachment A Note to Schedule</i>)	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.	
Maritime agency services (as described in Note to Schedule)	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	

Modes of supply: (1) Cross-border (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>C. <u>Air Transport Services</u></p> <p>Ground handling services:</p> <ul style="list-style-type: none"> - Airport operation services (excl. cargo handling) (CPC 7461) –excludes cargo handling - Cargo handling (CPC 74110 and 74190 air transport sector only) - Other supporting services for air transport (CPC 7469**) (excludes airport and terminal firefighting services) <p>d) Maintenance and repair of aircraft (CPC 8868**)</p> <p>Covers establishments mainly engaged in periodic maintenance and repair (routine and emergency) of airframes (including wings, doors, control surfaces) avionics, engines and engine components, hydraulics, pressurisation and electrical systems and landing gear. Includes painting, other fuselage surface treatments and repair of flight-deck (and other) transparencies. Further includes rotary and glider aircraft.</p>	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. <ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	<ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. <ul style="list-style-type: none"> 1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section. 	

Modes of supply: (1) Cross-border (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>Computer reservation systems (CPC 7523**)</p> <p>Activities of establishments engaged in providing and maintaining computer reservation to other enterprises engaged in the provision of travel agency services, including transport and accommodation booking, tour and travel wholesaling/retailing – to establishments engaged in providing reservation services (such as travel agencies etc.). CRS services related to air carriers include the provision of information on air carrier schedules, space availability and tariffs.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	

Modes of supply: (1) Cross-border (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><u>Selling and marketing of air transport services.</u>⁸</p> <p>This commitment confirms, without extending, the application to air transport services of the specific commitments made elsewhere in this Schedule in the following sections, subject to all limitations, exceptions and qualifications set out in those sections:</p> <p>Section II.9.B Travel agencies and tour operator services (<i>CPC</i> 7471), Section II.1F(b) Market research and public opinion polling services (<i>CPC</i> 864), Section II.1.F(a) Advertising services (<i>CPC</i> 87110, 87120**, 87190), Section II.4 Distribution: Commission agents' services (<i>CPC</i> 62113-62118); Wholesale trade services (<i>CPC</i> 6223-6228); Retailing services (<i>CPC</i> 631, 63212, 61112, 6113, 6121, 6322-29, 6322, 6323, 6324, 6325, 6329); and Franchising (<i>CPC</i> 8929).</p>	<p>1) None, except: (a) Commercial presence required for services covered by <i>CPC</i> 7471 (Travel agencies and tour operator services). (b) Retailing services (<i>CPC</i> 631, 63212, 61112, 6113, 6121, 6322, 6323, 6324, 6325, 6329) are unbound except for mail order.</p> <p>2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	

⁸ For the purposes of this commitment, “selling and marketing of air transport services” is defined as in paragraph 6(b) of the GATS Annex on Air Transport Services, except that the aspects of “marketing” covered by this commitment are limited to market research, advertising and distribution.

Modes of supply: (1) Cross-border (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><u>E. Rail transport services</u></p> <p>b) Freight transportation (CPC 7112);</p> <p>c) pushing and towing services (CPC 7113); and</p> <p>e) supporting services for rail transport services (CPC 743).</p>	<p>1) None</p> <p>2) None</p> <p>3) Below track: Most rail-track networks in Australia are government owned although much is leased to private operators. There are no restrictions on the right to establish new networks but access to public land may not be guaranteed.</p> <p>Above track (rail transport services (such as trains) that operate over the rail-track infrastructure): none except that access to rail infrastructure is allocated under pro-competitive principles for safety, efficiency and the long term interests of users.</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>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p>
<p>F. Road transport services</p> <p>a) Passenger transportation (CPC 71213, 71214, 7122)</p> <p>Does not include regular urban bus services</p> <p>b) Freight transportation (CPC 71231, 71232, 71233, 71234 7123)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p> <p>1) Unbound None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p>

