

ANNEX I
EXPLANATORY NOTES

附件一解释性说明

1. The Schedule of a Party to this Annex sets out, pursuant to Articles 11.12 (Non-Conforming Measures) and 12.6 (Non-Conforming Measures), the Party’s existing measures that are not subject to some or all of the obligations imposed by:
- (a) Article 11.3 (National Treatment) or 12.2 (National Treatment);
 - (b) Article 11.4 (Most-Favored-Nation Treatment) or 12.3 (Most-Favored-Nation Treatment);
 - (c) Article 12.5 (Local Presence);
 - (d) Article 11.8 (Performance Requirements);
 - (e) Article 11.9 (Senior Management and Boards of Directors); or
 - (f) Article 12.4 (Market Access).
2. Each Schedule entry sets out the following elements:
- (a) **Sector** refers to the sector for which the entry is made;
 - (b) **Obligations Concerned** specifies the article(s) referred to in paragraph 1 that, pursuant to Articles 11.12.1(a) and 12.6.1(a), do not apply to the non-conforming aspects of the law, regulation, or other measure, as set out in paragraph 3;
 - (c) **Level of Government**¹ indicates the level of government maintaining the scheduled measure(s);
 - (d) **Measures**² identifies the laws, regulations, or other measures for which the entry is made. A measure cited in the **Measures** element:
 - (i) means the measure as amended, continued, or renewed as of the date of entry into force of this Agreement; and
 - (ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure; and

¹ If none is specified, the measure is maintained at the central level of government.

² For greater certainty, in the case of Korea, a change in the level of government at which a measure is administered or enforced does not, by itself, decrease the conformity of the measure with the obligations referred to in Article 11.12.1 and Article 12.6.1.

1. 本附件缔约方减让表根据第11.12条（不符措施）和第12.6条（不符措施）列明该缔约方现行措施中不受下列部分或全部义务约束的内容：
- (a) 第11.3条（国民待遇）或第12.2条（国民待遇）；(b) 第11.4条（最惠国待遇）或第12.3条（最惠国待遇）；(c) 第12.5条（本地存在）；(d) 第11.8条（业绩要求）；(e) 第11.9条（高级管理层和董事会）；或(f) 第12.4条（市场准入）。
2. 每个减让表条目包含以下要素：
- (a) 部门指作出该条目所涉及的部门；(b) 相关义务指明第1款中提及的条款，根据第11.12条(a)项和第12.6条(a)项，这些条款不适用于第3款所述法律、法规或其他措施中不符合的方面；(c) 政府层级¹ 指维持附表措施的政府层级；(d) 措施² 指作出该条目所依据的法律、法规或其他措施。措施要素中引用的措施：(i) 指截至本协议生效之日经修订、延续或更新的措施；及(ii) 包括根据该措施授权并通过且与之相符的任何从属措施；及

¹ 如未特别说明，则该措施由中央政府层级维持。

² 为进一步明确，就韩国而言，措施实施或执行的政府层级变化本身并不降低该措施与第11.12.1条和第12.6.1条所述义务的相符程度。

(e) **Description** sets out commitments, if any, for liberalization on the date of entry into force of the Agreement, and the remaining non-conforming aspects of the measure for which the entry is made.

3. In the interpretation of a Schedule entry, all elements of the entry shall be considered. An entry shall be interpreted in light of the relevant articles of the Chapters against which the entry is made. To the extent that:

- (a) the **Measures** element is qualified by a liberalization commitment from the **Description** element, the **Measures** element as so qualified shall prevail over all other elements; and
- (b) the **Measures** element is not so qualified, the **Measures** element shall prevail over all other elements, unless any discrepancy between the **Measures** element and the other elements considered in their totality is so substantial and material that it would be unreasonable to conclude that the **Measures** element should prevail, in which case the other elements shall prevail to the extent of that discrepancy.

4. In accordance with Articles 11.12.1(a) and 12.6.1(a), and subject to Articles 11.12.1(c) and 12.6.1(c), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the non-conforming aspects of the law, regulation, or other measure identified in the **Measures** element of that entry.

5. Where a Party maintains a measure that requires that a service provider be a citizen, permanent resident, or resident of its territory as a condition to the provision of a service in its territory, a Schedule entry for that measure taken with respect to Article 12.2 (National Treatment), 12.3 (Most-Favored-Nation Treatment), or 12.5 (Local Presence) shall operate as a Schedule entry with respect to Article 11.3 (National Treatment), 11.4 (Most-Favored-Nation Treatment), or 11.8 (Performance Requirements) to the extent of that measure.

6. For Korea, a **foreign person** means a foreign national or an enterprise organized under the laws of another country.

7. For greater certainty, Local Presence (Article 12.5) and National Treatment (Article 12.2) are separate disciplines and a measure that is only inconsistent with Local Presence (Article 12.5) need not be reserved against National Treatment (Article 12.2).

(e) 描述列明协议生效之日自由化的承诺（如有），以及作出该条目的措施中剩余不符合的方面。

3. 在解释减让表条目时，应考虑该条目的所有要素。应根据条目所针对章节的相关条款对条目进行解释。在以下情况下：

- (a) 若措施要素受到描述要素中自由化承诺的限制，则受此限制的措施要素应优先于所有其他要素；且 (b) 若措施要素未受此限制，则措施要素应优先于所有其他要素，除非措施要素与其他要素整体考虑时存在重大且实质性的差异，以致认为措施要素应优先是不合理的，在此情况下，其他要素应在该差异范围内优先。

4. 根据第11.12.1(a)条和第12.6.1(a)条，并受第11.12.1(c)条和第12.6.1(c)条的约束，本协议中在条目的相关义务要素中指定的条款不适用于该条目措施要素中确定的法律、法规或其他措施的不符合的方面。

5. 如一缔约方维持一项措施，要求服务提供者为其领土内的公民、永久居民或居民作为在其领土内提供服务的条件，则该措施针对第12.2条（国民待遇）、第12.3条（最惠国待遇）或第12.5条（本地存在）所作的减让表条目，在该措施范围内，应视为针对第11.3条（国民待遇）、第11.4条（最惠国待遇）或第11.8条（业绩要求）所作的减让表条目。

6. 对韩国而言，外国人指外国国民或根据其他国家法律组建的企业。

7. 为进一步明确，本地存在（第12.5条）与国民待遇（第12.2条）属于独立纪律，仅不符合本地存在（第12.5条）的措施无需针对国民待遇（第12.2条）作出保留。

Sector:	Construction Services	部门:	建筑服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	Framework Act on the Construction Industry (Law No. 7796, December 29, 2005), Articles 9 and 10	措施:	建筑业框架法（第7796号法律，2005年12月29日），第9条和第10条
	Enforcement Decree of the Framework Act on the Construction Industry (Presidential Decree No. 19513, June 12, 2006), Article 13		建筑业框架法实施令（第19513号总统令，2006年6月12日），第13条
	Enforcement Regulations of the Framework Act on the Construction Industry (Ordinance of the Ministry of Construction and Transportation No. 530, August 7, 2006), Articles 2 and 3		建筑业框架法实施条例（建设交通部第530号条例，2006年8月7日），第2条和第3条
	Information and Communication Construction Business Act (Law No. 7817, December 30, 2005), Article 14		信息通信建设业务法（第7817号法律，2005年12月30日），第14条
	Fire Fighting System Installation Business Act (Law No. 7982, September 22, 2006), Articles 4 and 5		消防系统安装业务法（第7982号法律，2006年9月22日），第4条和第5条
Description:	Enforcement Decree of the Fire Fighting System Installation Business Act (Presidential Decree No. 19846, January 24, 2007), Article 2 (Table 1)		消防系统安装业务法实施令（第19846号总统令，2007年1月24日），第2条（表1）
	Enforcement Regulations of the Fire Fighting System Installation Business Act (Ordinance of Ministry of Government Administration and Home Affairs No. 368, January 9, 2007), Article 2		消防系统安装业务法实施条例（政府行政与内政部第368号条例，2007年1月9日），第2条
	Cross-Border Trade in Services	描述:	跨境服务贸易
	A person that supplies construction services in Korea must, prior to the signing of the first contract related to such services, establish an office in Korea.		在韩国提供建筑服务的个人必须在签署与此类服务相关的第一份合同之前，在韩国设立办事处。
	A compulsory subcontract system is applied to contractors registered as general contractors. Such compulsory subcontract system will be abolished from January 1, 2008.		强制分包制度适用于注册为总承包商的承包商。该强制分包制度将于2008年1月1日起废止。

Sector:	Leasing, Rental, Maintenance, Repair, Sales, and Disposal Services Related to Construction Machinery and Equipment	部门:	建筑机械与设备的租赁、出租、维护、修理、销售及处置服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Construction Machinery Management Act</i> (Law No. 7545, May 31, 2005), Article 21 <i>Enforcement Decree of the Construction Machinery Management Act</i> (Presidential Decree No. 19507, June 12, 2006), Articles 13, 14, 15, and 15-2 <i>Enforcement Regulations of the Construction Machinery Management Act</i> (Ordinance of the Ministry of Construction and Transportation No. 530, August 7, 2006), Articles 57 through 63, 65-2, and 65-3	措施:	建筑机械管理法（法律第7545号，2005年5月31日），第21条 建筑机械管理法施行令（第19507号总统令，2006年6月12日），第13条、第14条、第15条及第15-2条 《建筑机械管理法施行规则》（建设交通部第530号条例，2006年8月7日）第57条至第63条、第65条之2及第65条之3
Description:	<u>Cross-Border Trade in Services</u> A person that supplies leasing, rental, maintenance, repair, sales, and disposal services related to construction machinery and equipment must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供建筑机械和设备租赁、出租、维修、修理、销售和处置服务的个人必须在韩国设立办事处。

Sector:	Transportation Services - Automobile Maintenance, Repair, Sales, Disposal, and Inspection Services; Automobile License Plate Issuing Services	部门:	运输服务 - 汽车维修、修理、销售、处置和检验服务；汽车牌照发放服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入 (第12.4条) 本地存在 (第12.5条)
Measures:	<i>Automobile Management Act</i> (Law No. 8254, January 19, 2007), Articles 20, 44, 45, and 53 <i>Enforcement Regulations of the Automobile Management Act</i> (Ordinance of the Ministry of Construction and Transportation No. 551, March 19, 2007), Articles 7, 8, 83, 87, and 111	措施:	汽车管理法 (第8254号法律, 2007年1月19日), 第20、44、45和53条 汽车管理法实施条例 (建设交通部第551号条例, 2007年3月19日), 第7、8、83、87和111条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies automobile management services (which includes used car sales, maintenance, repair, and disposal services) must establish an office in Korea and obtain authorization from the head of the <i>si/gun/gu</i> (municipal authorities), which is subject to an economic needs test, as appropriate. A person that supplies automobile inspection services that is designated as a “designated repair facility” must establish an office in Korea. A person that supplies license plate manufacturing, delivery, and seal services that is designated as a “license plate issuing agency” must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供汽车管理服务（包括二手车销售、保养、修理和处置服务）的个人必须在韩国设立办事处，并根据具体情况获得市/郡/区（市政当局）负责人的授权，该授权需通过经济需求测试。 提供汽车检验服务并被指定为“指定维修设施”的个人必须在韩国设立办事处。 被指定为“车牌发放机构”的提供车牌制造、交付和密封服务的个人必须在韩国设立办事处。

Sector:	Distribution Services - Wholesale and Retail Distribution of Tobacco and Liquor	部门:	分销服务 - 烟草和酒类的批发与零售分销
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入 (第12.4条) 本地存在 (第12.5条)
Measures:	<i>Tobacco Business Act</i> (Law No. 8365, April 11, 2007), Articles 12, 13, and 16 <i>Enforcement Decree of the Tobacco Business Act</i> (Presidential Decree No. 18445, June 29, 2004), Articles 4 and 5 <i>Enforcement Regulations of the Tobacco Business Act</i> (Ordinance of the Ministry of Finance and Economy No. 512, July 5, 2006), Articles 5, 6-2, and 7 <i>Liquors Act</i> (Law No. 7841, December 31, 2005), Articles 8 through 10 <i>Enforcement Decree of the Liquors Act</i> (Presidential Decree No. 19336, February 9, 2006), Article 9 <i>Notice of National Tax Service</i>, 2005-5 and 2005-8 (January 21, 2005)	措施:	烟草业务法 (第8365号法律, 2007年4月11日), 第12、13和16条 烟草业务法实施令 (第18445号总统令, 2004年6月29日), 第4条和第5条 烟草业务法实施条例 (财政经济部第512号条例, 2006年7月5日), 第5、6-2和7条 酒类法 (第7841号法律, 2005年12月31日), 第8至10条 酒类法实施令 (第19336号总统令, 2006年2月9日), 第9条 国税厅2005-5和2005-8号通知 (2005年1月21日)
Description:	<u>Cross-Border Trade in Services</u> A person that supplies tobacco wholesale (including importation) or retail distribution services must establish an office in Korea. Only designated tobacco retailers may sell tobacco to retail buyers. The sale of tobacco to retail buyers by mail or in electronic commerce is prohibited. The distance between places of business of tobacco retailers must be at least 50 meters. A person that supplies liquor wholesale distribution services must establish an office in Korea and obtain authorization from the head of the relevant tax office, which is subject to an economic needs test. The sale of liquor by telephone or in electronic commerce is prohibited.	描述:	<u>跨境服务贸易</u> 提供烟草批发 (包括进口) 或零售分销服务的个人必须在韩国设立办事处。 只有指定烟草零售商可以向零售买家销售烟草。禁止通过邮寄或电子商务方式向零售买家销售烟草。 烟草零售商营业场所之间的距离必须至少为50米。 提供酒类批发分销服务的个人必须在韩国设立办事处, 并获得相关税务局局长的授权, 该授权需通过经济需求测试。 禁止通过电话或电子商务销售酒类。

Sector:	Agriculture and Livestock	部门:	农业和畜牧业
Obligations Concerned:	National Treatment (Article 11.3)	相关义务:	国民待遇 (第11.3条)
Measures:	<i>Foreign Investment Promotion Act</i> (Law No. 8380, April 11, 2007), Article 4 <i>Enforcement Decree of the Foreign Investment Promotion Act</i> (Presidential Decree No. 19826, January 5, 2007), Article 5 <i>Consolidated Public Notice for Foreign Investment</i> (No. 2007-69, February 28, 2007, Ministry of Commerce, Industry and Energy), Appendix 1	措施:	外商投资促进法 (第8380号法律, 2007年4月11日), 第4条 外商投资促进法施行令 (第19826号总统令, 2007年1月5日), 第5条 外商投资综合公告 (第2007-69号, 2007年2月28日, 工商能源部), 附录1
Description:	<u>Investment</u> Foreign persons may not: (i) invest in an enterprise engaged in rice or barley farming; or (ii) hold 50 percent or more of the equity interest of an enterprise engaged in beef cattle farming.	描述:	<u>投资</u> 外国人不得: (i) 投资从事水稻或大麦种植的企业; 或 (ii) 持有从事肉牛养殖的企业50%或以上的股权。

