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SUMMARY TABLE :
WTO GATS INITIAL OFFER BY SELECTED APEC ECONOMY AND BY SECTOR
(as of 31 March 2003)

1. NUMBER OF SECTORS INCLUDING IN INITIAL OFFER*

Member/sector	1	2	3	4	5	6	7	8	9	10	11	12	Total
Australia	x	x				x	x				x		5
Canada	x	x	x	x			x		x		x		7
Japan	x	x		x	x	x	x		x		x		8
Korea	x	x	x	x	x	x	x		x	x	x		10
New Zealand	x	x	x			x	x				x		6
USA	x	x			x	x	x				x		6

Note: 1. Business services; 2. communication services; 3. Construction and related engineering services; 4. Distribution services; 5. Education services; 6. Environmental services; 7. Financial services; 8. Health related and social services; 9. Tourism and travel related services; 10. Recreational, cultural and sporting services; 11. Transport services; 12. Other services

* Information presented for those APEC economies which have submitted their initial offers to the GATS negotiations by 31 March 2003 and which have either made these offers publicly available on official government websites (the case of Australia, Canada, New Zealand and the United States) or have provided official summaries of the content of the offers (the case of Japan and Korea).

2.1. HORIZONTAL COMMITMENTS: MODE 3

Member	New commitments	Improvement of existing commitments
Canada	None	<u>MA</u> : Update of monetary amount required for FDI <u>NT</u> : Relaxation of citizenship requirement for directors of federally incorporated corporations; Elimination of tax measure of Quebec
Korea	None	<u>MA</u> : Elimination of ceiling for foreign portfolio investment in stocks, excluding communication, air transport, etc.; Elimination of the approval requirement for the establishment of branches; <u>NT</u> : Elimination of the limitation on the amount of foreign investment; Elimination of the authorization requirement for land leasing.

2.2. HORIZONTAL COMMITMENTS: MODE 4

Member	New commitments	Improvement / Modification of existing commitments
Canada	<u>MA</u> : Spouses and common-law partners of qualifying intra-corporate transferees or professionals	<u>MA</u> : - Business visitor – period for entry and stay is modified from 90 days to 6 months. No labour market test, and no work permit requirement, for qualifying business visitors. - Intra-corporate transferees – No labour market test for qualifying intra-corporate transferees; inclusion of a new measure of work permit requirement; in case of executives and managers, possibility of duration extension, contingent upon the temporary residency status, is inscribed; in case of specialists, period for entry and stay is modified from 3 years to 5 years maximum. - Professionals – No labour market test for qualifying professionals; inclusion of a new measure of work permit requirement; In case of engineers, agrologists, architects, forestry professionals and land surveyors, period for entry and stay is modified from 90 days to 1 year with a possible extension.

Japan	<u>MA:</u> Status of residence of 'legal/accounting services', 'engineer' and 'specialist in humanities/international services'	None.
New Zealand	None	<u>MA:</u> - Intra-corporate transferees – additional maximum three years of stay, providing the need for the worker still exists. - Specialists - for a period of initial stay up to a maximum of three years, plus a further period of stay up to a maximum of three years, providing the need for the worker still exists. - Specialists falling into the category of the New Zealand Immigration Service's Occupational Shortages List are not subject to a labour market test; others are subject to the test.

EU: Currently, EU Member States and the Commission are trying to overcome disagreement over certain parts of the Commission's draft initial offer. In particular the Commission's proposed 'Mode 4' commitments have proven quite controversial with some EU Member State governments.

According to Brussels insiders, it will at least take until end April 2003 to finalize the EU's initial offer. A new Commission proposal on Mode 4 is to be discussed with Member States services experts in the Committee 133 ad hoc services meeting on Wednesday 9 April 2003. On Monday 14 April this proposal will be discussed at Ministerial level in the General Affairs Council. The Commission then hopes to present the finalized initial offer in the full members' meeting of the Committee 133 on Wednesday 16 April in Brussels. (GATSWatch.org)

3. SUB-SECTORS OFFERED IN SPECIFIC COMMITMENTS

Australia (37)

?? *Improvement/ modification of existing commitment (27)*

Professional (1)

Other business (2)

Telecommunication (8)

Insurance (4)

Banking (11)

Maritime (1, International transport)

?? *New Commitments (10)*

Environment (6) – protection of ambient air and climate, Remediation and cleanup of soil and water, Noise and vibration abatement, Protection of biodiversity, and other environmental and ancillary services.