Modes of supply: (1) Cross-border (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>e) Rental of commercial vehicles with operator (CPC 7124)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p>
<p>G. <u>Pipeline transport</u></p>			
<p>a) Transportation of fuels (CPC 7131)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	
<p>b) Transportation of other goods (CPC 7139)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	
<p>H. <u>Services auxiliary to all modes of transport</u></p>			
<p>b) Storage and warehouse services (CPC 742 excluding maritime)</p>	<p>1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p>
<p>Australia's commitment in relation to these services extends to cover the following services in addition to those listed in CPC 742: distribution centre services and materials handling and equipment services such as container station and depot services (excluding maritime).</p>			

Modes of supply: (1) Cross-border (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>c) Freight forwarding transport agency services (CPC 748 excluding maritime)</p> <p>Australia's commitment in relation to these services extends to cover the following services in addition to those listed in CPC 748: customs agency services and load scheduling services (excluding maritime)</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11. H).</p>
<p>d) Preshipment inspection Other supporting and auxiliary transport services (CPC 749 excluding maritime)</p> <p>Australia's commitment in relation to these services extends to cover the following services in addition to those listed under CPC 749: container leasing and rental services (excluding maritime).</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section.</p>	<p>As set out in this Schedule's section headed "Freight Logistics Services" (see section after II. 11.H).</p>

Modes of supply: (1) Cross-border (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><u>FREIGHT LOGISTICS SERVICES</u></p> <p>Notes:</p> <p>1. This is not a new classification, but a grouping together of the following services classifications listed elsewhere in this Schedule to reflect an integrated approach to through-chain logistics services and reverse logistics services and to make, in relation to each of those services classifications, one or more of additional commitments (a)-(c) proposed in the Annex to “Communication from Australia; Hong Kong, China; Liechtenstein; Mauritius; New Zealand; Nicaragua; Switzerland and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu: Logistics Services” (TN/S/W/20 dated 25 June 2004).</p> <p>2. Australia’s commitments in relation to the services listed in this section remain subject to all limitations, exceptions and qualifications set out elsewhere in this Schedule.</p>			

Modes of supply: (1) Cross-border (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. For the purposes of additional commitment (a) in this section, "trade administration documents" means forms issued by the Australian Government agency responsible for customs which must be completed by or for an importer or exporter in relation to the import or export of goods.</p> <p>1. F (e). Business services – Other business services – Technical testing and analysis services (CPC 8676)</p> <p>4.A Distribution Services Commission agents' services (CPC 62113-62118)</p>	<p>As set out under section II. 1.F(e) of this Schedule</p> <p>As set out under section II. 4.A of this Schedule</p>	<p>As set out under section II. 1.F(e) of this Schedule</p> <p>As set out under section II. 4.A of this Schedule</p>	<p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p> <p>a) Australia will accept electronic versions of trade administration documents where indicated on the website of the Australian Government agency responsible for customs.</p> <p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p>

Modes of supply: (1) Cross-border (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>4.B. Distribution Services - Wholesale trade services (CPC 6223-6228)</p>	<p>As set out under section II. 4.B of this Schedule</p>	<p>As set out under section II. 4.B of this Schedule</p>	<p>c) Australia will ensure that various procedures and formalities such as documentary requirements, customs clearance, customs inspection, and electronic processing, will not be unnecessarily burdensome.</p> <p>a) Australia will accept electronic versions of trade administration documents where indicated on the website of the Australian Government agency responsible for customs.</p> <p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p> <p>c) Australia will ensure that various procedures and formalities such as documentary requirements, customs clearance, customs inspection, and electronic processing, will not be unnecessarily burdensome.</p>