Sector:	Business Services - <i>An-gyung-sa</i> (Optician and Optometry) Services	部门:	商业服务 - 眼镜师（眼镜师和验光）服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Medical Technicians Act</i> (Law No. 7148, January 29, 2004), Article 12 <i>Enforcement Regulations of the Medical Technicians Act</i> (Ordinance of the Ministry of Health and Welfare No. 333, October 17, 2005), Article 15	措施:	医疗技术人员法（第7148号法律，2004年1月29日），第12条 医疗技术人员法实施条例（保健福祉部第333号法令，2005年10月17日），第15条
Description:	<u>Cross-Border Trade in Services</u> Only a natural person that is a licensed <i>an-gyung-sa</i> (optician or optometrist) that has established an office in Korea may engage in optician or optometry services. An <i>an-gyung-sa</i> (optician or optometrist) may not establish more than one office.	描述:	<u>跨境服务贸易</u> 只有已在韩国设立办事处的持牌眼镜师（眼镜师或验光师）自然人方可从事眼镜师或验光师服务。 一名眼镜师（眼镜师或验光师）不得设立超过一家办事处。

Sector:	Wholesale and Retail Distribution Services	部门:	批发和零售分销服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Pharmaceutical Affairs Act</i> (Law No. 8035, October 4, 2006), Articles 34 and 37 <i>Decree on the Facility Standards of Pharmacy, Manufacturer, Importer and Distributor of Pharmaceuticals</i> (Presidential Decree No. 18401, May 25, 2004), Articles 7 and 9 <i>Supply, Demand and Distribution of Oriental Medicinal Herbs Regulations</i> (Notice of the Ministry of Health and Welfare No. 2006-69, September 5, 2006), Articles 4 and 13 <i>Medical Devices Act</i> (Law No. 8037, October 4, 2006), Article 14 <i>Enforcement Regulations of the Medical Devices Act</i> (Ordinance of the Ministry of Health and Welfare No. 366, July 27, 2006), Article 19 <i>Functional Foods Act</i> (Law No. 8033, October 4, 2006), Article 6 <i>Enforcement Regulations of the Functional Foods Act</i> (Ordinance of the Ministry of Health and Welfare No. 300, December 10, 2004), Articles 2 and 5 <i>Food Sanitation Act</i> (Law No. 8005, September 27, 2006), Articles 18, 21 and 22 <i>Enforcement Decree of the Food Sanitation Act</i> (Presidential Decree No. 18978, July 27, 2005), Articles 9 through 11 <i>Enforcement Regulations of the Food Sanitation Act</i> (Ordinance of the Ministry of Health and Welfare No. 363, July 3, 2006), Articles 16 and 20 (attached table 9) <i>Act on the Control of Narcotics</i> (Law No. 7098, January 20, 2004), Article 6	措施:	药事法（第8035号法律，2006年10月4日）， 第34条和第37条 关于药房、药品制造商、进口商及分销商设施标准的总统令（第18401号总统令，2004年5月25日）， 第7条和第9条 中药材供需及分销规定（卫生福利部第2006-69号通知，2006年9月5日）， 第4条和第13条 医疗器械法（第8037号法律，2006年10月4日）， 第14条 医疗器械法实施条例（卫生福利部第366号条例，2006年7月27日）， 第19条 功能食品法（第8033号法律，2006年10月4日）， 第6条 功能食品法实施条例（卫生福利部第300号条例，2004年12月10日）， 第2条和第5条 食品卫生法（第8005号法律，2006年9月27日）， 第18条、第21条和第22条 《食品卫生法施行令》（总统令第18978号，2005年7月27日），第9条至第11条 《食品卫生法施行规则》（保健福祉部令第363号，2006年7月3日）， 第16条和第20条（附表9） 《麻醉品管制法》（第7098号法律，2004年1月20日）第6条

Description:	Cross-Border Trade in Services	描述:	跨境服务贸易
	A person that supplies wholesale trade services must establish an office in Korea in order to receive an import business license to supply such services with respect to: (a) pharmaceuticals and related items; (b) medical devices; or (c) functional foods (including dietary supplements). To supply the following services a person must establish an office in Korea: (a) transportation, sales, and preservation (cold storage) of food and food additives; (b) food supply services; (c) food inspection services; or (d) narcotic drug wholesale and retail distribution services. The Minister of Health and Welfare controls the supply and demand of the wholesale distribution of imported designated <i>han-yak-jae</i> (Asian medicinal herbs). Certain liquor-selling bars and the wholesale and retail distribution of narcotics require authorization by the relevant authority.		提供批发贸易服务的个人必须在韩国设立办事处，以获得进口业务许可证，以便在以下方面提供此类服务： (a) 药品及相关物品；(b) 医疗器械；或(c) 功能性食品（包括膳食补充剂）。 个人必须设立韩国办事处方可提供以下服务： (a) 食品及食品添加剂的运输、销售和保存（冷藏）；(b) 食品供应服务；(c) 食品检验服务；或(d) 麻醉药品批发和零售分销服务。 保健福祉部长官负责管控进口指定韩药材（亚洲药材）批发分销的供需。 部分售酒酒吧及麻醉药品的批发和零售分销需获得相关部门的授权。

Sector:	Retail Distribution of Pharmaceuticals	部门:	药品零售分销
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	Pharmaceutical Affairs Act (Law No. 8035, October 4, 2006), Articles 16 and 19	措施:	药事法（第8035号法律，2006年10月4日）， 第16条和第19条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies pharmaceutical product retail distribution services (including distribution of <i>han-yak-jae</i> (Asian medicinal herbs)) must establish a pharmacy in Korea. That person may not establish more than one pharmacy nor establish in the form of a corporation.	描述:	<u>跨境服务贸易</u> 提供药品零售分销服务（包括韩药材（亚洲药材）分销）的个人必须在韩国设立药房。 该个人不得设立超过一家药房，也不得以公司形式设立。

Sector:	Transportation Services - Rail Transportation and Incidental Services	部门:	运输服务 - 铁路运输及相关服务
Obligations Concerned:	Market Access (Article 12.4)	相关义务:	市场准入（第12.4条）
Measures:	<i>Rail Transport Service Business Act</i> (Law No. 7303, December 31, 2004), Articles 5, 6, and 12 <i>Korea Railroad Corporation Act</i> (Law No. 7052, December 31, 2003), Article 9 <i>Rail Construction Act</i> (Law No. 8251, January 19, 2007), Article 8 <i>Framework Act on Rail Industry Development</i> (Law No. 8135, December 30, 2006), Articles 3, 20, 26, and 38 <i>Korea Rail Network Authority Act</i> (Law No. 8257, January 19, 2007), Article 7	措施:	铁路运输服务业务法（第7303号法律，2004年12月31日），第5、6和12条 韩国铁路公司法（第7052号法律，2003年12月31日），第9条 铁路建设法（第8251号法律，2007年1月19日），第8条 铁路产业发展框架法（第8135号法律，2006年12月30日），第3、20、26和38条 韩国铁路网络管理局法（第8257号法律，2007年1月19日），第7条
Description:	<u>Cross-Border Trade in Services</u> Only the Korea Railroad Corporation may supply railroad transportation services on railroad routes constructed on or before June 30, 2005. Only juridical persons that have obtained authorization from the Minister of Construction and Transportation may supply railroad transportation services on railroad routes constructed on or after July 1, 2005. Such authorization is subject to an economic needs test. Only the central or local level of government, or the Korea Rail Network Authority may supply rail construction services and maintain and repair government-owned rail facilities (including high-speed rail). However, juridical persons that meet the criteria in the <i>Private Investment in Social Infrastructure Act</i> may supply rail construction services.	描述:	<u>跨境服务贸易</u> 只有韩国铁路公司才能在2005年6月30日之前建设的铁路线路上提供铁路运输服务。 只有获得建设交通部长授权的法人，才可在2005年7月1日之后建设的铁路线路上提供铁路运输服务。此类授权需通过经济需求测试。 只有中央或地方政府，或韩国铁道设施公团可以提供铁路建设服务以及维护和修理政府所有的铁路设施（包括高速铁路）。但是，符合《社会基础设施民间投资法》标准的法人可以提供铁路建设服务。

Sector:	Transportation Services - Passenger Road Transportation Services (not including Taxis and Scheduled Passenger Road Transportation Services)	部门:	运输服务 - 客运道路运输服务（不包括出租车和定期客运道路运输服务）
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Passenger Transport Service Act</i> (Law No. 8095, December 26, 2006), Article 5 <i>Enforcement Decree of the Passenger Transport Service Act</i> (Presidential Decree No. 19715, October 26, 2006), Article 3 <i>Enforcement Regulations of the Passenger Transport Service Act</i> (Ordinance of the Ministry of Construction and Transportation No. 530, August 7, 2006), Article 9 <i>Cableway and Tramway Transport Service Act</i> (Law No. 7714, December 7, 2005), Article 4 <i>Enforcement Regulations of the Cableway and Tramway Transport Service Act</i> (Ordinance of the Ministry of Construction and Transportation No. 520, June 14, 2006), Article 3	措施:	客运服务法（第8095号法律，2006年12月26日），第5条 客运服务法实施令（第19715号总统令，2006年10月26日），第3条 客运服务法实施条例（建设交通部第530号条例，2006年8月7日），第9条 索道和有轨电车运输服务法（第7714号法律，2005年12月7日），第4条 索道和有轨电车运输服务法实施条例（建设交通部第520号条例，2006年6月14日），第3条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies passenger road transportation services, not including taxis and scheduled passenger road transportation services, must establish an office in the <i>dang-hae--ji-yeok</i> (relevant geographic area) in Korea.	描述:	<u>跨境服务贸易</u> 提供客运道路运输服务的个人（不包括出租车和定期客运道路运输服务）必须在韩国的相关地理区域（<i>dang-hae--ji-yeok</i>）设立办事处。

Sector:	Transportation Services - International Maritime Cargo Transportation and Maritime Auxiliary Services	部门:	运输服务 - 国际海运货物运输和海运辅助服务
Obligations Concerned:	National Treatment (Article 12.2) Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	国民待遇（第12.2条） 市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Maritime Transportation Act</i> (Law No. 8381, April 11, 2007), Articles 24 and 33 <i>Enforcement Regulations of the Maritime Transportation Act</i> (Ordinance of the Ministry of Maritime Affairs and Fisheries No. 340, June 26, 2006), Articles 17, 19, 29, and 30 <i>Pilotage Act</i> (Law No. 8379, April 11, 2007), Article 6 <i>Ship Investment Company Act</i> (Law No. 8223, January 3, 2007), Articles 3 and 31	措施:	海运法（第8381号法律，2007年4月11日），第24条和第33条 海运法实施条例（海洋水产部第340号法令，2006年6月26日），第17条、第19条、第29条和第30条 《引航法》（第8379号法律，2007年4月11日），第6条 《船舶投资公司法》（第8223号法律，2007年1月3日），第3条和第31条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies international maritime cargo transportation and shipping brokerage services must be organized as a <i>Chusik Hoesa</i> (stock company) in Korea. A ship investment company must also be organized as a <i>Chusik Hoesa</i> (stock company) in Korea. Only a Korean national may supply maritime pilotage services.	描述:	<u>跨境服务贸易</u> 提供国际海运货物运输和航运经纪服务的个人必须在韩国注册为株式会社（股份有限公司）。船舶投资公司也必须在韩国注册为株式会社（股份有限公司）。 只有韩国国民方可提供海运引航服务。

Sector:	Transportation Services - Air Transportation Services	部门:	运输服务 - 航空运输服务
Obligations Concerned:	National Treatment (Article 11.3) Senior Management and Boards of Directors (Article 11.9)	相关义务:	国民待遇（第11.3条） 高级管理层和董事会（第11.9条）
Measures:	<i>Aviation Act</i> (Law No. 8128, December 28, 2006), Articles 3, 6, 112, 113, 114 and 132 <i>Enforcement Regulations of the Aviation Act</i> (Ordinance of the Ministry of Construction and Transportation No. 532, August 18, 2006), Articles 278, 278-2, 298 and 299	措施:	航空法（第8128号法律，2006年12月28日）， 第3、6、112、113、114及132条 航空法实施条例（建设交通部第532号令，2006年8月18日）， 第278、278-2、298及299条
Description:	<u>Investment</u> The following persons may not supply scheduled or non-scheduled domestic air transportation services or supply international air transportation services as Korean air carriers: (a) a foreign national; (b) a foreign government or a foreign <i>gong-gong-dan-che</i> (organization for public purposes); (c) an enterprise organized under foreign law; (d) an enterprise in which any of the persons referred to in subparagraphs (a) through (c) owns 50 percent or more of the equity interest, or has control; or (e) an enterprise organized under Korean law whose <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) is a foreign national or half or more of whose senior management are foreign nationals. A person that owns an aircraft or is authorized to operate a chartered aircraft must register the aircraft with the Minister of Construction and Transportation. The persons listed in subparagraphs (a) through (e) are not allowed to register an aircraft.	描述:	<u>投资</u> 以下个人不得作为韩国航空公司提供定期或非定期的国内航空运输服务或提供国际航空运输服务： (a) 外国人；(b) 外国政府或外国公共团体（公共目的组织）；(c) 根据外国法律组织的企业；(d) 由(a)至(c)项所述任何个人拥有50%或以上股权或控制权的企业；或(e) 根据韩国法律组织的企业，其代表者（例如首席执行官、总裁或类似的高级主管）为外国人，或其高级管理层中半数或以上为外国国民。 拥有航空器或获准运营包机的个人必须向建设交通部长注册该航空器。第(a)至(e)项所列个人 不得注册航空器。

Sector:	Transportation Services - Specialty Air Services	部门:	运输服务 - 专业航空服务
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Senior Management and Boards of Directors (Article 11.9) Local Presence (Article 12.5)	相关义务:	国民待遇（第11.3条和第12.2条） 高级管理层和董事会（第11.9条） 本地存在（第12.5条）
Measures:	<i>Aviation Act</i> (Law No. 8128, December 28, 2006), Articles 3, 6, and 134 <i>Enforcement Regulations of the Aviation Act</i> (Ordinance of the Ministry of Construction and Transportation No. 532, August 18, 2006), Articles 298 and 299-2	措施:	航空法（第8128号法律，2006年12月28日）， 第3条、第6条和第134条 航空法实施条例（建设交通部第532号令，2006年8月18日），第298条和第299-2条
Description:	<u>Cross-Border Trade in Services and Investment</u> A person that supplies aircraft- <i>sa-yong</i> (use) services or such non-scheduled air transportation services as glider towing, parachute jumping, aerial construction, heli-logging, and aerial sightseeing must register its self-owned or chartered aircraft with the Minister of Construction and Transportation and establish an office in Korea. The following persons may not register an aircraft: (a) a foreign national; (b) a foreign government or a foreign <i>gong-gong-dan-che</i> (organization for public purposes); (c) an enterprise organized under foreign law; (d) an enterprise in which any of those referred to in subparagraphs (a) through (c) owns 50 percent or more of the equity interest, or has control; or (e) an enterprise organized under Korean law whose <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) is a foreign national or half or more of whose senior management are foreign nationals. For purposes of this entry, aircraft- <i>sa-yong</i> (use) services are services using an aircraft, and supplied upon request, for hire, other than for passenger or freight transportation, including aerial fire-fighting, forestry fire management, aerial advertising, flight training, aerial mapping, aerial investigation, aerial spraying, aerial	描述:	<u>跨境服务贸易和投资</u> 提供航空器使用服务或滑翔机拖曳、跳伞、空中施工、直升机伐木及空中观光等非定期航空运输服务的个人，必须向建设交通部长注册其自有或包机的航空器，并在韩国设立办事处。 以下个人不得注册航空器： (a) 外国人；(b) 外国政府或外国公共目的组织；(c) 根据外国法律组织的企业；(d) 由(a)至(c)项所述任何一方持有50%或以上股权或拥有控制权的企业；或 (e) 根据韩国法律组织的企业，其代表者（例如首席执行官、总裁或类似的高级主管）为外国人，或其高级管理层中半数或以上为外国国民。 就本条目而言，航空器使用服务是指应要求有偿提供的、使用航空器但不包括客运或货运运输的服务，包括空中灭火、森林火灾管理、空中广告、飞行训练、航空测绘、空中调查、空中喷洒、空中

photographing and other aerial agricultural activities, and aerial inspections and observations.

