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

THAILAND

1. The following sets out Thailand's commitments in accordance with Chapter 9 (Temporary Movement of Natural Persons) with respect to its commitments for the temporary entry and temporary stay of natural persons of another Party covered under Article 9.2 (Scope).

2. Thailand reserves the right to adopt or maintain any measure in respect of requirements of requisite visa, criteria, and conditions stipulated or may be stipulated by relevant authorities in obtaining permission for temporary entry or temporary stay. The criteria may include size of fully paid-up capital, employment creation, extent of foreign investment, export promotion, transfer of technology, special needs of the management, economic needs tests, and labour market needs tests.

3. Any measure in obtaining a licence or permission in any committed sector or subsector shall be set out in Thailand's Schedule in Annex II (Schedules of Specific Commitments for Services).

4. The obligations of Thailand under this Agreement with respect to permanent residents of other Parties are unbound. Thailand reaffirms its rights and obligations regarding permanent residents as set out in its schedule of specific commitments in GATS. Nevertheless, where Parties exercise such rights, they shall not exercise them through this Agreement.

5. Thailand remains unbound in respect of the temporary entry of natural persons of another Party into, or their temporary stay in, the territory of Thailand under Chapter 9 (Temporary Movement of Natural Persons), except for sectors and subsectors set out in Appendix A (Sectoral Specific Commitments) and the categories of persons set out below.

Description of Category	Conditions and Limitations (including length of stay)
A. Short Term Business Visitor (BV)	
Definition: A natural person seeking to enter or stay in Thailand temporarily, whose remuneration and financial support for the duration of the visit is derived from outside Thailand: (i) as a representative of a goods seller or service supplier, for the purpose of negotiating the sale of goods or supply of services, or entering into agreements to sell goods or supply services for that goods seller or service supplier, where such negotiations do not involve direct sale of goods or supply of services to the general public; (ii) as an employee of a juridical person[1] only for the purpose of establishing an investment or setting up a commercial presence in Thailand for the juridical person; (iii) for the purpose of participating in business negotiations or meetings; or	Temporary entry and temporary stay for a period not exceeding 90 days from the arrival date shall be granted, when applied for, to a short-term business visitor.
(iv) for the purpose of establishing an investment or setting up a commercial presence in Thailand.	
In relation to the financial services sectors and subsectors set out in Appendix A, **Business Visitor** is defined as a natural person who stays in Thailand for the purpose of participating in business meetings or contacts, entering into contract to sell or purchase services, visiting of business establishments or other similar activities, and entering with a purpose to establish a commercial presence in Thailand.	Such temporary entry will be permitted for an initial period of not more than 90 days from the arrival date and may be extended for a further period of not more than one year, provided that the criteria stipulated by the Immigration Bureau and the Department of Employment have been satisfied.
B. Intra-Corporate Transferee (ICT)	
Definition: A natural person who is an employee of a juridical person established in the territory of another Party, who is transferred temporarily for the supply of a service through commercial presence (either through a representative office, branch, subsidiary, or affiliate) in Thailand, and who has been an employee of the juridical person for a period specified in the Conditions and Limitations column of this entry, and who is: (i) **an Executive**: a natural person within the organisation who primarily directs the management of the organisation and exercises wide latitude in decision making and receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the business; an executive would not directly perform tasks related to the actual provision of the service or services of the organisation; (ii) **a Manager**: a natural person within the organisation who primarily directs the organisation, department, or subdivision and exercises supervisory and control functions over other supervisory, managerial or professional staff; does not include first line supervisors unless employees supervised are professionals; does not include employees who primarily perform tasks necessary for the provision of the service of the organisation; or (iii) **a Specialist**: a natural person within the organisation who possesses knowledge at an advanced level of expertise essential to the establishment or provision of the service, or who possesses proprietary knowledge of the organisation's service, research equipment, techniques, or management;	Temporary entry and temporary stay for an initial period not exceeding one year from the arrival date shall be granted, when applied for, to an intra-corporate transferee who has been employed by the juridical person concerned outside Thailand for a period of not less than one year immediately preceding the date of the application for admission. Such temporary stay may be extended for a further three terms of not more than one year each.

[1] All references to "juridical person" in this Schedule shall be as defined in subparagraph (d) of Article 8.1 (Definitions).