Modes of supply: (1) Cross-border (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>4.C Distribution Services – Retailing services (CPC 631, 63212, 61112, 6113, 6121, 6322-29, 6322, 6323, 6324, 6325, 6329)</p> <p>Australia’s commitments in relation to these services extend to cover the following services not listed in relevant CPC classifications: inventory management of goods, assembling, sorting and grading of goods, breaking bulk, re-distribution and delivery services for retailing</p> <p>Does not cover dispensing of pharmaceuticals.</p>	<p>As set out under section II. 4.C of this Schedule</p>	<p>As set out under section II. 4.C of this Schedule</p>	<p>a) Australia will accept electronic versions of trade administration documents where indicated on the website of the Australian Government agency responsible for customs.</p> <p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p> <p>c) Australia will ensure that various procedures and formalities such as documentary requirements, customs clearance, customs inspection, and electronic processing, will not be unnecessarily burdensome.</p>
<p>11.E (b) Transport services – Rail transport services – Freight transportation (CPC 7112)</p>	<p>As set out under section II. 11E(b) of this Schedule</p>	<p>As set out under section II. 11.E(b) of this Schedule</p>	<p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p>

Modes of supply: (1) Cross-border (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. E (c) Transport Services - Rail transport services - pushing and towing services (CPC 7113)	As set out under section II. 11E(c) of this Schedule	As set out under section II. 11E(c) of this Schedule	b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.
11. E (e) Transport services – Rail transport services – Supporting services for rail transport services (CPC 743).]	As set out under section II. 11E(e) of this Schedule	As set out under section II. 11E(e) of this Schedule	b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.
11.F(b) Transport services – Road transport services – Freight Transportation (71231, 71232, 71233, 71234) (CPC 7123)]	As set out under section II. 11.F(b) of this Schedule	As set out under section II. 11.F(b) of this Schedule	b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.
11.F(c) Transport services – Road transport services – Rental of commercial vehicles with operator (CPC 7124)	As set out under section II. 11.F(c) of this Schedule	As set out under section II. 11.F(c) of this Schedule	b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.

Modes of supply: (1) Cross-border (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.H(b) Transport services – Services auxiliary to all modes of transport – Storage and warehouse services (<i>CPC</i> 742 excluding maritime)</p> <p>Australia’s commitment in relation to these services extends to cover the following services in addition to those listed in CPC 742: distribution centre services and materials handling and equipment services such as container station and depot services (excluding maritime)</p>	<p>As set out under section II. 11.H(b) of this Schedule</p>	<p>As set out under section II. 11.H(b) of this Schedule</p>	<p>a) Australia will accept electronic versions of trade administration documents where indicated on the website of the Australian Government agency responsible for customs.</p> <p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p> <p>c) Australia will ensure that various procedures and formalities such as documentary requirements, customs clearance, customs inspection, and electronic processing, will not be unnecessarily burdensome.</p>

Modes of supply: (1) Cross-border (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.H(c) Transport services – Services auxiliary to all modes of transport – Freight <i>forwarding-transport agency services</i> (CPC 748 excluding maritime) Australia’s commitment in relation to these services extends to cover the following services in addition to those covered in CPC 748: customs agency services and load scheduling services (excluding maritime).</p>	<p>As set out under section II. 11.H(c) of this Schedule</p>	<p>As set out under section II. 11.H(c) of this Schedule</p>	<p>a) Australia will accept electronic versions of trade administration documents where indicated on the website of the Australian Government agency responsible for customs.</p> <p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p> <p>c) Australia will ensure that various procedures and formalities such as documentary requirements, customs clearance, customs inspection, and electronic processing, will not be unnecessarily burdensome.</p>

Modes of supply: (1) Cross-border (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.H(d) Transport services – Services auxiliary to all modes of transport – Preshipment inspection Other supporting and auxiliary transport services (CPC 749 excluding maritime)</p> <p>Australia’s commitment in relation to these services extends to cover the following services in addition to those listed under CPC 749: container leasing and rental services (excluding maritime).</p>	<p>As set out under section 11.H(d) of this Schedule</p>	<p>As set out under section 11.H(d) of this Schedule</p>	<p>a) Australia will accept electronic versions of trade administration documents where indicated on the website of the Australian Government agency responsible for customs.</p> <p>b) Services suppliers are entitled to supply listed freight logistics services in combination, subject to measures necessary to prevent anti-competitive behaviour.</p> <p>c) Australia will ensure that various procedures and formalities such as documentary requirements, customs clearance, customs inspection, and electronic processing, will not be unnecessarily burdensome.</p>