摄影和其他空中农业活动，以及空中检查和观察。

Sector:	Transportation Services - Road Transportation Support Services	部门:	运输服务 - 道路运输支持服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Passenger Transport Service Act</i> (Law No. 8095, December 26, 2006), Articles 37 and 38 <i>Enforcement Regulations of the Passenger Transport Service Act</i> (Ordinance of the Ministry of Construction and Transportation No. 551, March 19, 2007), Article 66 <i>Parking Lot Service Act</i> (Law No. 7596, July 13, 2005), Article 12 <i>Road Traffic Act</i> (Law No. 7969, July 19, 2006), Article 36	措施:	客运服务法（第8095号法律，2006年12月26日），第37条和第38条 客运服务法实施条例（建设交通部第551号条例，2007年3月19日），第66条 停车场服务法（第7596号法律，2005年7月13日），第12条 道路交通法（第7969号法律，2006年7月19日），第36条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies parking lot services, bus terminal operation services, or car towing and storage services must establish a place of business in the relevant geographic area in Korea and obtain an authorization from the Minister of Construction and Transportation, head of local police, or head of <i>shi/gun</i>, as appropriate, which is subject to an economic needs test.	描述:	<u>跨境服务贸易</u> 提供停车场服务、公交车站运营服务或汽车拖车和存储服务的个人必须在韩国相关地理区域设立营业场所，并根据情况获得建设交通部长、地方警察局长或市/郡长的授权，且需通过经济需求测试。

Sector:	Courier Services	部门:	快递服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入 (第12.4条) 本地存在 (第12.5条)
Measures:	Aviation Act (Law No. 8128, December 28, 2006), Article 139 Enforcement Regulations of the Aviation Act (Ordinance of the Ministry of Construction and Transportation No. 532, August 18, 2006), Article 306 Trucking Transport Business Act (Law No. 8138, December 30, 2006), Articles 3 and 21	措施:	航空法 (第8128号法律, 2006年12月28日), 第139条 航空法实施条例 (建设交通部第532号令, 2006年8月18日), 第306条 卡车运输业务法 (第8138号法律, 2006年12月30日), 第3条和第21条
Description:	<u>Cross-Border Trade in Services</u> To supply international courier services that include commercial document delivery services, as specified in Article 3 of the <i>Enforcement Decree of the Postal Services Act</i> , a person must establish an office in Korea. In order to obtain a trucking business license from the Minister of Construction and Transportation, a domestic courier services supplier must establish an office in the relevant geographic area. Such a license 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 license provided that the acquirer operates under the same terms and conditions as set out in the acquiree’s license.	描述:	<u>跨境服务贸易</u> 如《邮政服务法施行令》第3条所规定, 提供包含商业文件递送服务的国际快递服务时, 个人必须在韩国设立办事处。 国内快递服务供应商若要从建设交通部长处获得卡车运输业务许可证, 必须在相关地理区域设立办事处。此类许可证需通过经济需求测试。 为更加明确起见, 个人收购国内快递服务供应商时, 若收购方按照被收购方许可证规定的相同条款和条件运营, 则无需重新获取卡车运输业务许可证。

Sector:	Telecommunications Services	部门:	电信服务
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	国民待遇（第11.3条和第12.2条）市场准入（第12.4条）本地存在（第12.5条）
Measures:	<i>Telecommunications Business Act</i> (Law No. 8324, March 29, 2007), Articles 5, 5-2, 6, 19, and 59-2 <i>Telecommunications Business Act</i> (Law No. 5385, August 28, 1997), Addenda Article 4 <i>Radio Waves Act</i> (Law No. 7815, December 30, 2005), Articles 13 and 20	措施:	电信事业法（第8324号法律，2007年3月29日），第5条、第5-2条、第6条、第19条及第59-2条 电信事业法（第5385号法律，1997年8月28日），附则第4条 《电波法》（第7815号法律，2005年12月30日）第13条和第20条
Description:	<u>Cross-Border Trade in Services and Investment</u> A license for facilities-based public telecommunications services or a registration for non-facilities-based public telecommunications services shall be granted only to a juridical person organized under Korean law. A license for facilities-based public telecommunications services shall not be granted to or held by a juridical person organized under Korean law in which a foreign government, foreign person, or deemed foreign person holds in the aggregate more than 49 percent 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 percent 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 percent of the total voting shares of KT. No later than two years after this Agreement enters into force, Korea shall permit: (a) a deemed foreign person to hold up to 100 percent of the total voting shares of a facilities-based supplier of public telecommunications services organized under Korean law, other than KT and SK Telecom Co., LTD (SK Telecom); and	描述:	<u>跨境服务贸易和投资</u> 基于设施的公共电信服务许可证或非基于设施的公共电信服务注册仅可授予根据韩国法律成立的法人。 基于设施的公共电信服务许可证不得授予或由根据韩国法律成立的法人持有，如果该法人中外国政府、外国人、或视为外国人合计持有该法人总投票权股份超过49%。 外国政府、外国人、或视为外国人合计不得持有基于设施的公共电信服务供应商总投票权股份超过49%。此外，对于KT公司（KT），外国政府、外国人、或视为外国人不得成为KT的最大股东，除非其持有KT总投票权股份少于5%。 在本协议生效后不超过两年的时间内，韩国应允许： (a) 允许视为外国人持有根据韩国法律成立的基于设施的公共电信服务供应商（韩国电信和SK电讯有限公司除外）总投票权股份的100%；以及

(b) a facilities-based supplier of public telecommunications services organized under Korean law in which a deemed foreign person holds up to 100 percent of its total voting shares to obtain or hold a license for facilities-based public telecommunications services.	(b) 允许根据韩国法律成立的基于设施的公共电信服务供应商（其总投票权股份中视为外国人持有比例可达100%）获取或持有基于设施的公共电信服务许可证。
A foreign government, or its representative, or a foreign person may not obtain or hold a radio station license.	外国政府、其代表或外国人不得获取或持有广播电台许可证。
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.	外国人不得向韩国提供跨境公共电信服务，除非通过与韩国持牌的公共电信服务供应商达成商业安排。
For purposes of this entry:	就本条目而言：
(a) deemed foreign person means a juridical person organized under Korean law in which a foreign government or a foreign person (including a “specially related person” under subparagraph 3 of Article 36 of the <i>Securities Exchange Act</i>) is the largest shareholder and holds 15 percent or more of that juridical person’s total voting shares, but does not include a juridical person that holds less than 1 percent of the total voting shares of a facilities-based supplier of public telecommunications services;	(a) 视为外国人指根据韩国法律设立的法人，其中外国政府或外国人（包括《证券交易法》第36条第3项规定的“特别相关人”）为最大股东且持有该法人总投票权股份的15%或以上，但不包括持有基于设施的公共电信服务供应商总投票权股份不足1%的法人；
(b) consistent with Article 4.2 of the <i>Telecommunications Business Act</i> (Law No. 8324, March 29, 2007), a facilities-based supplier is a supplier that owns transmission facilities;	(b) 与第4.2条一致 根据《电信事业法》（第8324号法律，2007年3月29日），基于设施的供应商是指拥有传输设施的供应商；
(c) consistent with Article 4.3 of the <i>Telecommunications Business Act</i> (Law No. 8324, March 29, 2007), a non-facilities-based supplier is a supplier that does not own transmission facilities (but may own a switch, router or multiplexer) and supplies its public telecommunication services through transmission facilities of a licensed facilities-based supplier; and	(c) 符合《电信事业法》第4.3条的规定，根据《电信事业法》（第8324号法律，2007年3月29日），非基于设施的供应商是指不拥有传输设施（但可能拥有交换机、路由器或多路复用器）并通过持牌基于设施供应商的传输设施提供公共电信服务的供应商；且
(d) consistent with subparagraph 3 of Article 2 of the <i>Telecommunications Basic Act</i> (Law No. 7810, December 30, 2005), transmission facilities means	(d) 符合《电信事业法》第2条第3款的规定，《电信基本法》（第7810号法律，2005年12月30日）所称传输设施，系指

wireline or wireless transmission facilities (including circuit facilities) that connect transmitting points with receiving points.

连接发射点与接收点的有线或无线传输设施（含电路设施）。

Sector:	Real Estate Brokerage and Appraisal Services	部门:	房地产经纪及评估服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Act on Duties of a Licensed Real Estate Broker and Filing of Real Estate Transactions</i> (Law No. 8120, December 28, 2006), Article 9 <i>Enforcement Decree of the Act on Duties of a Licensed Real Estate Broker and Filing of Real Estate Transactions</i> (Presidential Decree No. 19507, June 12, 2006), Article 13 <i>Enforcement Regulations of the Act on Duties of a Licensed Real Estate Broker and Filing of Real Estate Transactions</i> (Ordinance of the Ministry of Construction and Transportation No. 530, August 7, 2006), Article 4 <i>Public Notice of Values and Appraisal of Real Estate Act</i> (Law No. 7707, December 7, 2005), Article 27 <i>Enforcement Decree of the Public Notice of Values and Appraisal of Real Estate Act</i> (Presidential Decree No. 19463, April 28, 2006), Articles 65, 66, and 68 <i>Enforcement Regulations of the Public Notice of Values and Appraisal of Real Estate Act</i> (Ordinance of the Ministry of Construction and Transportation No. 425, February 12, 2005), Articles 25 and 26	措施:	持牌房地产经纪人职责及房地产交易备案法（第8120号法律，2006年12月28日），第9条 《持牌房地产经纪人职责及房地产交易备案法实施令》（第19507号总统令，2006年6月12日），第13条 《持牌房地产经纪人职责及房地产交易备案法实施条例》（建设交通部第530号条例，2006年8月7日），第4条 《房地产价值公告及评估法》（第7707号法律，2005年12月7日），第27条 《房地产价值公告及评估法实施令》（第19463号总统令，2006年4月28日），第65、66及68条 《房地产价值公告及评估法实施条例》（建设交通部第425号条例，2005年2月12日），第25及26条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies real estate brokerage services or real estate appraisal services must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供房地产经纪服务或房地产评估服务的个人必须在韩国设立办事处。

Sector:	Retail, Leasing, Rental and Repair Services Related to Medical Devices	部门:	医疗器械的零售、租赁、出租和维修服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Medical Devices Act</i> (Law No. 8037, October 4, 2006), Articles 15 and 16 <i>Enforcement Regulations of the Medical Devices Act</i> (Ordinance of the Ministry of Health and Welfare No. 366, July 27, 2006), Articles 22 and 24	措施:	医疗器械法（第8037号法律，2006年10月4日），第15条和第16条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies retail, leasing, rental, or repair services related to medical devices must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供与医疗器械相关的零售、租赁、出租或修理服务的个人必须在韩国设立办事处。

Sector:	Rental Services - Automobiles	部门:	汽车租赁服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Passenger Transport Service Act</i> (Law No. 8095, December 26, 2006), Articles 29 and 30 <i>Enforcement Regulations of the Passenger Transport Service Act</i> (Ordinance of the Ministry of Construction and Transportation No. 530, August 7, 2006), Article 52	措施:	客运服务法（第8095号法律，2006年12月26日），第29条和第30条 客运服务法实施条例（建设交通部第530号条例，2006年8月7日），第52条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies automobile rental services must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供汽车租赁服务的个人必须在韩国设立办事处。

Sector:	Scientific Research Services and Sea Map Making Services	部门:	科学研究服务和海图制作服务
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2)	相关义务:	国民待遇（第11.3条和第12.2条）
Measures:	<i>Marine Scientific Research Act</i> (Law No. 5809, February 5, 1999), Articles 6, 7, and 8 <i>Territorial Sea and Contiguous Zone Act</i> (Law No. 4986, December 6, 1995), Article 5	措施:	海洋科学研究法（第5809号法律，1999年2月5日），第6、7和8条 领海及毗连区法（第4986号法律，1995年12月6日），第5条
Description:	<u>Cross-Border Trade in Services and Investment</u> A foreign person, a foreign government, or a Korean enterprise owned or controlled by a foreign person that intends to conduct marine scientific research in the territorial waters or exclusive economic zone of Korea must obtain prior authorization or consent from the Minister of Maritime Affairs and Fisheries whereas a Korean national or a Korean enterprise not owned or controlled by a foreign person need only to provide notification to the Minister of Maritime Affairs and Fisheries.	描述:	<u>跨境服务贸易和投资</u> 外国人、外国政府或由外国人拥有或控制的韩国企业，若拟在韩国领海或专属经济区内进行海洋科学研究，必须事先获得海洋水产部长官的授权或同意；而韩国国民或非由外国人拥有或控制的韩国企业仅需向海洋水产部长官提交通知。

