

- 3) Unless otherwise specified, commercial presence in sectors or subsectors in this schedule is permitted only through a limited liability company which is registered in Thailand and which meets the following conditions:
- a) Foreign equity participation must not exceed 49 per cent of the registered capital; and
 - b) The number of foreign shareholders must be less than half of the total number of shareholders of the company concerned.
- 4) Unless otherwise specified, temporary movement of natural persons is unbound except in the following categories:
- a) A natural person who stays in Thailand for not more than 90 days for the purpose of participating in business meetings or contacts, entering into contract to sell or purchase services, visiting of business establishments or other similar activities;
 - b) A corporate transferee of the managerial or executive level or a specialist, provided that such person has been employed by the company concerned outside Thailand for a period of not less than one year immediately preceding the date of his or her application for admission and has satisfied the criteria for management needs^{#1} stipulated by the Department of Employment. Temporary entry is limited to a one year period and may be extended for a further two terms of not more than one year each.
- 3),4) Regarding acquisition and usage of land according to the Land Code of Thailand, foreign nationals or domestic companies which are deemed foreigners are not allowed to purchase or own land in Thailand. However, they may lease land and own buildings. Foreigners are also allowed to own part of condominium units under the laws and regulations governing
- 3) Unless otherwise specified, national treatment for this mode of delivery is unbound

the ownership of condominiums.

Note: The scope and classification of sub-sectors contained in this schedule, unless otherwise specified, corresponds to the explanatory notes for services listed in the 1991 Central Product Classification (CPC) of the United Nations Statistical Office, while the ordering is based on the Services Sectoral Classification List set out in document MTN.GNSW/120 dated 10 July 1991.

#1 In considering managerial needs, the following facts shall be taken into consideration by the relevant authority, namely:

1. Size of fully paid-up capital
2. Employment creation
3. Extent of foreign investment
4. Export promotion
5. Transfer of technology
6. Special needs of the management.