* Unbound due to lack of technical feasibility

** Indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.

*** **Public utility concession or licensing procedures may apply in the case of the occupation of the public domain for the conduct of these activities**

REFERENCE PAPER

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that:

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured¹

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates²;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates³ that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

¹ ~~The interconnection regime to apply in Australia from 1 July 1997 (subject to Parliamentary passage of the necessary legislation) will provide access on terms and conditions which are fair and reasonable to all parties and which do not unfairly discriminate between users. Access rights will be guaranteed by legislation and the terms and conditions of access will be established primarily through processes of commercial negotiation or by reference to access undertakings given by access providers which may draw upon an industry code of practice. Any code of practice and each access provider's undertaking will be subject to approval by the independent regulator.~~

² Non-discrimination is taken to mean on an MFN and National Treatment basis. In the fully competitive market in Australia, the rate at which interconnection is provided is determined by negotiation. Both negotiating parties have recourse to an independent arbitrator which will make a decision based on transparent criteria to ensure that rates are fair and reasonable in the circumstances.

³ The independent arbitrator may resolve any dispute on what costs are relevant in determining rates (see footnote 2).

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

Australia's additional (Article XVIII) commitments on telecommunications services in addition to those set out in the Reference Paper on telecommunications

Australia in addition to its commitment to the Reference Paper on telecommunications ("the Reference Paper") undertakes the following obligations that strengthen our commitment to the Reference Paper and clarify our interpretation of certain provisions of the Paper.

In relation to provision 2.2 of the Reference Paper: Australia's interconnection regime provides access on terms and conditions which are fair and reasonable to all parties and which do not unfairly discriminate between users. Access rights are guaranteed by legislation and the terms and conditions of access will be established primarily through processes of commercial negotiation or by reference to access undertakings given by access providers which may draw upon a telecommunications access code of practice made by the independent regulator. Each access provider's undertaking will be subject to approval by the independent regulator.

Australia is also in a position to offer the following further commitments to strengthen the fundamental obligation on major suppliers to supply interconnection, including the obligation to provide:

- access to rights of way and co-location of equipment on terms that are reasonable and transparent; and
- leased circuit services (these are telecommunications facilities between two or more designated points which set aside for the dedicated use of or availability to a particular user) on terms and conditions and rates that are reasonable, non-discriminatory and transparent.

In relation to provision 2.3 of the Reference Paper: Australia ensures that the processes available for interconnection agreements are readily available to the public. Australia's telecommunications legislation outlines the three ways (commercial agreements, access undertakings or arbitration by the independent regulator) in which the terms and conditions of access may be determined. The independent regulator publishes information on the processes available for interconnection agreements on its website, including a guide on resolution for telecommunications access disputes.

In relation to provision 2.5 of the Reference Paper: Australian legislation provides that the independent regulator will arbitrate disputes over terms and conditions of access where such disputes are brought to it either by access providers or by access seekers.

Provision 2.5 makes the obligation to provide interconnection subject to dispute settlement provisions. Australia is in a position to make all the obligations on major suppliers contained in the Reference Paper subject to strengthened dispute settlement provisions. These include the provisions that regardless of basis of ownership that all carriers operating in the Australian market have recourse to:

- the independent regulator to review disputes regarding appropriate terms, conditions and rates of interconnection with a major supplier; and
- an impartial and independent judicial authority to review determinations or decisions of the independent regulator that the carrier believes may adversely affect them.

In relation to provision 4 of the Reference Paper: Australia ensures that licensing criteria are readily available to the public. Australia's telecommunications legislation sets out the criteria for the provision of carrier licences and legislation is published and is also available on the Internet. The legislation also outlines the standard terms and conditions for a carrier licence. The regulator also makes available the procedures for applying for a licence via its website.