Sector:	Professional Services - Legal Services	部门:	专业服务 - 法律服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Attorney-at-law Act</i> (Law No. 8271, January 26, 2007), Articles 4, 7, 21, 34, 45, 58-6, 58-22, and 109 <i>Certified Judicial Scriveners Act</i> (Law No. 7895, March 24, 2006), Articles 2, 3, and 14 <i>Notary Public Act</i> (Law No. 7428, March 31, 2005), Articles 10, 16, and 17	措施:	律师法（第8271号法律，2007年1月26日），第4条、第7条、第21条、第34条、第45条、第58-6条、第58-22条和第109条 认证司法书士法（第7895号法律，2006年3月24日），第2条、第3条和第14条 公证人法（第7428号法律，2005年3月31日），第10条、第16条及第17条
Description:	<u>Cross-Border Trade in Services</u> Only a <i>byeon-ho-sa</i> (Korean-licensed lawyer) registered with the Korean Bar Association may supply legal services. Only a <i>byeon-ho-sa</i> (Korean-licensed lawyer) may establish the following types of legal entity: <i>beop-yool-sa-mu-so</i> (law office), <i>beop-mu-beop-in</i> (law company with the characteristics of partnership), <i>beop-mu-beop-in (yoo-han)</i> (limited liability law company), or <i>beop-mu-jo-hap</i> (limited liability partnership law office). For greater certainty, a person that is not a Korean-licensed lawyer is not permitted to invest in any of these types of legal entity. A <i>byeon-ho-sa</i> (Korean-licensed lawyer) or <i>beop-mu-sa</i> (Korean-certified judicial scrivener) who practices in Korea must establish an office in the jurisdiction of the district court in which he or she practices. A <i>gong-jeung-in</i> (Korean notary public) must establish an office in the jurisdiction of the district office of the public prosecutor in which he or she practices. This entry is subject to the commitments undertaken in the entry for Legal Services – Foreign Legal Consultants in the Schedule to Annex II.	描述:	<u>跨境服务贸易</u> 只有在韩国律师协会注册的辩护士（韩国持牌律师）方可提供法律服务。 只有辩护士（韩国持牌律师）可设立以下类型的法律实体：法律事务所（law office）、法律法人（具有合伙企业特性的法律公司）、法律法人（有限）（有限责任公司）或法律组合（有限责任合伙企业法律事务所）。为明确起见，非韩国持牌律师的个人不得对上述任何类型的法律实体进行投资。 在韩国执业的辩护士（韩国持牌律师）或法务士（韩国认证司法代书人）必须在其执业地方法院管辖范围内设立办事处。公证人（韩国公证人）必须在其执业地方检察厅管辖范围内设立办事处。 本条目受限于附件二附表中法律服务——外国法律顾问条目所作出的承诺。

Sector:	Professional Services - Labor Affairs Consulting Services	部门:	专业服务——劳动事务咨询服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Certified Labor Affairs Consultant Act</i> (Law No. 7796, December 29, 2005), Articles 5, 7-3, and 7-4	措施:	认证劳动事务顾问法（第7796号法律，2005年12月29日），第5条、第7-3条和第7-4条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies labor affairs consulting services must establish an office in Korea and be a <i>gong-in-no-mu-sa</i> (Korean-licensed labor affairs consultant). For greater certainty, an enterprise that supplies labor affairs consulting services must consist of at least two <i>gong-in-no-mu-sa</i> (Korean-licensed labor affairs consultant) (including the natural person who is the founder) and must obtain authorization from the Minister of Labor.	描述:	<u>跨境服务贸易</u> 提供劳动事务咨询服务的个人必须在韩国设立办事处，并成为公认劳务师（韩国持牌劳动事务顾问）。 为明确起见，提供劳动事务咨询服务的企业必须至少由两名公认劳务师（韩国认证劳动事务顾问）（包括作为创始人的自然人）组成，并须获得劳动部长的授权。

Sector:	Professional Services - Patent Attorney (<i>byeon-ri-sa</i>)	部门:	专业服务 - 专利律师（辩理士）
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入 (第12.4条) 本地存在 (第12.5条)
Measures:	<i>Patent Attorney Act</i> (Law No. 7870, March 3, 2006), Articles 3, 5, 6-2, and 6-3	措施:	专利律师法 (第7870号法律, 2006年3月3日), 第3、5、6-2和6-3条
Description:	<u>Cross-Border Trade in Services</u> Only a <i>byeon-ri-sa</i> (Korean-licensed patent attorney) who is registered with the Korean Intellectual Property Office may supply patent attorney services. Only a <i>byeon-ri-sa</i> (Korean-licensed patent attorney) may establish a <i>gae-in-sa-mu-so</i> (sole proprietorship) or a <i>teuk-heo-beop-in</i> (patent law firm). For greater certainty, a person that is not a Korean-licensed patent attorney may not invest in either of these types of legal entity. A <i>byeon-ri-sa</i> (Korean-licensed patent attorney) may establish only one office.	描述:	<u>跨境服务贸易</u> 只有在韩国知识产权局注册的辩理士（韩国执业专利律师）方可提供专利律师服务。 只有辩理士（韩国执业专利律师）方可设立个人事务所（独资企业）或特许法人（专利律师事务所）。为明确起见，非韩国执业专利律师的个人不得向这两类法律实体投资。 一名辩理士（韩国执业专利律师）只能设立一个办事处。

Sector:	Professional Services - Accounting and Auditing Services	部门:	专业服务 - 会计与审计服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Certified Public Accountant Act</i> (Law No. 7796, December 29, 2005), Articles 2, 7, 12, 18, and 23 <i>External Audit of Stock Companies Act</i> (Law No. 7524, May 31, 2005), Article 3	措施:	注册会计师法（第7796号法律，2005年12月29日），第2条、第7条、第12条、第18条和第23条 股份公司外部审计法（第7524号法律，2005年5月31日），第3条
Description:	<u>Cross-Border Trade in Services</u> Only a <i>gae-in-sa-mu-so</i> (sole proprietorships), <i>gam-sa-ban</i> (auditing task forces) or <i>hoe-gye-boep-in</i> (accounting corporation limited liability company) established in Korea by <i>gong-in-hoe-gye-sa</i> (Korean-certified public accountants) registered under the <i>Certified Public Accountant Act</i> may supply accounting and auditing services. For greater certainty, a person that is not a Korean-registered certified public accountant may not invest in any of these types of legal entity. Only <i>gong-in-hoe-gye-sa</i> (Korean-certified public accountants) in an auditing task force or an accounting corporation may supply auditing services regulated under the <i>External Audit of Stock Companies Act</i> . This entry is subject to the commitments undertaken in the entry for Professional Services – Foreign Certified Public Accountant in the Schedule of Korea to Annex II.	描述:	<u>跨境服务贸易</u> 只有根据《注册会计师法》注册的韩国注册会计师（ <i>gong-in-hoe-gye-sa</i> ）在韩国设立的个人事务所（ <i>gae-in-sa-mu-so</i> ）、审计任务组（ <i>gam-sa-ban</i> ）或会计法人有限责任公司（ <i>hoe-gye-boep-in</i> ）方可提供会计与审计服务。需明确的是，未在韩国注册的注册会计师不得投资于上述任何类型的法律实体。 只有审计任务组或会计法人中的韩国注册会计师（ <i>gong-in-hoe-gye-sa</i> ）方可提供《股份公司外部审计法》监管的审计服务。 本条目受制于韩国附件二减让表中专业服务 - 外国注册会计师条目所作承诺。

Sector:	Professional Services - Tax Accountant (<i>se-mu-sa</i>)	部门:	专业服务 - 税务会计师（se-mu-sa）
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Certified Tax Accountant Act</i> (Law No. 7878, March 24, 2006), Articles 6, 13, 16-3, and 20 <i>Guidelines Governing the Work of Tax Agents</i> , Articles 20 and 22	措施:	税务师法（第7878号法律，2006年3月24日），第6、13、16-3和20条 税务代理人工作指南，第20和22条
Description:	<u>Cross-Border Trade in Services</u> Only a <i>se-mu-sa-mu-so</i> (sole proprietorships), <i>se-mu-jo-jeong-ban</i> (tax reconciliation task forces) or, <i>se-mu-beop-in</i> (tax agency corporation limited liability company) established in Korea by <i>se-mu-sa</i> (Korean-certified tax accountants) registered under the <i>Certified Tax Accountant Act</i> may supply <i>se-mu-sa</i> (Korean-certified tax accountants) services, including tax reconciliation services and tax representative services. For greater certainty, a person that is not a Korean-registered certified tax accountant may not invest in any of these types of legal entity. Only a tax reconciliation task force or a tax agency corporation may supply tax reconciliation services. This entry is subject to the commitments undertaken in the entry for Professional Services – Foreign Certified Tax Accountants in the Schedule of Korea to Annex II.	描述:	<u>跨境服务贸易</u> 只有根据《税务师法》注册的税务师（韩国注册税务师）在韩国设立的税务师事务所（个人独资企业）、税务调解工作组或税务代理法人有限责任公司，方可提供税务师（韩国注册税务师）服务，包括税务调解服务和税务代表服务。为明确起见，非韩国注册税务师的个人不得投资于上述任何类型的法律实体。 只有税务调解工作组或税务代理法人方可提供税务调解服务。 本条目受制于韩国附件二减让表中专业服务-外国税务师条目所作承诺。

Sector:	Professional Services - Customs Clearance Services	部门:	专业服务 - 清关服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Customs Broker Act</i> (Law No. 7796, December 29, 2005), Articles 3, 7, and 9	措施:	海关经纪人法（第7796号法律，2005年12月29日），第3、7和9条
Description:	<u>Cross-Border Trade in Services</u> Only a <i>gwan-se-sa</i> (customs broker) licensed under the <i>Customs Brokers Act</i> , a corporation incorporated by such customs brokers, or a corporation licensed to engage in the customs-clearance brokerage business under the <i>Customs Broker Act</i> may supply customs-clearance services. A person that supplies customs-clearance services must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 只有根据《海关经纪人法》获得许可证的关税收师（海关经纪人）、由这些海关经纪人组成的公司，或根据《海关经纪人法》获得从事清关经纪业务许可证的公司，方可提供清关服务。 提供报关服务的个人必须在韩国设立办事处。

Sector:	Engineering and Other Technical Services - Industrial Safety, Health Institution, and Consulting Services	部门:	工程及其他技术服务 - 工业安全、健康机构及咨询服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在 (第12.5条)
Measures:	<i>Industrial Safety and Health Act</i> (Law No. 7920, March 24, 2006), Articles 15 and 52-4 <i>Enforcement Decree of the Industrial Safety and Health Act</i> (Presidential Decree No. 19804, December 29, 2006), Article 15-3 <i>Enforcement Regulations of the Industrial Safety and Health Act</i> (Ordinance of the Ministry of Labor No. 265, January 12, 2007), Articles 18 and 136-8	措施:	工业安全与健康法 (第7920号法律, 2006年3月24日), 第15条和第52-4条 工业安全与健康法施行令 (第19804号总统令, 2006年12月29日), 第15-3条 《工业安全与健康法施行规则》(劳动部第265号令, 2007年1月12日), 第18条和第136-8条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies safety and health management or diagnostic services to industrial workplaces must establish an office in Korea. A person that supplies industrial safety or hygiene consulting services, such as evaluation and instruction on safety in a work process and evaluation and instruction on the improvement of work environments, must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 向工业工作场所提供安全与健康管理和诊断服务的个人必须在韩国设立办事处。 提供工业安全或卫生咨询服务（如工作流程中的安全评估与指导以及工作环境改善的评估与指导）的个人必须在韩国设立办事处。

Sector:	Engineering and Other Technical Services - Architectural Services, Engineering Services, Integrated Engineering Services, Urban Planning and Landscape Architectural Services	部门:	工程及其他技术服务 - 建筑服务、工程服务、综合工程服务、城市规划与景观建筑服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在 (第12.5条)
Measures:	<i>Certified Architects Act</i> (Law No. 7593, July 13, 2005), Article 23 <i>Enforcement Decree of the Certified Architects Act</i> (Presidential Decree No. 19513, June 12, 2006), Articles 22 and 23 <i>Enforcement Regulations of the Certified Architects Act</i> (Ordinance of the Ministry of Construction and Transportation No. 458, July 18, 2005), Article 13 <i>Engineering Technology Promotion Act</i> (Law No. 7428, March 31, 2005), Article 4 <i>Professional Engineers Act</i> (Law No. 8268, January 26, 2007), Article 6 <i>Special Act on the Safety Control of Public Structures</i> (Law No. 7923, March 24, 2006), Article 9 <i>Enforcement Decree of the Special Act on the Safety Control of Public Structures</i> (Presidential Decree No. 19716, October 26, 2006), Article 11 <i>Construction Technology Management Act</i> (Law No. 7305, December 31, 2004), Articles 25 and 28 <i>Enforcement Decree of the Construction Technology Management Act</i> (Presidential Decree No.19805, December 29, 2006), Articles 49 and 54 <i>Enforcement Regulations of the Construction Technology Management Act</i> (Ordinance of the Ministry of Construction and Transportation No. 545, December 29, 2006), Article 28 <i>Act on Assessment of Impacts of Works on the Environment, Traffic, Disasters, Etc.</i> (Law No. 7573, May 31, 2005), Article 8 <i>Surveying Act</i> (Law No. 8071, December 20, 2006), Article 39	措施:	注册建筑师法 (第7593号法律, 2005年7月13日), 第23条 注册建筑师法施行令 (第19513号总统令, 2006年6月12日), 第22条和第23条 《注册建筑师法施行规则》(建设交通部第458号条例, 2005年7月18日), 第13条 《工程技术促进法》(第7428号法律, 2005年3月31日), 第4条 《专业工程师法》(第8268号法律, 2007年1月26日), 第6条 《公共结构安全管理特别法》(第7923号法律, 2006年3月24日), 第9条 《公共结构安全管理特别法施行令》(第19716号总统令, 2006年10月26日), 第11条 《建设技术管理法》(第7305号法律, 2004年12月31日), 第25条及第28条 《建设技术管理法施行令》(总统令第19805号, 2006年12月29日), 第49条和第54条 《建设技术管理法施行规则》(建设交通部令第545号, 2006年12月29日), 第28条 《工程对环境、交通、灾害等影响评估法》(第7573号法律, 2005年5月31日), 第8条 测量法 (法律第8071号, 2006年12月20日), 第39条

	<i>Enforcement Decree of the Surveying Act</i> (Presidential Decree No. 19849, January 24, 2007), Articles 15, 16, and 18		测量法施行令（总统令第19849号，2007年1月24日），第15、16及18条
	<i>Environmental Testing and Inspection Act</i> (Law No. 8038, October 4, 2006), Article 16		环境检测法（法律第8038号，2006年10月4日），第16条
	<i>Thermal Spring Management Act</i> (Law No. 8343, April 11, 2007), Article 7		温泉管理法（法律第8343号，2007年4月11日），第7条
	<i>Fire Fighting System Installation Business Act</i> (Law No. 7982, September 22, 2006), Article 4		消防系统安装业务法（第7982号法律，2006年9月22日），第4条
Description:	<u>Cross-Border Trade in Services</u>	描述:	<u>跨境服务贸易</u>
	A person that supplies architectural services, engineering services, integrated engineering services, or urban planning and landscape architectural services must establish an office in Korea.		提供建筑服务、工程服务、综合工程服务或城市规划与景观建筑服务的个人必须在韩国设立办事处。
	For greater certainty, this entry does not apply to the supply of services by a foreign architect through a joint contract with a Korean-licensed architect.		为更加明确起见，本条目不适用于外国建筑师通过与韩国注册建筑师签订联合合同提供的服务。

