12.	Sector	:	Business Services
	Subsector	:	Computer and Related Services
	Type of Obligation	:	National Treatment (Article 8.4 and Article 10.3) Market Access (Article 8.5)
	Description of Measure	:	Trade in Services and Investment A foreign national or enterprise may not provide computer and related services through a commercial presence, unless they are ordinarily resident in Brunei Darussalam and through an enterprise established in Brunei Darussalam.
	Source of Measure	:	*Companies Act (Chapter 39)* *Authority for Info-Communications Technology Industry of Brunei Darussalam Order, 2001* Administrative Measures and Guidelines

13.	Sector	:	Telecommunication Services
	Subsector	:	-
	Type of Obligation	:	National Treatment (Article 8.4 and Article 10.3) Market Access (Article 8.5) Local Presence (Article 8.11) Prohibition of Performance Requirements (Article 10.6)
	Description of Measure	:	Trade in Services and Investment 1. A foreign national or enterprise may not provide telecommunication services for which Brunei Darussalam requires a licence[2] in the territory of Brunei Darussalam, unless: (a) they maintain a physical business presence in Brunei Darussalam; (b) they provide such services through a commercial arrangement with a licensed operator in Brunei Darussalam; (c) through a joint venture with a Bruneian national or enterprise, in which the foreign national or enterprise does not own more than 51 per cent equity; and (d) where so required, they locate their transmission equipment used for the provision of public telecommunications networks or supply of public telecommunications services within Brunei Darussalam. 2. A foreign national or enterprise may not undertake activities related to telecommunication services unless they comply with any performance requirements that may be imposed.
	Source of Measure	:	*Telecommunications Order, 2001* *AiTi Operational Framework (2006)*

[2] Software application-based services provided over the Internet (Over-the-Top services) do not currently require a licence in Brunei Darussalam.