In relation to provision 5 of the Reference Paper: Australia is committed to maintaining independence between regulatory and policy responsibilities. Australia's regulatory principles are set out in legislation and regulatory decisions are made in accordance with relevant legislative instruments.

The Reference Paper does not contain any obligation on suppliers to provide number portability. Number portability means the ability of end users of public telecommunications services to retain existing telephone numbers when switching between suppliers of like public telecommunications services. Australia hereby makes a commitment that all suppliers in its territory provide number portability for fixed telephony and any other service that it designates as technically feasible.

ATTACHMENT A NOTE TO SCHEDULE: MARITIME TRANSPORT SERVICES

DEFINITIONS

1. **Multimodal Transport Operator: the person on whose behalf the bill of lading/multimodal document evidencing a contract of multimodal carriage of goods, is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.**
2. Cabotage: for the purposes of this Schedule only, cabotage is defined as the transportation of passengers or goods between a port located in Australia and another port located in Australia and traffic originating and terminating in the same port located in Australia.
3. Offshore Transport refers to shipping services involving the transportation of passengers or goods between a port located in Australia and any location associated with or incidental to, the exploration or exploitation of natural resources of the continental shelf of Australia, the seabed of the Australian coastal sea and the subsoil of that seabed.
4. Other Forms of Commercial Presence for the Supply of International Maritime Transport Services: for the purposes of this Schedule, means the ability for international maritime transport service suppliers of other Members to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. This commitment shall not be construed as limiting in any manner the commitments undertaken under the cross-border mode of delivery.

These activities include:

- 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;
- the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of the Annex on Telecommunications);
- the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the horizontal commitment on movement of personnel) with any locally established shipping agency;
- acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

5. International Rental of Vessels with Crew: rental and/or leasing services of all types of sea-going vessels with crew (such as tankers, bulk dry cargo vessels, cargo and freight vessels) for the purpose of international trade.
6. **Maritime Cargo Handling Services: activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organised independently of the stevedoring of terminal operator companies. The activities covered include the organisation and supervision of: the loading/discharging of cargo to/from a ship; the lashing/unlashing of cargo; and, the reception/delivery and safekeeping of cargoes in the wharf area before shipment or after discharge.**

The organisation and supervision includes the arrangements for (1) engaging skilled labour (dockers), (2) using all the necessary equipment for on-board or shore use and the appropriate storage space, whether by ownership, rental or otherwise, (3) the checking of parcels and markings, the weighing and measuring of cargo (upon request of the owner), and (4) the administrative duties as well as the responsibility related to the services.

Container terminal operators can furthermore be appointed for stuffing/stripping containers and e.g. the survey and supply of electricity to containers.

7. Maritime Freight Forwarding Services: the organisation and monitoring of shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information.
8. **Customs Clearance Services: activities consisting in carrying out on behalf of another party customs formalities concerning import, export or through-transport of cargoes, whether this is the main activity of the service provider or a usual complement of its main activity.**
9. Preshipment Inspection: all services performed on a fee or contract basis involved in the verification of the quality, quantity, price (including currency exchange rate and financial terms), and/or the customs classification of goods to be exported. Does not include customs or quarantine inspection.
10. **Maritime Agency Services: activities consisting in representing, within a given geographic area, as an agent, the business interests of one or more shipping line or shipping companies, for the following purposes:**
 - marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies; acquisition and resale of the necessary related services, preparation of documentation, and provision of business information
 - acting on behalf of the companies organising the call of the ship or taking over cargoes when required.

Note on Liner Shipping

Part X of the Trade Practices Act 1974 provides for exemptions from Australian anti-trust legislation so that liner shipping conferences can operate in and out of Australia. Part X requires that every ocean carrier who provides international liner cargo shipping services to or from Australia shall, at all times be represented by a person who is an individual resident in Australia (but not necessarily an Australian citizen) and has been appointed by the ocean carrier as the ocean carrier's agent for the purposes of Part X.