Sector:	Business Services - Electronic Billboard Operator Services and Outdoor Advertisement Services	部门:	商业服务 - 电子广告牌运营商服务和户外广告服务
Obligations Concerned:	Performance Requirements (Article 11.8) Senior Management and Boards of Directors (Article 11.9) Local Presence (Article 12.5)	相关义务:	业绩要求（第11.8条） 高级管理层和董事会（第11.9条） 本地存在（第12.5条）
Measures:	<i>Broadcasting Act</i> (Law No. 8301, January 26, 2007), Articles 13 and 73 <i>Outdoor Advertisements, Etc. Management Act</i> (Law No. 7246, December 23, 2004), Article 11 <i>Enforcement Decree of the Outdoor Advertisements, Etc. Management Act</i> (Presidential Decree No. 19639, August 4, 2006), Articles 31 and 41	措施:	广播法（第8301号法律，2007年1月26日）， 第13条和第73条 户外广告等管理法（第7246号法律，2004年12月23日）， 第11条 《户外广告等管理法施行令》（第19639号总统令，2006年8月4日）， 第31条和第41条
Description:	<u>Cross-Border Trade in Services and Investment</u> A foreign national or a Korean national who serves as a <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) of a foreign enterprise may not serve as the <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) or chief programmer of an enterprise that supplies electronic billboard operator services. At least 30 percent of the electronic billboard programs must be non-commercial public advertisements provided by the central or local government. A person that supplies outdoor advertising services must establish an office in Korea.	描述:	<u>跨境服务贸易和投资</u> 外国人或担任外国企业代表者（例如首席执行官、总裁或类似的高级主管）的韩国国民， 不得担任提供电子广告牌运营商服务企业的代表者（例如首席执行官、总裁或类似的高级主管）或首席程序员。 电子广告牌节目中至少30%必须是由中央或地方政府提供的非商业性公共广告。 提供户外广告服务的个人必须在韩国设立办事处。

Sector:	Business Services - Job Placement Services, Labor Supply and Worker Dispatch Services, and Education Services for Seafarers	部门:	商业服务 - 职业介绍服务、劳动力供应和劳务派遣服务以及海员教育服务
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	国民待遇（第11.3条和第12.2条）市场准入（第12.4条）本地存在（第12.5条）
Measures:	<i>Employment Security Act</i> (Law No. 8249, January 19, 2007), Articles 19 and 33 <i>Enforcement Decree of the Employment Security Act</i> (Presidential Decree No. 19602, June 30, 2006), Articles 21 and 33 <i>Enforcement Regulations of the Employment Security Act</i> (Ordinance of the Ministry of Labor No. 252, June 30, 2006), Articles 17 and 36 <i>Act Relating to Protection for Dispatched Workers</i> (Law No. 8076, December 21, 2006), Article 7 <i>Enforcement Decree of the Act Relating to Protection for Dispatched Workers</i> (Presidential Decree No. 15828, July 1, 1998), Article 3 <i>Enforcement Regulations of the Act Relating to Protection for Dispatched Workers</i> (Ordinance of the Ministry of Labor No. 255, July 19, 2006), Article 3 <i>Act on Designation and Management of Free Economic Zones</i> (Law No. 8283, January 26, 2007), Article 17 <i>Seafarers Act</i> (Law No. 8381, April 11, 2007), Articles 100, 101, 103, 104, 106, 107, 122-2, and 122-3 <i>Korea Institute of Maritime and Fisheries Technology Act</i> (Law No. 6457, March 28, 2001), Article 5	措施:	就业保障法（法律第8249号，2007年1月19日），第19条和第33条 就业保障法施行令（总统令第19602号，2006年6月30日），第21条和第33条 就业保障法施行规则（劳动部第252号条例，2006年6月30日），第17条和第36条 派遣劳动者保护法（第8076号法律，2006年12月21日），第7条 派遣劳动者保护法施行令（总统令第15828号，1998年7月1日），第3条 派遣劳动者保护法施行规则（劳动部第255号条例，2006年7月19日），第3条 自由经济区指定及管理法（第8283号法律，2007年1月26日），第17条 海员法（第8381号法律，2007年4月11日），第100条、101条、103条、104条、106条、107条、122-2条和122-3条 韩国海洋水产技术研究院法（第6457号法律，2001年3月28日），第5条
Description:	<u>Cross-Border Trade in Services and Investment</u> A person that supplies job placement services for a fee, worker supply services, or worker dispatch (secondment) services must establish an office in Korea. For transparency purposes, as of March 31, 2007 the types of business to which workers may be seconded are limited to the 26 businesses set forth in the Presidential Decree, but the Minister of	描述:	<u>跨境服务贸易和投资</u> 提供有偿职业介绍服务、劳动力供应服务或劳务派遣服务的个人必须在韩国设立办事处。 为保持透明度，自2007年3月31日起，工人可被借调的企业类型仅限于总统令中规定的26类企业，但劳动部长

Labor can expand the types of business and the secondment period, pursuant to the review and determination by the Committee of the Free Economic Zone.

Only the Korea Seafarers Welfare and Employment Center and regional offices of the Minister of Maritime Affairs and Fisheries may supply seafaring labor supply services.

To become an agent for seafarer personnel management services, a person must register with the Minister of Maritime Affairs and Fisheries as a stock company under the Korean Commercial Code.

Only the Korea Institute of Maritime and Fisheries Technology may provide education and training for seafarers.

可根据自由经济区委员会的审议和决定，扩大企业类型及借调期限。

只有韩国海员福利与就业中心和海洋水产部长官的区域办事处可提供海员劳务供应服务。

个人若要成为海员人事管理服务代理，必须依据韩国商法注册为股份有限公司，并向海洋水产部长官登记。

只有韩国海洋水产技术院可提供海员教育培训。

Sector:	Investigation and Security Services	部门:	调查与安全服务
Obligations Concerned:	Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Certified Private Security Act</i> (Law No. 7671, August 4, 2005), Articles 3 and 4 <i>Enforcement Decree of the Certified Private Security Act</i> (Presidential Decree No. 18312, March 17, 2004), Articles 3 and 4 <i>Enforcement Regulations of the Certified Private Security Act</i> (Ordinance of the Ministry of Government Administration and Home Affairs, No. 345, September 7, 2006), Article 3	措施:	认证私人保安法（第7671号法律，2005年8月4日），第3条和第4条 认证私人保安法施行令（第18312号总统令，2004年3月17日），第3条和第4条 认证私人保安法施行规则（政府行政与内务部条例第345号，2006年9月7日），第3条
Description:	<u>Cross-Border Trade in Services</u> Only a juridical person organized under Korean law may supply security services in Korea. For transparency purposes, only five types of security services are permitted in Korea: (a) <i>shi-seol-gyung-bee</i> (facility security); (b) <i>ho-song-gyung-bee</i> (escort security); (c) <i>shin-byun-bo-ho</i> (personal security); (d) <i>gee-gye-gyung-bee</i> (mechanized security); and (e) <i>teuk-soo-gyung-bee</i> (special security).	描述:	<u>跨境服务贸易</u> 只有根据韩国法律成立的法人才能在韩国提供保安服务。 为保持透明度，韩国仅允许提供五类保安服务： (a) 设施警卫 (facility security); (b) 护送警卫 (escort security); (c) 身边保护 (personal security); (d) 机械警卫 (mechanized security); 以及 (e) 特殊警卫 (special security)。

Sector:	Distribution Services Related to Publications	部门:	出版物相关分销服务
Obligations Concerned:	National Treatment (Article 12.2)	相关义务:	国民待遇（第12.2条）
Measures:	<i>Publication and Printing Promotion Act</i> (Law No. 7941, April 28, 2006), Article 12 <i>Enforcement Decree of the Publication and Printing Promotion Act</i> (Presidential Decree No. 19963, March 27, 2007), Article 7 <i>Enforcement Regulations of the Publication and Printing Promotion Act</i> (Ordinance of the Ministry of Culture and Tourism No. 149, October 27, 2006), Article 7	措施:	出版印刷促进法（第7941号法律，2006年4月28日），第12条 出版印刷促进法施行令（第19963号总统令，2007年3月27日），第7条 出版印刷促进法施行规则（文化观光部第149号令，2006年10月27日），第7条
Description:	<u>Cross-Border Trade in Services</u> A person that imports the following types of foreign publications for the purpose of domestic distribution must obtain a recommendation from the Minister of Culture and Tourism: (a) publications issued by anti-government subversive entities or groups; or (b) novels, comics, photo albums, pictorial series and magazines. Distributors of domestic publications are subject to a review process on an <i>ad hoc</i> basis after distribution takes place.	描述:	<u>跨境服务贸易</u> 个人为国内配电目的进口下列类型的外国出版物，必须获得文化观光部长官的推荐： (a) 反政府颠覆实体或团体发行的出版物；或 (b) 小说、漫画、相册、画报系列和杂志。 国内出版物分销商在分销完成后需接受临时性审查程序。

Sector:	Transportation Services - Aircraft Maintenance and Repair Services	部门:	运输服务 - 飞机维护和修理服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Aviation Act</i> (Law No. 8128, December 28, 2006), Articles 137 and 138 <i>Enforcement Regulations of the Aviation Act</i> (Ordinance of the Ministry of Construction and Transportation No. 532, August 18, 2006), Articles 16, 304, and 305	措施:	航空法（第8128号法律，2006年12月28日），第137条和第138条 航空法实施条例（建设交通部第532号令，2006年8月18日），第16条、第304条和第305条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies aircraft maintenance and repair services must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供航空器维护和修理服务的个人必须在韩国设立办事处。

Sector:	Education Services - Higher Education	部门:	教育服务 - 高等教育
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Market Access (Article 12.4) Senior Management and Boards of Directors (Article 11.9)	相关义务:	国民待遇（第11.3条和第12.2条）市场准入（第12.4条）高级管理层和董事会（第11.9条）
Measures:	<i>Higher Education Act</i> (Law No. 8240, January 19, 2007), Articles 3, 4, 32, 42, and 43 <i>Enforcement Decree of the Higher Education Act</i> (Presidential Decree No. 19842, January 24, 2007), Article 28 <i>Private School Act</i> (Law No. 7802, December 29, 2005), Articles 3, 5, 10, and 21 <i>Enforcement Decree of the Private School Act</i> (Presidential Decree No. 19546, June 23, 2006), Article 9-3 <i>Decree for the Establishment of the Korea Air and Correspondence University</i> (Presidential Decree No. 19360, February 28, 2006), Articles 1 and 2	措施:	高等教育法（第8240号法律，2007年1月19日），第3、4、32、42和43条 高等教育法实施令（第19842号总统令，2007年1月24日），第28条 私立学校法（第7802号法律，2005年12月29日），第3条、第5条、第10条及第21条 私立学校法实施令（第19546号总统令，2006年6月23日），第9条之3 韩国空中和函授大学设立令（第19360号总统令，2006年2月28日），第1条及第2条
Description:	<u>Cross Border Trade in Services and Investment</u> At least 50 percent of the members of the board of directors of a private higher education institution must be Korean nationals. If a foreign person contributes at least 50 percent of the basic property of a higher education institution, up to but not including two thirds of the members of the board of directors of such an institution may be foreign nationals. For purposes of this entry, basic property means real estate, property designated as basic property by the articles of association, property incorporated into the basic property according to decisions of the board of directors, and an annual budgetary surplus reserve of the institution. Only non-profit school juridical persons approved by the Minister of Education and Human Resources Development may establish higher education institutions (other than the types of institutions listed in Annex II) in Korea. The Minister of Education and Human Resources Development may restrict the total number of students per year in the fields of medicine, pharmacology, veterinary medicine, traditional Asian medicine, medical technicians, and higher education for pre-	描述:	<u>跨境服务贸易和投资</u> 私立高等教育机构董事会成员中至少50%须为韩国国民。若外国人向高等教育机构出资占其基本财产50%以上，则该机构董事会成员中外国人比例可提高至不超过三分之二。 就本条目而言，基本财产指房地产、公司章程指定为基本财产的财产、根据董事会决议并入基本财产的财产，以及该机构的年度预算盈余储备。 只有经教育与人力资源开发部长批准的非营利学校法人方可在韩国设立高等教育机构（附件二所列机构类型除外）。 教育与人力资源开发部长可限制医学、药学、兽医学、传统亚洲医学、医疗技术人员及高等教育领域每年的学生总数，针对学前、

primary, primary, and secondary teachers, and higher education institutions located in the Seoul Metropolitan Area.

For purposes of this entry, “Seoul Metropolitan Area” includes the Seoul Metropolitan City, Incheon Metropolitan City, and Gyeonggi Province.

Only the central or local governments of Korea may establish higher education institutions for training of primary school teachers. Only the central government may establish higher education institutions that supply higher education services to the public through broadcasting.

小学、小学及中学教师，以及位于首尔都市区的高等教育机构。

就本条目而言，“首尔都市区”包括首尔特别市、仁川广域市和京畿道。

仅韩国中央或地方政府可设立培养小学教师的高等教育机构。仅中央政府可设立通过广播向公众提供高等教育服务的高等教育机构。

Sector:	Education Services - Adult Education	部门:	教育服务 - 成人教育
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Market Access (Article 12.4)	相关义务:	国民待遇 (第11.3条和第12.2条) 市场准入 (第12.4条)
Measures:	<i>Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons Act</i> (Law No. 7974, September 22, 2006), Articles 2, 2-2, and 13 <i>Enforcement Decree of the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons Act</i> (Presidential Decree No. 19717, October 27, 2006), Article 12 <i>Lifelong Education Act</i> (Law No. 6400, January 29, 2001), Articles 22, 23, 24, 25, 26, and 27 <i>Foreign Investment Promotion Act</i> (Law No. 8380, April 11, 2007), Article 4 <i>Consolidated Public Notice for Foreign Investment</i> (No. 2007-69, February 28, 2007, Ministry of Commerce, Industry and Energy), Appendix 2	措施:	私立教学机构及课外辅导设立与运营法 (第7974号法律, 2006年9月22日), 第2条、第2-2条及第13条 私立教学机构及课外辅导设立与运营法施行令 (第19717号总统令, 2006年10月27日), 第12条 《终身教育法》（第6400号法律, 2001年1月29日）, 第22、23、24、25、26和27条 《外商投资促进法》（第8380号法律, 2007年4月11日）, 第4条 《外商投资综合公告》（第2007-69号, 2007年2月28日, 工商能源部）, 附录2
Description:	<u>Cross Border Trade in Services and Investment</u> The types of adult education institutions that a foreign person may establish in Korea are limited to: (a) <i>hag-won</i> (private teaching institutes for adults) related to lifelong and vocational education; and (b) no later than the date this Agreement enters into force, lifelong adult education facilities operated for purposes other than recognizing educational qualifications or conferring diplomas, which include: (i) education facilities annexed to workplaces, non-governmental organizations, schools and media organizations; (ii) educational facilities related to the development of knowledge and human resources; and (iii) on-line lifelong education facilities, all of which are established for adults.	描述:	<u>跨境服务贸易和投资</u> 外国个人在韩国可设立的成人教育机构类型仅限于: (a) 学院（成人私立教学机构），涉及终身和职业教育；以及 (b) 不迟于本协议生效之日，为承认教育资格或授予文凭以外的目的而运营的成人终身教育设施，包括：(i) 附属于是工作场所、非政府组织、学校和媒体组织的教育设施；(ii) 与知识和人力资源开发相关的教育设施；以及(iii) 在线终身教育设施，所有这些设施均为成年人设立。

For purposes of this entry, *hag-won* (private teaching institutes for adults) are facilities that provide tutoring services on subjects related to lifelong or vocational education to ten people or more for a period of 30 days or longer.

