

**BRUNEI DARUSSALAM**

**Schedule of Specific Commitments**

**(For the First Package of Commitments)**

## BRUNEI DARUSSALAM - SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply : 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Unbound for measures concerning foreign equity or interest in companies established or wishing to establish a commercial presence.</p> <p>4) Unbound except for measures concerning the entry and temporary presence of intra-corporate transferees at the level of managers, executives and specialists, as defined below, who are employees of firms that provides services within Brunei Darussalam through a branch, subsidiary, or affiliate established in Brunei Darussalam and who have been in the prior employ of</p>	<p>3) Unbound except with respect to existing commercial presence:</p> <ul style="list-style-type: none"> <li>- half of the board members of a public company and half the directors of a private company must be nationals or residents of Brunei Darussalam.</li> <li>- all companies incorporated outside Brunei Darussalam which establish or have established a place of business in Brunei Darussalam must have one or more locally resident agents to accept service of process and any notices required to be served on the company.</li> </ul> <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 supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional Commitments
	<p>their firms outside Brunei Darussalam for a period of not less than one year immediately preceding the date of their application for admission and who are one of the following:</p> <p>(a) Managers – persons within an organisation who primarily direct the organisation, or a department or sub-division of the organisation, supervise and control the work of other supervisory, professional or managerial employees; have the authority to hire and fire or commend hiring, firing or other personnel actions (such as promotion or leave authorisation); and exercise discretionary authority over day-to-day operations. Does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who primarily perform tasks necessary for the provision of the service.</p> <p>(b) Executives – persons within the organisation who primarily direct the management of the organisation, exercise wide latitude in decision-making</p>		

Modes of supply : 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional Commitments
	<p>and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the business. Executive would not directly perform tasks related to the actual provision of the services or services of the organisation.</p> <p>(c) Specialists – persons within an organisation who possess knowledge at an advanced level of expertise and who possess proprietary knowledge of the organisation’s service, research equipment, techniques, or management. (Specialists may include, but are not limited to, members of licensed professionals.)</p> <p>Entry for these intra-corporate transferees is limited to a three year period that may be extended for up to two additional years for a total term not exceeding five years.</p>		
II. SECTOR - SPECIFIC COMMITMENTS			
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and restaurants (including catering)			

Modes of supply : 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons			
Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional Commitments
Hotel lodging services (CPC 64110)	1) Unbound* 2) Unbound 3) Foreign investors must enter into joint ventures in which aggregate local equity constitutes not less than 30% of the total. 4) Unbound except as indicated in the horizontal section.	1) Unbound 2) Unbound 3) Unbound 4) Unbound except as indicated in the horizontal section	
<b>11. TRANSPORT SERVICES</b>			
<b>A. Maritime Transport Services</b>			
a) Passenger Transportation (CPC 7211)	1) None 2) None 3) Unbound 4) None, except as indicated in the horizontal section	1) None 2) None 3) Unbound 4) None, except as indicated in the horizontal section	
b) Freight Transportation (CPC 7212)	1) None 2) None 3) Unbound 4) None, except as indicated in the horizontal section	1) None 2) None 3) Unbound 4) None, except as indicated in the horizontal section	
<b>C. Air Transport Services</b>			
d) Maintenance and repair of aircraft (CPC 8868**)	1) None 2) None 3) Unbound 4) None, except as indicated in the horizontal section	1) None 2) None 3) Unbound 4) None, except as indicated in the horizontal section	