Maritime transport (3) - Maritime cargo handling, Customs clearance services, Maritime agency services

Air Transport Services (1) - Ground handling services

Inclusion of new definition under the Maritime transport - Multimodal Transport Operator, Maritime Cargo Handling Services, Customs Clearance Services, and Maritime Agency Services.

Canada (51)

?? *Improvement/ modification of existing commitment (51)*

Business (13)- Professional (7); Real estate (2); Other business (4)

Communication (9)- Courier (1); Telecommunication (8)

Construction (2)- General construction work for building (1); General construction work for civil engineering (1)

Distribution (2) – Wholesale trade services (1); Retailing services (1)

Financial (15, including one horizontal commitment offer) - Insurance (4); Banking (10)

Tourism (2)– Hotel and restaurant (1); Travel agencies and tour operators services (1)

Transport (8)

- ?? Maritime (does not follow GATS classification, 4)
 - International transport
 - Maritime cargo handling
 - Customs and clearance services
 - Maritime agency services
 - ?? Rail Transport (2, passenger and freight transportation)
 - ?? Land (2, passenger and freight transportation)

Inclusion of definition of 'ships' related to the Maritime transport.

* No offer of new commitments

Japan¹

?? *Improvement/ modification of existing commitment*

Business – legal/taxation services and replacement and supply services of personnel

Communications – courier and telecommunications

Distribution – includes salt in the existing commitment

Education – adult educational services

Environmental – rearrangement of existing commitments

Financial – revising commitment consistent with the existing laws and regulations.

?? *New Commitments*

Other business services – investigation, telephone answering, mailing list compilation and mailing, etc.

Tourism – offer to take commitments on all of the uncommitted sub-sectors, including children's holiday camp services.

New Zealand (37)

?? *Improvement/ modification of existing commitment (9)*

Business - Professional (2), Other business services (1)

Construction (5)

¹ Based on the outline of Japan's Initial Offer, Ministry of Foreign Affairs of Japan.

Insurance (1)

?? *New Commitments* (28)

Business (13) - Professional (2, integrated engineering services and urban planning and landscape architectural services),
Computer and business related services (2), Other business services (9)

Communications - Postal services (1), Courier services (1)

Construction (1)

Environment (1) – consultancy related to most environmental services)

Maritime (4)– Maritime cargo handling, Customs Clearance Services, Container Station and Depot, Maritime Agency Services

Air transport (7) - Aircraft repair and maintenance Services, Airport Operation Services, Other supporting services for air transport, Cargo and baggage handling, Ramp handling, Airfreight Storage and warehousing, Airport management.

Inscription of the definitions related to the Maritime Transport

USA (26)

?? *Improvement/ modification of existing commitment* (21)

Business - Professional (4 –inclusion in the Additional Commitment column: Will consider undertaking implementation of GATS Disciplines for Regulation of the Accountancy Sector (WTO Disciplines adopted in 1998) if others do the same.) Real estate and other business – no change in measure but inscribing specific sub-sub sector under each sub-sector already committed.

Financial services (Horizontal)

In response to requests from trading partners and in the expectation that it will receive commitments to comparable openness from our trading partners, the United States of America is pleased to make the following offer in financial services. This includes:

Removal or narrowing of limitations listed in our Schedule of Specific Commitments for Insurance, Removal or narrowing of limitations listed in our Schedule of Specific Commitments for Banking and Other Financial Services (excluding insurance).

Regarding the existing U.S. Additional Commitments Paper II, (1), the United States notes passage of the Gramm-Leach-Bliley Act of 1999 which establishes a framework for financial modernization under which conglomerates can provide a variety of financial services in the United States.

Regarding the existing U.S. Additional Commitments Paper II, (2), the United States notes that two additional states, Texas and Montana, have liberalized interstate acquisitions of banks on a basis that provides national treatment to foreign banks, and that all states now permit interstate branching through mergers.

The United States will consider, depending on other Members' willingness to do likewise, adopting additional mode 1 commitments for certain other activities where the consumer is deemed sufficiently sophisticated to manage any attendant risks, such as allowing mutual funds (collective investment schemes) located in the U.S. to obtain certain investment advice and portfolio management services from financial services suppliers located outside its territory.