UNDERSTANDING ON COMMITMENTS IN FINANCIAL SERVICES

Participants in the Uruguay Round have been enabled to take on specific commitments with respect to Financial Services under the General Agreement on Trade in Services (hereinafter referred to as the "Agreement") on the basis of an alternative approach to that covered by the provisions of Part III of the Agreement. It was agreed that this approach could be applied subject to the following understanding:

- i) it does not conflict with the provisions of the Agreement;
- ii) it does not prejudice the right of any Member to schedule its specific commitments in accordance with the approach under Part III of the Agreement;
- iii) resulting specific commitments shall apply on a most-favoured-nation basis;
- iv) no presumption has been created as to the degree of liberalization to which a Member is committing itself under the Agreement.

Interested Members, on the basis of negotiations, and subject to conditions and qualifications where specified, have inscribed in their schedule specific commitments conforming to the approach set out below.

A. Standstill

Any conditions, limitations and qualifications to the commitments noted below shall be limited to existing non-conforming measures.

B. Market Access

Monopoly Rights

1. In addition to Article VIII of the Agreement, the following shall apply:

Each Member shall list in its schedule pertaining to financial services existing monopoly rights and shall endeavour to eliminate them or reduce their scope. Notwithstanding subparagraph 1 b) of the Annex on Financial Services, this paragraph applies to the activities referred to in subparagraph 1 b) iii) of the Annex.

Financial Services purchased by Public Entities

2. Notwithstanding Article XIII of the Agreement, each Member shall ensure that financial service suppliers of any other Member established in its territory are accorded most-favoured-nation treatment and national treatment as regards the purchase or acquisition of financial services by public entities of the Member in its territory.

Cross-border Trade

3. Each Member shall permit non-resident suppliers of financial services to supply, as a principal, through an intermediary or as an intermediary, and under terms and conditions that accord national treatment, the following services:

- a) insurance of risks relating to:
 - i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom; and
 - ii) goods in international transit;
- b) reinsurance and retrocession and the services auxiliary to insurance as referred to in subparagraph 5 a) iv) of the Annex;
- c) provision and transfer of financial information and financial data processing as referred to in subparagraph 5 a) xv) of the Annex and advisory and other auxiliary services, excluding intermediation, relating to banking and other financial services as referred to in subparagraph 5 a) xvi) of the Annex.

4. Each Member shall permit its residents to purchase in the territory of any other Member the financial services indicated in:

- a) subparagraph 3 a);
- b) subparagraph 3 b); and
- c) subparagraphs 5 a) v) to xvi) of the Annex.

Commercial Presence

5. Each Member shall grant financial service suppliers of any other Member the right to establish or expand within its territory, including through the acquisition of existing enterprises, a commercial presence.

6. A Member may impose terms, conditions and procedures for authorization of the establishment and expansion of a commercial presence in so far as they do not circumvent the Member's obligation under paragraph 5 and they are consistent with the other obligations of this Agreement.

New Financial Services

7. A Member shall permit financial service suppliers of any other Member established in its territory to offer in its territory any new financial service.

Transfers of Information and Processing of Information

8. No Member shall take measures that prevent transfers of information or the processing of financial information, including transfers of data by electronic means, or that, subject to importation rules consistent with international agreements, prevent transfers of equipment, where such transfers of information, processing of financial information or transfers of equipment are necessary for the conduct of the ordinary business of a financial service supplier. Nothing in this paragraph restricts the right of a Member to protect personal data, personal privacy and the confidentiality of individual records and accounts so long as such right is not used to circumvent the provisions of the Agreement.