A foreign national hired by a private teaching institute for adults as a lecturer must possess at least a bachelor’s degree or the equivalent and reside in Korea.

就本条目而言，学院（成人私立教学机构）是指向十人或更多人提供为期30天或更长时间的终身或职业教育相关科目辅导服务的设施。

被成人私立教育机构聘为讲师的外国人必须至少拥有学士学位或同等学历，并居住在韩国。

Sector:	Education Services - Vocational Competency Development Training Services	部门:	教育服务 - 职业能力开发培训服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Workers’ Vocational Competency Development Act</i> (Law No. 8294, January 26, 2007), Articles 28, 32, and 36 <i>Enforcement Decree of the Workers’ Vocational Competency Development Act</i> (Presidential Decree No. 18911, June 30, 2005), Articles 24 and 26 <i>Enforcement Regulations of the Workers’ Vocational Competency Development Act</i> (Ordinance of the Ministry of Labor No. 255, July 19, 2006), Articles 12 and 14	措施:	劳动者职业能力开发法（第8294号法律，2007年1月26日），第28条、第32条和第36条 劳动者职业能力开发法施行令（第18911号总统令，2005年6月30日），第24条和第26条 《劳动者职业能力开发法施行规则》（劳动部第255号条例，2006年7月19日）第12条及第14条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies vocational competency development training services must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供职业能力发展培训服务的个人必须在韩国设立办事处。

Sector:	Veterinary Services	部门:	兽医服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在 (第12.5条)
Measures:	<i>Veterinary Affairs Act</i> (Law No. 7546, May 31, 2005), Article 17 <i>Fish Culture Promotion Act</i> (Law No. 8377, April 11, 2007), Article 24	措施:	兽医事务法 (第7546号法律, 2005年5月31日), 第17条 鱼类养殖促进法 (第8377号法律, 2007年4月11日), 第24条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies veterinary or aquatic animal disease inspection services must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供兽医或水生动物疾病检查服务的个人必须在韩国设立办事处。

Sector:	Environmental Services - Waste Water Treatment Services, Waste Management Services, Air Pollution Treatment Services, Environmental Preventive Facilities Business, Environmental Impact Assessment, Soil Remediation and Groundwater Purification Services, and Toxic Chemical Control Services	部门:	环境服务 - 废水处理服务、废物管理服务、空气污染治理服务、环境预防设施业务、环境影响评估、土壤修复和地下水净化服务以及有毒化学品控制服务
Obligations Concerned:	Local Presence (Article 12.5)	相关义务:	本地存在（第12.5条）
Measures:	<i>Water Quality Conservation Act</i> (Law No. 7459, March 31, 2005), Article 62 <i>Development of and Support for Environmental Technology Act</i> (Law No. 7820, December 30, 2005), Articles 17 and 18 <i>Soil Environment Conservation Act</i> (Law No. 7459, March 31, 2005), Article 23-7 <i>Groundwater Act</i> (Law No. 7924, March 24, 2006), Article 29-2 <i>Clean Air Conservation Act</i> (Law No. 7459, March 31, 2005), Article 40 <i>Act on Assessment of Impacts of Works on Environment, Traffic and Disasters</i> (Law No. 7573, May 31, 2005), Article 8 <i>Toxic Chemicals Control Act</i> (Law No. 7849, February 21, 2006), Article 20 <i>Wastes Control Act</i> (Law No. 7459, March 31, 2005), Article 26 <i>Enforcement Decree of the Wastes Control Act</i> (Presidential Decree No. 18471, July 13, 2004), Article 6	措施:	水质保护法（第7459号法律，2005年3月31日），第62条 环境技术开发与支持法（第7820号法律，2005年12月30日），第17和18条 《土壤环境保护法》（第7459号法律，2005年3月31日），第23-7条 《地下水法》（第7924号法律，2006年3月24日），第29-2条 《清洁空气保护法》（第7459号法律，2005年3月31日），第40条 《工程对环境、交通和灾害影响评估法》（第7573号法律，2005年5月31日），第8条 《有毒化学品控制法》（第7849号法律，2006年2月21日），第20条 《废物控制法》（第7459号法律，2005年3月31日），第26条 废弃物管理法施行令（总统令第18471号，2004年7月13日），第6条
Description:	<u>Cross-Border Trade in Services</u> A person that supplies the environmental services listed in the Sector heading must establish an office in Korea.	描述:	<u>跨境服务贸易</u> 提供部门标题所列环境服务的个人必须在韩国设立办事处。

Sector:	Performance Services	部门:	演出服务
Obligations Concerned:	National Treatment (Article 12.2)	相关义务:	国民待遇（第12.2条）
Measures:	<i>Public Performance Act</i> (Law No. 7991, September 27, 2006), Articles 6 and 7 <i>Enforcement Decree of the Public Performance Act</i> (Presidential Decree No. 19798, December 29, 2006), Articles 4 and 6 <i>Enforcement Regulations of the Public Performance Act</i> (Ordinance of the Ministry of Culture and Tourism No. 154, December 29, 2006), Article 4 Ordinance of the Ministry of Justice No. 609, March 5, 2007, Table 5	措施:	公演法（第7991号法律，2006年9月27日），第6条和第7条 公演法施行令（第19798号总统令，2006年12月29日），第4条和第6条 公演法施行规则（文化观光部第154号令，2006年12月29日），第4条 法务部第609号令，2007年3月5日，表5
Description:	<u>Cross-Border Trade in Services</u> A foreign person who intends to engage in a public performance in Korea, or a person who intends to invite a foreign person to engage in a public performance in Korea must obtain a recommendation from the Korea Media Rating Board.	描述:	<u>跨境服务贸易</u> 有意在韩国从事公演的外国人，或有意邀请外国人在韩国从事公演的个人，必须获得韩国媒体评级委员会的推荐。

Sector:	News Agency (<i>News-tong-sin-sa</i>) Services	部门:	新闻通讯社（News-tong-sin-sa）服务
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Senior Management and Boards of Directors (Article 11.9) Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	国民待遇（第11.3条和第12.2条） 高级管理层和董事会（第11.9条） 市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>News Agency Promotion Act</i> (Law No. 7655, August 4, 2005), Articles 7, 8, 9, 16, and 28 <i>Enforcement Decree of the News Agency Promotion Act</i> (Presidential Decree No. 19507, June 12, 2006), Article 4 <i>Radio Waves Act</i> (Law No. 7815, December 30, 2005), Article 20	措施:	《新闻通讯社促进法》（第7655号法律，2005年8月4日）第7、8、9、16及28条 《新闻通讯社促进法施行令》（第19507号总统令，2006年6月12日）第4条 《电波法》（第7815号法律，2005年12月30日），第20条
Description:	<u>Cross-Border Trade in Services and Investment</u> A <i>news-tong-sin-sa</i> (news agency) organized under foreign law may supply <i>news-tong-sin</i> (news communications) in Korea only under a contract with a news agency organized under Korean law which has a radio station license, such as Yonhap News. The following persons may not supply news agency services in Korea: (a) a foreign government; (b) a foreign person; (c) an enterprise organized under Korean law whose <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) is not a Korean national or is a person not domiciled in Korea; or (d) an enterprise organized under Korean law in which a foreign person holds 25 percent or more equity interest. The following persons may not serve as a <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) or editor of a news agency, or serve as <i>im-won</i> (a member of the board of directors) of Yonhap News or the News Agency Promotion Committee: (a) a foreign national; or	描述:	<u>跨境服务贸易和投资</u> 根据外国法律组织的新闻通讯社（新闻社）在韩国提供新闻通讯（新闻通讯）服务，仅可通过与根据韩国法律组织且持有广播电台许可证的新闻社（如联合新闻）签订合同进行。 以下个人或实体不得在韩国提供新闻社服务： (a) 外国政府；(b) 外国人；(c) 根据韩国法律组织的企业，其代表者（例如首席执行官、总裁或类似的高级主管）非韩国国民或未在韩国居住；或(d) 根据韩国法律组织的企业，其中外国人持有25%或以上股权。 以下个人不得担任新闻通讯社的代表者（例如首席执行官、总裁或类似的高级主管）或编辑，也不得担任联合新闻或新闻机构促进委员会的委员（董事会成员）： (a) 一名外国人；或

(b) a Korean national not domiciled in Korea.

A foreign news agency may establish a branch or office in Korea for the sole purpose of collecting news. For greater certainty, such branch or office may not distribute *news-tong-sin* (news communications) in Korea.

The following persons may not obtain a radio station license:

- (a) a foreign national;
- (b) a foreign government or its representative; or
- (c) an enterprise organized under foreign law.

(b) 未在韩国居住的韩国国民。

外国新闻机构可在韩国设立分支机构或办事处，专事收集新闻。为明确起见，此类分支机构或办事处不得在韩国分发新闻通讯（新闻通信）。

以下个人不得获取广播电台许可证：

- (a) 外国人；(b) 外国政府或其代表；或(c) 根据外国法律组织的企业。

Sector:	Manufacturing of Biological Products	部门:	生物制品制造
Obligations Concerned:	Performance Requirements (Article 11.8)	相关义务:	业绩要求（第11.8条）
Measures:	<i>Pharmaceutical Affairs Act</i> (Law No. 8035, October 4, 2006), Article 34	措施:	药事法（第8035号法律，2006年10月4日），第34条
	<i>Enforcement Regulations of the Pharmaceutical Affairs Act</i> (Ordinance of the Ministry of Health and Welfare No. 372, October 24, 2006), Article 21		药事法实施条例（卫生福利部第372号法令，2006年10月24日），第21条
Description:	<u>Investment</u>	描述:	<u>投资</u>
	A person who manufactures blood products must procure raw blood materials from the Korean Red Cross.		制造血液制品的个人必须从韩国红十字会采购血液原料。

Sector:	Publishing of Periodicals (Excluding Newspapers)	部门:	期刊出版（不包括报纸）
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Senior Management and Boards of Directors (Article 11.9) Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	国民待遇（第11.3条和第12.2条）高级管理层和董事会（第11.9条）市场准入（第12.4条）本地存在（第12.5条）
Measures:	<i>Act on the Guarantee of Freedom and Function of Newspapers, Etc.</i> (Law No. 7655, August 4, 2005), Articles 13 and 26 <i>Enforcement Decree of the Act on the Guarantee of Freedom and Function of Newspapers, Etc.</i> (Presidential Decree No. 19507, June 12, 2006), Articles 17, 18, 19, and 20	措施:	报纸等自由与功能保障法（第7655号法律，2005年8月4日），第13条和第26条 报纸等自由与功能保障法施行令（第19507号总统令，2006年6月12日），第17条、第18条、第19条和第20条
Description:	<u>Cross-Border Trade in Services and Investment</u> The publisher or the editor-in-chief of an enterprise that publishes periodicals must be a Korean national. The following persons may not publish periodicals in Korea: (a) a foreign government or a foreign person; (b) an enterprise organized under Korean law whose <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) is not a Korean national; or (c) an enterprise organized under Korean law in which a foreign person holds more than 50 percent of share or equity interest. A foreign person that publishes periodicals may establish a branch or office in Korea subject to authorization from the Minister of Culture and Tourism. As of the date this Agreement enters into force, such branch or office may print and distribute its periodicals in Korea in the original language, provided that such periodicals are edited in the territory of the other Party.	描述:	<u>跨境服务贸易和投资</u> 出版期刊的企业的出版商或主编必须是韩国国民。 以下个人不得在韩国出版期刊： (a) 外国政府或外国人；(b) 根据韩国法律组织的企业，其代表者（例如首席执行官、总裁或类似的高级主管）不是韩国国民；或(c) 根据韩国法律组织的企业，其中外国人持有超过50%的股份或股权。 出版期刊的外国人可在获得文化观光部长官授权后于韩国设立分支机构或办事处。自本协议生效之日起，此类分支机构或办事处可在韩国印刷并分发其原文语言的期刊，前提是这些期刊在另一方的领土内完成编辑。

Sector:	Distribution Services - Agriculture and Livestock	部门:	分销服务-农业和畜牧业
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Market Access (Article 12.4)	相关义务:	国民待遇（第11.3条和第12.2条）市场准入（第12.4条）
Measures:	<i>Grain Management Act</i> (Law No. 7433, March 31, 2005), Article 12 <i>Livestock Industry Act</i> (Law No. 6821, December 26, 2002), Articles 24 and 27 <i>Seed Industry Act</i> (Law No. 7678, August 4, 2005), Article 142 <i>Feed Management Act</i> (Law No. 7428, March 31, 2005), Article 6 <i>Ginseng Industry Act</i> (Law No. 7275, December 31, 2004), Article 20 <i>Foreign Investment Promotion Act</i> (Law No. 8380, April 11, 2007), Article 4 <i>Enforcement Decree of the Foreign Investment Promotion Act</i> (Presidential Decree No. 19826, January 5, 2007), Article 5 <i>Consolidated Public Notice for Foreign Investment</i> (No. 2007-69, February 28, 2007, Ministry of Commerce, Industry and Energy), Appendix 1 <i>Act on Distribution and Price Stabilization of Agricultural and Fishery Products</i> (Law No. 7311, December 31, 2004), Articles 15, 17, and 43 <i>Notice on TRQ Products</i> (Ministry of Agriculture and Forestry Notice No. 2006-76, December 30, 2006), Articles 14 and 20-2	措施:	粮食管理法（第7433号法律，2005年3月31日），第12条 畜牧业法（第6821号法律，2002年12月26日），第24条和第27条 种子产业法（第7678号法律，2005年8月4日），第142条 饲料管理法（第7428号法律，2005年3月31日），第6条 人参产业法（第7275号法律，2004年12月31日），第20条 外商投资促进法（第8380号法律，2007年4月11日），第4条 外商投资促进法施行令（第19826号总统令，2007年1月5日），第5条 外商投资综合公告（第2007-69号，2007年2月28日，工商能源部），附录1 农水产品流通及价格稳定相关法律（法律第7311号，2004年12月31日），第15条、第17条及第43条 关税配额产品相关公告（农林部公告第2006-76号，2006年12月30日），第14条及第20-2条
Description:	<u>Cross-Border Trade in Services and Investment</u> A foreign person may not hold 50 percent or more of the shares or equity interest of an enterprise engaged in <i>yook-ryu</i> (meat) wholesaling. Only the Livestock Cooperatives under the Agriculture Cooperative Act may establish and manage a <i>ga-chook-sijang</i> (livestock market) in Korea. Only a local government may establish a <i>gong-yeong-domae</i>-	描述:	<u>跨境服务贸易和投资</u> 外国人不得持有从事肉类批发的企业50%或以上的股份或股权。 仅农业协同组合法下的畜产业协同组合可在韩国家畜市场设立及管理。 只有地方政府可以设立公共屠宰场-

sijang (public wholesale market).

Only producers’ organizations or public interest corporations prescribed in the *Enforcement Decree of the Act on Distribution and Price Stabilization of Agricultural and Fishery Products* may establish a *gong-pan-jang* (joint wholesale market).

For greater certainty, Articles 12.2 and 12.4 do not prevent Korea from adopting or maintaining any measure with respect to the administration of the WTO Tariff-Rate-Quota.

