Collective Request
Cross Border Supply

Objectives

Cross border supply of services (Modes 1 and 2) constitutes approximately 50% of world services trade. There is growing commercial importance of cross border supply across a wide range of services sectors. Some services which were considered to be previously technologically infeasible are now being traded commercially. This is a dynamic area of growth and new services are also being added continuously. For many services sectors, there may not be actual restrictions on the ground in delivering cross border supply while in some cases restrictions do exist. However, significant gaps exist in current commitments of members and it is desirable to plug the gap between such commitments and commercially meaningful market access opportunities that have arisen.

Collective Request in Cross Border Supply

Para’s 1(a) and 1 (b) of Annex C of the Hong Kong Ministerial Declaration call for commitments by members at existing levels of market access on a non-discriminatory basis across sectors of interest to members while making new/improved commitments in Modes 1 and 2. In line with this objective, a list of sectors/sub-sectors of interest to members is enclosed (Annex - I) where gaps in commitments exist in members’ schedules. Members are requested to consider taking full market access and national treatment commitments in these sectors/sub-sectors for both Modes 1 and 2. Specifically, members may consider taking full national treatment commitments and removing requirements of commercial presence, citizenship/residency requirements that they maintain in the market access column.

We recognize the need for flexibility while making new/improved commitments in the enclosed list of sectors/sub-sectors. We also note the flexibility for individual developing country members in accordance with Article XIX:2 of the GATS.

Given the uncertainty regarding classification of electronic delivery of certain services as either Mode 1 or Mode 2, a practical way forward has been suggested which is to provide for similar levels of commitments on Mode 2 where commitments on Mode 1 exist or are planned to be offered in the identified sector/sub-sectors. However, we do recognize the possibility of some specific situations where different commitments in Modes 1 and 2 may be warranted. This is also in line with para 1(b) of Annex C of the Hong Kong Ministerial Declaration.

