12.	Sector	:	Courier Services
	Level of Government		Central
	Obligation Concerned	:	Market Access (Article 8.5) Local Presence (Article 8.11)
	Description	:	Trade in Services To supply international courier services that include commercial document delivery services, as specified in Article 3 of the *Enforcement Decree of the Postal Services Act*, a person must establish an office in Korea. In order to obtain a trucking business licence from the Minister of Land, Infrastructure and Transport, a domestic courier services supplier must establish an office in the relevant geographic area. Such a licence is subject to an economic needs test. For greater certainty, a person acquiring a domestic courier services supplier does not need to obtain a new trucking business licence provided that the acquirer operates under the same terms and conditions as set out in the acquiree's licence.
	Measure	:	*Aviation Business Act* (Law No. 16642, 26 November 2019) Article 52 *Enforcement Regulations of the Aviation Business Act* (Ordinance of the Ministry of Land, Infrastructure and Transport No. 732, 27 May 2020) Article 52 *Trucking Transport Business Act* (Law No. 17453, 9 June 2020) Articles 3, 24, and 29 *Enforcement Regulations of Trucking Transportation Business Act* (Ordinance of the Ministry of Land, Infrastructure and Transport No. 738, 17 June 2020) Articles 6, 34, and 41-2

13.	Sector	:	Telecommunications Services
	Level of Government		Central
	Obligation Concerned	:	National Treatment (Articles 8.4 and 10.3) Market Access (Article 8.5) Local Presence (Article 8.11)
	Description	:	Trade in Services and Investment A licence for facilities-based public telecommunications services or a registration for non-facilities-based public telecommunications services shall be granted only to a juridical person organised under Korean law. A licence for facilities-based public telecommunications services shall not be granted to or held by a juridical person organised under Korean law in which a foreign government, foreign person, or deemed foreign person holds in the aggregate more than 49 per cent of the juridical person's total voting shares. A foreign government, foreign person, or deemed foreign person may not in the aggregate hold more than 49 per cent of the total voting shares of a facilities-based supplier of public telecommunications services. In addition, with respect to KT Corporation (KT), a foreign government, foreign person, or deemed foreign person may not be the largest shareholder of KT, except if it holds less than five per cent of the total voting shares of KT. A foreign government, or its representative, or a foreign person may not obtain or hold a radio station licence. A foreign person may not supply cross-border public telecommunications services into Korea, except through a commercial arrangement with a supplier of public telecommunications services that is licensed in Korea. For the purposes of this entry: (a) deemed foreign person means a juridical person organised under Korean law in which a foreign government or a foreign person (including a "specially related person" under subparagraph 6(a) of Article 2 of the *Act on Corporate Governance of Financial Companies*) is the largest shareholder and holds 15 per cent or more of that juridical person's total voting shares, but does not include a juridical person that holds less than 1 per cent of the total voting shares of a facilities-based supplier of public telecommunications services; (b) consistent with Article 5.2 of the *Telecommunications Business Act* (Law No. 13823, 27 January 2016), a facilities-based supplier is a supplier that owns transmission facilities; (c) consistent with Article 5.3 of the *Telecommunications Business* Act (Law No. 13823, 27 January 2016), a non-