市场（公共批发市场）。

只有《农水产品流通及价格稳定相关法律》施行令中规定的生产者组织或公益法人方可设立共同批发市场（联合批发市场）。

为更加明确起见，第12.2条和第12.4条不妨碍韩国就世界贸易组织关税配额的管理采取或维持任何措施。

Sector:	Communication Services - Broadcasting Services	部门:	通信服务 - 广播服务
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Performance Requirement (Article 11.8) Senior Management and Boards of Directors (Article 11.9) Market Access (Article 12.4) Local Presence (Article 12.5)	相关义务:	国民待遇（第11.3条和第12.2条） 业绩要求（第11.8条） 高级管理层和董事会（第11.9条） 市场准入（第12.4条） 本地存在（第12.5条）
Measures:	<i>Broadcasting Act</i> (Law No. 8301, January 26, 2007) Articles 8, 9, 12, 13 through 18, 48, and 69 through 71 <i>Enforcement Decree of the Broadcasting Act</i> (Presidential Decree No. 19806, December 29, 2006), Article 57 <i>Korea Educational Broadcasting Corporation Act</i> (Law No. 6970, August 21, 2003), Article 11 <i>Notice on Programming Ratio</i> (Korea Broadcasting Commission Notice No. 2005-2, January 22, 2005) <i>Notice on Programming Ratio for Terrestrial Digital Multimedia Broadcasting and Program Provider Using the Terrestrial Broadcasting Channel</i> (Korea Broadcasting Commission Notice No. 2006-1, March 29, 2006)	措施:	广播法（第8301号法律，2007年1月26日） 第8、9、12、13至18、48及69至71条 广播法施行令（第19806号总统令，2006年12月29日）， 第57条 《韩国教育广播公司法》（第6970号法律，2003年8月21日）， 第11条 《节目比例通知》（韩国广播委员会第2005-2号通知，2005年1月22日） 《地面数字多媒体广播及使用地面广播频道的节目提供商的节目比例通知》（韩国广播委员会第2006-1号通知，2006年3月29日）
Description:	<u>Cross-Border Trade in Services and Investment</u> Neither a foreign national nor a Korean national who serves as a <i>dae-pyo-ja</i> (<i>e.g.</i>, a chief executive officer, president, or similar principal senior officer) of a foreign enterprise may serve as a <i>dae-pyo-ja</i> (<i>e.g.</i>, a chief executive officer, president, or similar principal senior officer) or chief programmer of a terrestrial broadcaster, satellite broadcasting operator, cable system operator, program provider, signal transmission network business operator, audio cable operator, or relay-only cable operator. All members of the boards of directors of the Korea Broadcasting System (KBS) and the Korea Educational Broadcasting System (EBS) must be Korean nationals. A license for a terrestrial broadcaster, cable system operator, satellite broadcasting operator, signal transmission network business operator, or a program provider may only be granted to or held by the Government of Korea, a local government, or a juridical person organized under Korean law.	描述:	<u>跨境服务贸易和投资</u> 无论是外国人还是担任外国企业代表者（如首席执行官、总裁或类似主要高级官员）的韩国国民，均不得担任地面广播公司、卫星广播运营商、有线系统运营商、节目提供商、信号传输网络业务运营商、音频有线电视运营商或纯转播有线电视运营商的代表者（如首席执行官、总裁或类似主要高级官员）或首席程序员。 韩国广播系统（KBS）和韩国教育广播系统（EBS）董事会的所有成员必须是韩国国民。 地面广播公司、有线系统运营商、卫星广播运营商、信号传输网络业务运营商或节目提供商的许可证， 仅可授予或由韩国政府、地方政府或根据韩国法律组织的法人持有。

A license for a relay-only cable operator or an audio cable operator may only be granted to or held by the Government of Korea, a local government, or a Korean person.

A license for a terrestrial broadcaster, relay-only cable operator, cable system operator, satellite broadcasting operator, or a program provider that is engaged in *jong-hap-pyeon-sung* (multi-genre programming), home shopping, or *bo-do* (news reporting) is granted through *heo-ga* (permission), whereas a license for a signal transmission network business operator, audio cable operator or a program provider that is not engaged in *jong-hap-pyeon-sung* (multi-genre programming), home shopping, or *bo-do* (news reporting) is granted through *deung-rok* (registration).

A foreign government, foreign person, or deemed foreign person may not hold:

- (a) an equity interest in a terrestrial broadcaster, relay-only cable operator, or program provider that is engaged in *jong-hap-pyeon-sung* (multi-genre programming) or *bo-do* (news reporting);
- (b) in the aggregate more than 33 percent of the total issued stocks or equity interest of a satellite broadcasting operator; or
- (c) in the aggregate more than 49 percent of the total issued stocks or equity interest of a cable system operator, a signal transmission network business operator, or a program provider that is not engaged in *jong-hap-pyeon-sung* (multi-genre programming) or *bo-do* (news reporting).

No later than three years after this Agreement enters into force, Korea shall permit a deemed foreign person to hold up to 100 percent of the equity interest in a program provider that is not engaged in *jong-hap-pyeon-sung* (multi-genre programming), *bo-do* (news reporting), or home shopping.

For transparency purposes, no single person (including “specially related person” under Article 3 of the *Enforcement Decree of the Broadcasting Act*) may hold in the aggregate more than 30 percent of the total issued stocks or equity interest of a terrestrial broadcaster or a program provider that is engaged in *jong-hap-pyeon-sung* (multi-genre programming) or *bo-do* (news reporting), unless such broadcaster primarily provides religious or missionary

纯转播有线电视运营商或音频有线电视运营商的许可证，仅可授予或由韩国政府、地方政府或韩国人持有。

地面广播公司、纯转播有线电视运营商、有线系统运营商、卫星广播运营商或从事综合编成（多类型节目）、家庭购物或报道（新闻报道）的节目提供商，其许可证通过许可（**heo-ga**）授予；而信号传输网络业务运营商、音频有线电视运营商或不从事综合编成（多类型节目）、家庭购物或报道（新闻报道）的节目提供商，其许可证则通过登记（**deung-rok**）授予。

外国政府、外国人或视为外国人不得持有：

- (a) 地面广播公司、纯转播有线电视运营商或从事综合编成（多类型节目）或报道（新闻报道）的节目提供商的股权；(b) 合计超过卫星广播运营商总发行股票或股权的33%；或 (c) 合计超过有线系统运营商、信号传输网络业务运营商或不从事综合编成（多类型节目）或报道（新闻报道）的节目提供商的总发行股票或股权的49%。

在本协议生效后不超过三年内，韩国应允许视为外国人持有不从事综合编成（多类型节目）、新闻报道或家庭购物的节目提供商最多100%的股权。

为保持透明度，任何个人（包括《广播法施行令》第3条规定的“特别相关人”）合计不得持有从事综合编成（多类型节目）或报道（新闻报道）的地面广播公司或节目提供商总发行股票或股权的30%以上，除非该广播公司主要提供宗教或传教

content. Such limitations do not apply to the Government of Korea and a corporation established by a special law (*e.g.*, Mun-hwa Broadcasting Corporation (MBC), which is established under *the Broadcasting Culture Promotion Act*).

A terrestrial broadcaster, program provider, cable system operator, or satellite broadcasting operator must include the following percentage of Korean content in its quarterly programming:

- (a) 80 percent of the quarterly programming hours of a terrestrial broadcaster or program provider that uses terrestrial broadcasting to provide its programming;
- (b) 50 percent of the quarterly programming hours of a cable system operator or a satellite broadcasting operator; and
- (c) 50 percent of the quarterly programming hours per channel of a program provider that does not use terrestrial broadcasting to provide its programming.

A terrestrial broadcaster providing programming in the following genres must include the following percentage of Korean content in its annual programming:

- (a) Animation: 45 percent of the broadcaster’s annual animation programming hours;
- (b) Movies: 25 percent of the broadcaster’s annual movie programming hours; and
- (c) Music: 60 percent of the broadcaster’s annual music programming hours.

A cable system operator, satellite broadcasting operator or program provider providing at least some music programming must include Korean content in 60 percent of its annual music programming hours, per channel.

No later than the date this Agreement enters into force, Korea shall not require a cable system operator, satellite broadcasting operator, or program provider providing at least some animation or movie programming to provide a percentage of Korean content in its annual programming hours, per channel, that is greater than:

内容。此类限制不适用于韩国政府及依据特别法成立的公司（例如根据《广播文化促进法》成立的文化广播公司（MBC））。

地面广播公司、节目提供商、有线系统运营商或卫星广播运营商必须在其季度节目时长中包含以下比例的韩国内容：

- (a) 使用地面广播提供节目的地面广播公司或节目提供商的季度节目时长的80%；
- (b) 有线系统运营商或卫星广播运营商的季度节目时长的50%；以及
- (c) 不使用地面广播提供节目的节目提供商每频道的季度节目时长的50%。

提供以下类型节目的地面广播公司必须在其年度节目时长中包含以下比例的韩国内容：

- (a) 动画：广播公司年度动画节目时长的45%；
- (b) 电影：广播公司年度电影节目时长的25%；以及
- (c) 音乐：广播公司年度音乐节目时长的60%。

提供至少部分音乐节目的有线系统运营商、卫星广播运营商或节目提供商，必须在每频道的年度音乐节目时长中包含60%的韩国内容。

在本协议生效之日之前，韩国不得要求有线系统运营商、卫星广播运营商或提供至少部分动画或电影节目的节目提供商，在其每个频道的年度节目时长中提供的韩国内容比例超过以下标准：

- (a) Animation: 30 percent of the broadcaster’s annual animation programming hours; and
- (b) Movies: 20 percent of the broadcaster’s annual movie programming hours.

Certain separate content quota requirements apply to a broadcaster specialized in religious programming or education programming, or to a terrestrial digital multimedia broadcasting (DMB) operator. A satellite DMB operator is subject to content quota requirements applied to a satellite broadcasting operator.

No later than the date this Agreement enters into force, Korea shall permit no less than 80 percent of a terrestrial broadcaster’s, cable system operator’s, satellite broadcasting operator’s, or program provider’s quarterly programming hours of foreign content per genre to be foreign content of a single country (single-country content ceiling).

For purposes of this entry:

- (a) **program provider engaged in *jong-hap-pyeon-sung* (multi-genre programming)** means a program provider that offers a combination of news, entertainment, drama, movies, music programming, etc.;
- (b) **deemed foreign person** means a juridical person organized under Korean law in which a foreign government or a foreign person holds in the aggregate more than 50 percent of the juridical person’s total issued stocks or equity interest, or whose largest shareholder is a foreign government or a foreign person; and
- (c) a “satellite broadcasting operator” includes an operator that uses or leases capacity on a satellite registered in a foreign country.

- (a) 动画：占广播公司年度动画节目时长的30%；以及
- (b) 电影：占广播公司年度电影节目时长的20%。

针对专门从事宗教节目或教育节目的广播公司，或地面数字多媒体广播 (DMB) 运营商，适用特定的单独内容配额要求。卫星DMB运营商需遵守适用于卫星广播运营商的内容配额要求。

在本协议生效之日或之前，韩国应允许地面广播公司、有线系统运营商、卫星广播运营商或节目提供商每季度每类型外国内容的节目时长中，单一国家内容（单一国家内容上限）占比不低于80%。

就本条目而言：

- (a) 从事综合编成（多类型节目）的节目提供商，指提供新闻组合的节目提供商，娱乐、电视剧、电影、音乐节目等；
- (b) 视为外国人指根据韩国法律组建的法人，其中外国政府或外国人合计持有该法人总发行股票或股权的50%以上，或其最大股东为外国政府或外国人；以及
- (c) “卫星广播运营商”包括使用或租赁在外国注册的卫星容量的运营商。

Sector: Energy Industry - Electric Power Generation Other Than Nuclear Power Generation; Electric Power Transmission, Distribution and Sales

Obligations Concerned: National Treatment (Article 11.3)¹

Measures: *Securities and Exchange Act* (Law No. 8315, March 29, 2007), Article 203

Enforcement Decree of the Securities and Exchange Act (Presidential Decree No. 19806, December 29, 2006), Article 87-2

Foreign Investment Promotion Act (Law No. 8380, April 11, 2007), Articles 4 and 5

Enforcement Decree of the Foreign Investment Promotion Act, (Presidential Decree No. 19826, January 5, 2007), Article 5

Consolidated Public Notice for Foreign Investment (No. 2007-69, February 28, 2007, Ministry of Commerce, Industry and Energy), Appendix 1

Notice of Ministry of Finance and Economy (No. 2000-17, September 28, 2000)

Regulation on Supervision of Securities Business (Financial Supervisory Commission Notice No. 2007-3, January 19, 2007), Sec. 7-6

Description: Investment

The aggregate foreign share of KEPCO’s issued stocks may not exceed 40 percent. A foreign person may not become the largest shareholder of KEPCO.

The aggregate foreign share of power generation facilities, including cogeneration facilities of heat and power (GHP) for the district heating system (DHS), may not exceed 30 percent of the total facilities in the territory of Korea.

The aggregate foreign share of electric power transmission, distribution and sales businesses should be less than 50 percent. A foreign person may not be the largest shareholder.

¹ Paragraph (a) of the eighth entry of Korea’s Schedule to Annex II does not apply to this entry.

部门: 能源行业 - 非核能发电；电力传输、配电和销售

相关义务: 国民待遇（第11.3条）¹

措施: 证券交易法（第8315号法律，2007年3月29日），第203条

证券交易法施行令（第19806号总统令，2006年12月29日），第87-2条

外商投资促进法（第8380号法律，2007年4月11日），第4条和第5条

外商投资促进法施行令（第19826号总统令，2007年1月5日），第5条

外商投资综合公告（第2007-69号，2007年2月28日，工商能源部），附录1

财政经济部公告（第2000-17号，2000年9月28日）

证券业务监督规定（金融监督委员会公告第2007-3号，2007年1月19日），第7-6节

描述: 投资

韩国电力公司已发行股票的外资持股比例合计不得超过40%。外国人不得成为韩国电力公司的最大股东。

发电设施（包括用于区域供热系统的热电联产设施）的外资持股比例合计不得超过韩国领土内总设施的30%。

电力传输、配电和销售业务的总体外资持股比例应低于50%。外国人不得成为最大股东。

¹ 韩国附件二清单第八项(a)款不适用于本项

Sector:	Energy Industry - Gas Industry	部门:	能源行业 - 天然气行业
Obligations Concerned:	National Treatment (Article 11.3) ²	相关义务:	国民待遇（第11.3条） ²
Measures:	<i>Act on the Improvement of Managerial Structure and Privatization of Public Enterprises</i> (Law No. 8050, October 4, 2006), Article 19 <i>Securities and Exchange Act</i> (Law No. 8315, March 29, 2007), Article 203 <i>Foreign Investment Promotion Act</i> (Law No. 8380, April 11, 2007), Articles 4 and 5 <i>Articles of Incorporation of the Korea Gas Corporation</i> (March 26, 2007), Article 11	措施:	公共企业经营结构改善及私有化法（第8050号法律，2006年10月4日），第19条 证券交易法（第8315号法律，2007年3月29日），第203条 《外商投资促进法》（第8380号法律，2007年4月11日），第4条和第5条 《韩国天然气公社公司章程》（2007年3月26日），第11条
Description:	<u>Investment</u> Foreign persons, in the aggregate, may not own more than 30 percent of the equity of KOGAS.	描述:	<u>投资</u> 外国人合计持有韩国天然气公社的股权不得超过30%。

² Paragraph (a) of the eight entry of Korea’s Schedule to Annex II does not apply to this entry.

