

CHAPTER 8 TRADE IN SERVICES

Article 8.1 : Scope

1. This Chapter shall apply to measures by a Party affecting trade in services. Such measures include measures in respect of:

- (a) the purchase or use of, or payment for a service;
- (b) the access to and use of, relating to the supply of a service, services which are required by a Party to be offered to the public generally; and
- (c) the presence, including commercial presence, in its territory of a service supplier of the other Party.

2. For the purposes of this Chapter, **measures by a Party** means measures taken by:

- (a) central or local governments or authorities; and
- (b) non-governmental bodies in the exercise of powers delegated by central or local governments or authorities.

3. This Chapter shall not apply to:

- (a) a service supplied in the exercise of the governmental authority within the territory of each Party;
- (b) measures affecting air traffic rights, however granted, or measures affecting services directly related to the exercise of air traffic rights, other than measures affecting:
 - (i) aircraft repair and maintenance services;
 - (ii) the selling and marketing of air transport services; and
 - (iii) computer reservation system services;
- (c) cabotage in maritime transport services;
- (d) subsidies or grants provided by a Party, or to any conditions attached to the receipt or continued receipt of such subsidies or grants, except as provided for in Article 8.16; or
- (e) measures affecting natural persons seeking access to the employment market of a Party and measures regarding citizenship, residence or employment on a permanent basis.