In order to account for rapid technological developments, commitments are suggested at the two digit level for Computer Related Services – CPC 84. Further, use is made of CPC 1.1 for “Other Business Services” since the description in the corresponding provisional CPC- 8790 does not capture emerging and dynamic cross border services like call centers etc. Therefore, we have used CPC 1.1 859 – “Other Support Services” to enable commitments to better reflect commercially meaningful opportunities.
<table>
<thead>
<tr>
<th>W/120</th>
<th>Sector/sub-sector</th>
<th>CPC Code</th>
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<tbody>
<tr>
<td></td>
<td><strong>COMMITMENTS</strong></td>
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<td>IA</td>
<td><strong>PROFESSIONAL SERVICES</strong></td>
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<tr>
<td></td>
<td>b. Accounting, auditing and bookkeeping services (excluding statutory auditing)</td>
<td>862</td>
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<td></td>
<td>c. Taxation services</td>
<td>863</td>
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<td></td>
<td>d. Architectural Services</td>
<td>8671</td>
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<td></td>
<td>e. Engineering Services</td>
<td>8672</td>
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<td>f. Integrated Engineering Services</td>
<td>8673</td>
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<td>g. Urban Planning and Landscape Architectural Services</td>
<td>8674</td>
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<td></td>
<td>h. Medical and Dental Services</td>
<td>9312</td>
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<td></td>
<td>i. Veterinary Services</td>
<td>932</td>
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<td>B.</td>
<td><strong>COMPUTER AND RELATED SERVICES (at two digit level)</strong></td>
<td>84</td>
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<tr>
<td>C.</td>
<td><strong>RESEARCH AND DEVELOPMENT SERVICES</strong></td>
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<td></td>
<td>a. R and D Services on Natural Sciences</td>
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<td>b. R&amp;D services on social sciences and humanities</td>
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<td>c. Interdisciplinary R&amp;D services</td>
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<td>D.</td>
<td><strong>REAL ESTATE SERVICES</strong></td>
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<td></td>
<td>b. On a fee or contract basis</td>
<td>822</td>
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<td>E.</td>
<td><strong>RENTAL/LEASING SERVICES WITHOUT OPERATORS</strong></td>
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<tr>
<td></td>
<td>a. Relating to Ships</td>
<td>83103</td>
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<td>b. Relating to Air Craft</td>
<td>83104</td>
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<td>c. Relating to other Transport equipment</td>
<td>83101 + 83102 + 83105</td>
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<td>d. Relating to other Machinery and equipment</td>
<td>83106 - 83109</td>
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<td>F.</td>
<td>&quot;OTHER BUSINESS SERVICES&quot; AS DEFINED AS</td>
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<td></td>
<td>b. Market research / public opinion polling services</td>
<td>864</td>
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<td></td>
<td>c. Management consulting service</td>
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<td>d. Services related to management consulting</td>
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<td>e. Technical testing and analysis services</td>
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<td>h. Services incidental to mining</td>
<td>884+885 (except for 88442)</td>
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<td>j. Service incidental to energy distribution</td>
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<td>m. Related scientific / technical consulting services</td>
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<td></td>
<td>n. Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment)</td>
<td>633+8861-8866</td>
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<td>k. Placement and supply services of personnel</td>
<td>872</td>
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<td>p. Photographic services</td>
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<td></td>
<td>Plus “OTHER SUPPORT SERVICES”</td>
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<tr>
<td></td>
<td>Credit reporting services</td>
<td>CPC 1.1-8591</td>
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<td>Collection agency services</td>
<td>CPC 1.1-8592</td>
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<td></td>
<td>Telephone based support services</td>
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<td></td>
<td>➢ Telephone call centre services</td>
<td>CPC 1.1-85931</td>
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<td></td>
<td>➢ Other telephone based support services</td>
<td>CPC 1.1-85939</td>
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<td></td>
<td>Duplicating services</td>
<td>CPC 1.1-8594</td>
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<td></td>
<td>Mailing list compilation and mailing services</td>
<td>CPC 1.1-8595</td>
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<td>Trade fair and exhibition organization services</td>
<td>CPC 1.1-8597</td>
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<td></td>
<td>Other support services n.e.c.</td>
<td>CPC 1.1-8599</td>
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<td>(some exclusions possible)</td>
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<td>2C.</td>
<td><strong>TELECOMMUNICATION SERVICES</strong></td>
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<tr>
<td></td>
<td>f. Facsimile services</td>
<td>7521**+7523**</td>
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<tr>
<td></td>
<td>h. Electronic Mail</td>
<td>7522**+7523**</td>
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<td></td>
<td>i. Voice Mail</td>
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<td>W/120</td>
<td>Sector/sub-sector</td>
<td>CPC Code</td>
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<tr>
<td>k.</td>
<td>Electronic data interchange (EDI)</td>
<td>7523**</td>
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<td>j.</td>
<td>On-line information and data base retrieval</td>
<td>7523**</td>
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<td>l.</td>
<td>Enhanced/value added facsimile services</td>
<td>7523**</td>
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<tr>
<td>n.</td>
<td>On-line information and/or data processing (including transaction processing)</td>
<td>843**</td>
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<td>4.</td>
<td>DISTRIBUTION SERVICES</td>
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<tr>
<td>A.</td>
<td>Commission agents’ services</td>
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<td>B.</td>
<td>Wholesale trade services</td>
<td>622</td>
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<td>D.</td>
<td>Franchising</td>
<td>8929</td>
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<td>6.</td>
<td>ENVIRONMENTAL SERVICES</td>
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<tr>
<td>A-C</td>
<td>(Only Consultancy )</td>
<td>9401+9402+9403</td>
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<td>7.</td>
<td>FINANCIAL SERVICES (As per Annex on FS)</td>
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<tr>
<td>A.</td>
<td>ALL INSURANCE AND INSURANCE-RELATED SERVICES</td>
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<tr>
<td>5(a)(ii)</td>
<td>Reinsurance and retrocession</td>
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<td>5(a)(iv)</td>
<td>Services auxiliary to insurance</td>
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<td>B.</td>
<td>BANKING AND OTHER FINANCIAL SERVICES</td>
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<tr>
<td>5(a)(xvi)</td>
<td>Advisory and other auxiliary financial services</td>
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<tr>
<td>5(a)(xv)</td>
<td>Provision and transfer of financial information and financial data processing and related software by providers of other financial and &quot;Other services auxiliary to financial intermediation&quot;</td>
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<td>9.</td>
<td>TOURISM AND TRAVEL RELATED SERVICES</td>
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<td>A.</td>
<td>Hotels and Restaurants (including catering)</td>
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<td>B.</td>
<td>Travel Agencies and Tour operators</td>
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<td>10.</td>
<td>RECREATIONAL, CULTURAL AND SPORTING SERVICES</td>
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<td>C.</td>
<td>Libraries, archives, museums and other cultural services</td>
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<td>11 H.</td>
<td>SERVICES AUXILIARY TO ALL MODES OF TRANSPORT</td>
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<td>c.</td>
<td>Freight transport agency services</td>
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<td>d.</td>
<td>Others</td>
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