Temporary Entry of Personnel

9. a) Each Member shall permit temporary entry into its territory of the following personnel of a financial service supplier of any other Member that is establishing or has established a commercial presence in the territory of the Member:
- i) senior managerial personnel possessing proprietary information essential to the establishment, control and operation of the services of the financial service supplier; and
 - ii) specialists in the operation of the financial service supplier.
- b) Each Member shall permit, subject to the availability of qualified personnel in its territory, temporary entry into its territory of the following personnel associated with a commercial presence of a financial service supplier of any other Member:
- i) specialists in computer services, telecommunication services and accounts of the financial service supplier; and
 - ii) actuarial and legal specialists.

Non-discriminatory Measures

10. Each Member shall endeavour to remove or to limit any significant adverse effects on financial service suppliers of any other Member of:

- a) non-discriminatory measures that prevent financial service suppliers from offering in the Member's territory, in the form determined by the Member, all the financial services permitted by the Member;
- b) non-discriminatory measures that limit the expansion of the activities of financial service suppliers into the entire territory of the Member;
- c) measures of a Member, when such a Member applies the same measures to the supply of both banking and securities services, and a financial service supplier of any other Member concentrates its activities in the provision of securities services; and
- d) other measures that, although respecting the provisions of this Agreement, affect adversely the ability of financial service suppliers of any other Member to operate, compete or enter the Member's market;

provided that any action taken under this paragraph would not unfairly discriminate against financial service suppliers of the Member taking such action.

11. With respect to the non-discriminatory measures referred to in sub-paragraphs 10 a) and b), a Member shall endeavour not to limit or restrict the present degree of market opportunities nor the benefits already enjoyed by financial service suppliers of all other Members as a class in the territory of the Member, provided that this commitment does not result in unfair discrimination against financial service suppliers of the Member applying such measures.

C. National Treatment

1. Under terms and conditions that accord national treatment, each Member shall grant to financial service suppliers of any other Member established in its territory access to payment and clearing systems operated by public entities, and to official funding and refinancing facilities available in the normal course of ordinary business. This paragraph is not intended to confer access to the Member's lender of last resort facilities.
2. When membership or participation in, or access to, any self-regulatory body, securities or futures exchange or market, clearing agency, or any other organization or association, is required by a Member in order for financial service suppliers of any other Member to supply financial services on an equal basis with financial service suppliers of the Member, or when the Member provides directly or indirectly such entities, privileges or advantages in supplying financial services, the Member shall ensure that such entities accord national treatment to financial service suppliers of any other Member resident in the territory of the Member.

D. Definitions

For the purposes of this approach:

1. A non-resident supplier of financial services is a financial service supplier of a Member which supplies a financial service into the territory of another Member from an establishment located in the territory of another Member, regardless of whether such a financial service supplier has or has not a commercial presence in the territory of the Member in which the financial service is supplied.
2. "Commercial presence" means an enterprise within a Member's territory for the supply of financial services and includes wholly- or partly-owned subsidiaries, joint ventures, partnerships, sole proprietorships, franchising operations, branches, agencies, representative offices or other organizations.
3. A new financial service is a service of a financial nature, including services related to existing and new products or the manner in which a product is delivered, that is not supplied by any financial service supplier in the territory of a particular Member but which is supplied in the territory of another Member.

AUSTRALIA – LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual Services	Under the Australian Government Co-production programme, Australia maintains preferential co-production arrangements for film and television productions. Official co-production status, which may be granted to a co-production produced under these co-production arrangements, confers national treatment on works covered by these arrangements, including in respect of access to finance and tax concessions and simplified requirements for the temporary entry of skilled personnel into Australia for the purposes of the co-production.	Italy, UK, Canada and France and any other country where cultural co-operation might be desirable and which is prepared to exchange preferential treatment on the terms and conditions specified in the Australian co-production programme	Indefinite	To promote collaborative efforts between Australian and foreign film producers and general cultural links
Audiovisual Services	Measures taken to respond to any unreasonable measures imposed on Australian services or service suppliers by another Member	Members maintaining MFN exemptions which provide for unreasonable unilateral actions	This exemption will only be activated in the event of any other Member maintaining exemptions which provide for unreasonable unilateral action	To protect Australia from any unreasonable unilateral actions from other Members