Entry in the following categories only	Conditions and Limitations (including length of stay)
supplying company is a condition of purchase of the said machinery or equipment. An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract.	
D. Independent Service Supplier	
Definition: A self-employed services supplier working on a contractual basis, without a requirement for commercial presence. In the following category only: **Independent Professional:** Definition: A self-employed natural person of another Party with advanced technical or professional skills, without the requirement for a commercial presence, working under a valid contract in New Zealand. An independent professional must also have: (i) a qualification resulting from three or more years of formal post-secondary school education leading to a recognised degree or diploma; and (ii) six or more years of experience. Both (i) and (ii) must be in the field in which the independent professional wishes to supply their professional services.[1]	In respect of the services sectors set out in New Zealand's Schedule in Annex II (Schedules of Specific Commitments for Services) only and subject to economic needs tests, entry for a period of stay up to a maximum of 12 months.

[1] These qualifications must be recognised by the appropriate New Zealand authority where under New Zealand law such recognition is a condition of the provision of that service in New Zealand.

ANNEX IV
SCHEDULE OF SPECIFIC COMMITMENTS ON TEMPORARY MOVEMENT OF NATURAL PERSONS

THE PHILIPPINES

1. This Schedule applies to specific sectors covered under the Philippines' Schedule in Annex II (Schedules of Specific Commitments for Services) in Chapter 8 (Trade in Services) and for greater certainty shall not be subject to obligations under Article 8.6 (Most-Favoured-Nation Treatment), paragraphs 3 and 4 of Article 8.7 (Schedules of Specific Commitments), and Article 8.10 (Transparency List).

2. For the categories of natural persons set out in this Schedule, the Philippines specifies the following terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of another Party through the presence of a natural person of that other Party in the territory of the Philippines.

   a. The Philippines shall require a covered natural person of another Party seeking temporary entry and temporary stay under the terms and conditions set out in each category below to obtain an appropriate visa prior to entry pursuant to the Commonwealth Act No. 613 (*Philippine Immigration Act of 1940), as amended*.

   b. Pursuant to Article 40 of the Presidential Decree No. 442 (*Labor Code of the Philippines), as amended* and its implementing rules and regulations, non-resident aliens may be admitted to the Philippines for the supply of a service after a determination of the non-availability of a person in the Philippines who is competent, able and willing at the time of application, to perform the services for which the alien is desired.

   c. Pursuant to Section 14, Article XII of the *1987 Philippine Constitution*, the practice of all professions in the Philippines shall be limited to Filipino citizens, save in cases prescribed by law. If the activity or undertaking of the natural person constitutes the practice of a regulated profession under the Philippines' laws and regulations, the natural person must secure a special permit to practice the regulated profession from the Professional Regulation Commission pursuant to Section 7(j) of the Republic Act No. 8981 (*PRC Modernization Act of 2000*), and obtain an alien employment permit (AEP) from the Department of Labor and Employment (DOLE) pursuant to Article 40 of the *Labor Code of the Philippines, as amended*. The natural person shall likewise comply with the requirements relative to the practice of profession by a foreign national as provided for in the appropriate professional regulatory law.

   d. In activities expressly reserved by law to citizens of the Philippines, (i.e. foreign equity participation is limited to a minority share) all executive and managing officers must be citizens of the Philippines. The number of non-Filipino citizens in on the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital to that entity.

   e. For the telecommunications sector, individual service suppliers must be Filipino citizens. The number of non-Filipino citizens in the Board of Directors of an entity shall be proportionate to the aggregate share of foreign capital to that entity. All executives and managers must be citizens of the Philippines.

   f. For banking services, unbound except as indicated in the Philippines' Schedule in Annex II (Schedules of Specific Commitments for Services). A non-Filipino citizen employed as officer or assigned to do technical functions shall have two Filipino citizens as understudies.

   g. For all insurance and insurance related services, only aliens qualified to hold technical positions may be employed within the first five years of operation of the enterprise, and their temporary stay not to exceed five years upon entry. Each employed alien shall have at least two Filipino citizens as understudies.