The United States will consider adopting obligations relating to transparency and other principles for regulation of financial services (as outlined in Annex I of the U.S. request) once further progress is made in these issues in bilateral request/offer discussions or other appropriate WTO fora. The United States also believes that it is important to continue discussions of other regulatory framework principles important for the insurance sector (as outlined in Annex II of the U.S. request) in bilateral request/offer or appropriate WTO fora to determine how they might be addressed within the context of the GATS obligations.]

Insurance (4), Banking (11)

Environmental services (0) – rearranged its commitments on the services as Japan did.

Road transport (2)

?? *New Commitments* (5)

Communication – Express delivery (1)

Education (1)

The United States is considering including in its offer commitments on Higher Education Services (including training services and educational testing services, but excluding flying instruction). These commitments would include, *inter alia*, the following limitations: - Nothing in this agreement will interfere with the ability of individual U.S. institutions to maintain autonomy in admissions policies, in setting tuition rates, and in the development of curricula or course content.

Educational and training entities must comply with requirements of the jurisdiction in which the facility is established.

Energy Services (3)

Nothing in this energy services offer should be construed as extending a mode 3 right to acquire or invest in a government monopoly that provides a service within any of the sectors or subsectors included in the offer.

Offers for
 11.G Pipeline transportation of fuels
 11.H.b Storage and warehouse services: Bulk storage services of liquids and gases
 1.F.e Technical testing and analysis services

4.1 MFN EXEMPTIONS: INTRODUCTION OF NEW EXEMPTIONS

Canada

Sector or subsector	Description of measure indicating its inconsistency with MFN	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Maritime Transport	The prohibitions under the Coasting Trade Act do not apply to any ship that is owned by the U. S. Government when used solely for the purpose of transporting goods owned by the U. S. Government from the territory of Canada to supply Distant Early Warning sites.	United States.	Indeterminate.	Maintenance of existing bilateral defence arrangement.

Sector or subsector	Description of measure indicating its inconsistency with MFN	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Maritime Transport Salvage	United States ships and wrecking appliances may salvage any property wrecked, and may render aid and assistance including all necessary towing incidental thereto to any ships wrecked, disabled or in distress, in the waters of Canada contiguous to the United States.	United States.	Indeterminate.	Maintenance of existing reciprocity measures with respect to safety and the protection of the marine environment.
Maritime Transport	Preferential treatment may be accorded to services providers of countries with which Canada has concluded agreements, arrangements and other formal or informal undertakings with respect to maritime activities in waters of mutual interest in areas such as: pollution control, safe navigation, barge inspection standards, water quality, pilotage, salvage, drug abuse control and maritime communications.	United States, Denmark and France.	Indeterminate.	Maintenance of existing bilateral agreements, arrangements and undertakings.

Japan

New MFN exemption on Maritime Transport Services

4.2. MFN EXEMPTIONS: ELIMINATION OF EXISTING MFN EXEMPTIONS

Sector or subsector	Description of measure indicating its inconsistency with MFN	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
<u>Korea</u> Computerized Reservation System	Access to foreign CRS through the SITA network is allowed only for domestic travel agencies which want to access CRS designated by carriers of the country indicated in column 3).	The United States of America	Indefinite	Access to foreign CRS through the SITA network could be limited or otherwise affected by negotiations on granting or receiving traffic rights.
<u>New Zealand</u> Maritime (passenger and Freight)	The supply of services by officers on New Zealand ships is limited to citizens with requisite qualifications, from either New Zealand or the countries listed In the next column. .	Eire, Hong Kong, United Kingdom, Canada, India, Malaysia, Singapore, Pakistan, South Africa	Indefinite	To promote local maritime recruitment and maintain maritime training standards

Sector or subsector	Description of measure indicating its inconsistency with MFN	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
<u>New Zealand</u> All Sectors	More favourable entry conditions possible to up to 20 Nationals each year to employment purposes.	Kiribati	Indefinite	New Zealand's Development Assistance policies aimed at providing income, job skills, on the job training and work experience.
<u>New Zealand</u> All Sectors	More favourable entry conditions possible to up to 20 Nationals each year to employment purposes.	Tuvalu	Indefinite	New Zealand's Development Assistance policies aimed at providing income, job skills, on the job training and work experience.
<u>US</u> Telecommunication services: One-way satellite transmission of DTH and DBS television services and of digital audio services	Differential treatment of countries due to application of reciprocity measures or through international agreements guaranteeing market access or national treatment	All	Indefinite	Need to ensure substantially full market access and national treatment in certain markets.