² 韩国附件二清单第八项(a)段不适用于本项。

Sector:	Recreational, Cultural, and Sporting Services - Motion Picture Projection Services	部门:	娱乐、文化和体育服务 - 电影放映服务
Obligations Concerned:	Performance Requirements (Article 11.8) Market Access (Article 12.4)	相关义务:	业绩要求（第11.8条） 市场准入（第12.4条）
Measures:	<i>Act on Promotion of Motion Pictures and Video Products</i> (Law No. 8280, January 26, 2007), Articles 2, 27, and 40 <i>Enforcement Decree of the Act on Promotion of Motion Pictures and Video Products</i> (Presidential Decree No. 19714, October 26, 2006), Article 19	措施:	电影及视频产品促进法（第8280号法律，2007年1月26日），第2、27和40条 电影及视频产品促进法实施令（第19714号总统令，2006年10月26日），第19条
Description:	<u>Cross-Border Trade in Services and Investment</u> Cinema operators must project Korean motion pictures for at least 73 days per year at each screen in Korea.	描述:	<u>跨境服务贸易和投资</u> 影院运营商必须在韩国的每块银幕上每年放映韩国电影至少73天。

ANNEX I
SCHEDULE OF THE UNITED STATES

美国附件一清单

Sector:	Atomic Energy
Obligations Concerned:	National Treatment (Article 11.3)
Level of Government:	Central
Measures:	<i>Atomic Energy Act of 1954</i> , 42 U.S.C. §§ 2011 <u>et seq.</u>
Description:	<u>Investment</u> A license issued by the United States Nuclear Regulatory Commission is required for any person in the United States to transfer or receive in interstate commerce, manufacture, produce, transfer, use, import, or export any nuclear “utilization or production facilities” for commercial or industrial purposes. Such a license may not be issued to any entity known or believed to be owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government (42 U.S.C. § 2133(d)). A license issued by the United States Nuclear Regulatory Commission is also required for nuclear “utilization and production facilities,” for use in medical therapy, or for research and development activities. The issuance of such a license to any entity known or believed to be owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government is also prohibited (42 U.S.C. § 2134(d)).

部门:	原子能
相关义务:	国民待遇（第11.3条）
政府层级:	中央
措施:	1954年原子能法，美国法典第42编第2011节及以下
描述:	投资 在美国，任何个人若要在州际贸易中转移或接收、制造、生产、转移、使用、进口或出口用于商业或工业目的的核“利用或生产设施”，必须获得美国核管理委员会颁发的许可证。此类许可证不得颁发给已知或被认为由外国人、外国公司或外国政府拥有、控制或支配的任何实体（美国法典第42编第2133(d)节）。对于用于医疗治疗或研究开发活动的核“利用和生产设施”，同样需要获得美国核管理委员会颁发的许可证。同样禁止向已知或被认为由外国人、外国公司或外国政府拥有、控制或支配的任何实体颁发此类许可证（美国法典第42编第2134(d)节）。

Sector:	Business Services	部门:	商业服务
Obligations Concerned:	National Treatment (Article 12.2) Local Presence (Article 12.5)	相关义务:	国民待遇（第12.2条） 本地存在（第12.5条）
Level of Government:	Central	政府层级:	中央
Measures:	<i>Export Trading Company Act of 1982</i> , 15 U.S.C. §§ 4011-4021 15 C.F.R. Part 325	措施:	1982年出口贸易公司法， 美国法典第15卷第4011-4021节 联邦法规第15卷第325部分
Description:	<u>Cross-Border Services</u> Title III of the <i>Export Trading Company Act of 1982</i> authorizes the Secretary of Commerce to issue “certificates of review” with respect to export conduct. The Act provides for the issuance of a certificate of review where the Secretary determines, and the Attorney General concurs, that the export conduct specified in an application will not have the anticompetitive effects proscribed by the Act. A certificate of review limits the liability under federal and state antitrust laws in engaging in the export conduct certified. Only a “person” as defined by the Act can apply for a certificate of review. “Person” means “an individual who is a resident of the United States; a partnership that is created under and exists pursuant to the laws of any State or of the United States; a State or local government entity; a corporation, whether organized as a profit or nonprofit corporation, that is created under and exists pursuant to the laws of any State or of the United States; or any association or combination, by contract or other arrangement, between such persons.” A foreign national or enterprise may receive the protection provided by a certificate of review by becoming a “member” of a qualified applicant. The regulations define “member” to mean “an entity (U.S. or foreign) that is seeking protection under the certificate with the applicant. A member may be a partner in a partnership or a joint venture; a shareholder of a corporation; or a participant in an association, cooperative, or other form of profit or nonprofit organization or relationship, by contract or other arrangement.”	描述:	<u>跨境服务</u> 1982年出口贸易公司法第三章授权商务部长就出口行为颁发“审查证书”。该法规定，当商务部长认定且司法部长同意申请中指定的出口行为不会产生该法禁止的反竞争效果时，可颁发审查证书。审查证书限制了在从事经认证的出口行为时根据联邦和州反垄断法所承担的责任。 只有该法定义的“个人”才能申请审查证书。“个人”指“作为美国居民的个人；根据美国任何州或美国法律创建并存在的合伙企业；州或地方政府实体；根据美国任何州或美国法律组建并存在的公司，无论是以营利还是非营利形式组织；或上述个人之间通过合同或其他安排形成的任何协会或联合体。” 外国人或企业可通过成为合格申请人的“成员”获得审查证书提供的保护。法规将“成员”定义为“寻求与申请人共同获得证书保护的实体（美国或外国）。成员可以是合伙企业或合资企业中的合伙人；公司的股东；或通过合同或其他安排参与协会、合作社或其他形式的营利或非营利组织或关系的参与者。”

Sector:	Business Services	部门:	商业服务
Obligations Concerned:	National Treatment (Article 12.2) Local Presence (Article 12.5)	相关义务:	国民待遇（第12.2条） 本地存在（第12.5条）
Level of Government:	Central	政府层级:	中央
Measures:	<i>Export Administration Act of 1979, as amended</i> , 50 U.S.C. App. §§ 2401-2420 <i>International Emergency Economic Powers Act</i> , 50 U.S.C. §§ 1701-1706 <i>Export Administration Regulations</i> , 15 C.F.R. Parts 730 - 774	措施:	1979年出口管理法（经修订），美国法典第50卷附录第2401-2420节 国际紧急经济权力法，美国法典第50卷第1701-1706节 出口管理条例，联邦法规第15卷第730-774部分
Description:	<u>Cross-Border Services</u> With some limited exceptions, exports and re-exports of commodities, software, and technology subject to the Export Administration Regulations require a license from the Bureau of Industry and Security, U.S. Department of Commerce (BIS). Certain activities of U.S. persons, wherever located, also require a license from BIS. An application for a license must be made by a person in the United States. In addition, release of controlled technology to a foreign national in the United States is deemed to be an export to the home country of the foreign national and requires the same written authorization from BIS as an export from the territory of the United States.	描述:	<u>跨境服务</u> 除少数有限例外情况外，受出口管理条例管辖的商品、软件和技术出口及再出口需获得美国商务部工业与安全局（BIS）颁发的许可证。美国人的某些活动，无论身处何地，也需获得BIS的许可证。许可证申请必须由美国境内的个人提出。 此外，在美国境内向外国人发布受控技术被视为向该外国人的母国出口，需要获得工业与安全局（BIS）的书面授权，与美国领土出口的要求相同。

Sector:	Mining and Pipeline Transportation	部门:	采矿和管道运输
Obligations Concerned:	National Treatment (Article 11.3) Most-Favored-Nation Treatment (Article 11.4)	相关义务:	国民待遇（第11.3条） 最惠国待遇（第11.4条）
Level of Government:	Central	政府层级:	中央
Measures:	<i>Mineral Lands Leasing Act of 1920</i> , 30 U.S.C. §§ 181 and 185(a) 10 U.S.C. § 7435	措施:	1920年矿产土地租赁法，美国法典第30编第181节及第185(a)节 美国法典第10编第7435节
Description:	<u>Investment</u> Under the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands or acquire leases or interests in certain minerals on on-shore federal lands, such as coal or oil. Non-U.S. citizens may own a 100 percent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, or that acquires a lease to develop mineral resources on on-shore federal lands, unless the foreign investor’s home country denies similar or like privileges for the mineral or access in question to U.S. citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries (30 U.S.C. §§ 181, 185(a)). Nationalization is not considered to be denial of similar or like privileges. Foreign citizens, or corporations controlled by them, are restricted from obtaining access to federal leases on Naval Petroleum Reserves if the laws, customs, or regulations of their country deny the privilege of leasing public lands to citizens or corporations of the United States (10 U.S.C. § 7435).	描述:	<u>投资</u> 根据1920年矿产土地租赁法，外国人及外国公司不得获取石油或天然气管道、或输送石油和天然气精炼产品的管道在联邦陆上土地的通行权，亦不得获取联邦陆上土地上特定矿产（如煤炭或石油）的租赁权或权益。非美国公民可全资控股一家国内公司，该公司可获取石油或天然气管道在联邦陆上土地的通行权，或获取开发联邦陆上土地矿产资源的租赁权，除非该外国投资者的母国在涉及相关矿产或准入权时，拒绝给予美国公民或公司与其本国公民或公司、或其他国家公民或公司同等的特权（美国法典第30编第181节、第185(a)节）。 国有化不被视为剥夺类似或相同特权。 外国公民或由其控制的公司，若其国家法律、习俗或法规拒绝授予美国公民或公司租赁公共土地的特权，则限制其获取海军石油储备联邦租约的权限（美国法典第10编第7435节）。

Sector:	All Sectors
Obligations Concerned:	National Treatment (Article 11.3) Most-Favored-Nation Treatment (Article 11.4)
Level of Government:	Central
Measures:	22 U.S.C. §§ 2194 and 2198(c)
Description:	<u>Investment</u> The Overseas Private Investment Corporation (OPIC) insurance and loan guarantees are not available to certain aliens, foreign enterprises, or foreign-controlled domestic enterprises. The United States recognizes that, as of the date of entry into force of this Agreement, OPIC may make arrangements with the Korea Export Insurance Corporation or the Multilateral Investment Guarantee Agency for sharing liabilities assumed under investment insurance, as provided in 22 U.S.C. § 2194, and that Korea is therefore eligible for Most-Favored-Nation treatment under this entry.

部门:	所有部门
相关义务:	国民待遇（第11.3条） 最惠国待遇（第11.4条）
政府层级:	中央
措施:	美国法典第22卷第2194和2198(c)节
描述:	<u>投资</u> 海外私人投资公司（OPIC）的保险和贷款担保不适用于某些外国人、外国企业或外资控制的国内企业。 美国承认，自本协议生效之日起，海外私人投资公司可根据《美国法典》第22编第2194节的规定，与韩国出口保险公司或多边投资担保机构就投资保险项下承担的责任作出分担责任安排，因此韩国在本协议生效后有资格享受最惠国待遇。

Sector:	Air Transportation	部门:	航空运输
Obligations Concerned:	National Treatment (Article 11.3) Most-Favored-Nation Treatment (Article 11.4) Senior Management and Boards of Directors (Article 11.9)	相关义务:	国民待遇（第11.3条） 最惠国待遇（第11.4条） 高级管理层和董事会（第11.9条）
Level of Government:	Central	政府层级:	中央
Measures:	49 U.S.C. Subtitle VII, <i>Aviation Programs</i> 14 C.F.R. Part 297 (foreign freight forwarders); 14 C.F.R. Part 380, Subpart E (registration of foreign (passenger) charter operators)	措施:	《美国法典》第49编第七分编， 航空计划 《联邦法规汇编》第14编第297部分（外国货运代理）； 《联邦法规汇编》第14编第380部分E分部分（外国（乘客）包机运营商的注册）
Description:	<u>Investment</u> Only air carriers that are “citizens of the United States” may operate aircraft in domestic air service (cabotage) and may provide international scheduled and non-scheduled air service as U.S. air carriers. U.S. citizens also have blanket authority to engage in indirect air transportation activities (air freight forwarding and passenger charter activities other than as actual operators of the aircraft). In order to conduct such activities, non-U.S. citizens must obtain authority from the Department of Transportation. Applications for such authority may be rejected for reasons relating to the failure of effective reciprocity, or if the Department of Transportation finds that it is in the public interest to do so. Under 49 U.S.C. § 40102(a)(15), a citizen of the United States means an individual who is a U.S. citizen; a partnership in which each member is a U.S. citizen; or a U.S. corporation of which the president and at least two-thirds of the board of directors and other managing officers are U.S. citizens, which is under the actual control of U.S. citizens, and in which at least seventy-five percent of the voting interest in the corporation is owned or controlled by U.S. citizens.	描述:	<u>投资</u> 只有“美国公民”身份的航空公司才能在国内航空服务（国内运输权）中运营航空器，并可作为美国航空公司提供国际定期和非定期航空服务。 美国公民还拥有从事间接航空运输活动（航空货运代理及非作为飞机实际运营商的乘客包机活动）的全面授权。非美国公民若要开展此类活动，必须获得运输部的授权。若存在有效互惠缺失的情况，或运输部认定此举符合公共利益，相关授权申请可能被拒绝。 根据《美国法典第49编第40102(a)(15)节》， 美国公民指：作为美国公民的个人；所有成员均为美国公民的合伙企业；或总裁及至少三分之二董事会成员和其他管理官员为美国公民、实际由美国公民控制且至少百分之七十五公司表决权权益由美国公民拥有或控制的美国公司。

Sector:	Specialty Air Services	部门:	专业航空服务
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Most-Favored-Nation Treatment (Articles 11.4 and 12.3) Senior Management and Boards of Directors (Article 11.9)	相关义务:	国民待遇 (第11.3条和第12.2条) 最惠国待遇 (第11.4条和第12.3条) 高级管理层和董事会 (第11.9条)
Level of Government:	Central	政府层级:	中央
Measures:	49 U.S.C., Subtitle VII, <i>Aviation Programs</i> 49 U.S.C. § 41703 14 C.F.R. Part 375	措施:	美国法典第49编第七分编航空计划 美国法典第49编第41703节 联邦法规第14编第375部分
Description:	<u>Cross-Border Services and Investment</u> “Foreign civil aircraft” require authority from the Department of Transportation to conduct specialty air services in the territory of the United States.* In determining whether to grant a particular application, the Department considers, among other factors, the extent to which the country of the applicant’s nationality accords U.S. civil aircraft operators effective reciprocity. “Foreign civil aircraft” are aircraft of foreign registry or aircraft of U.S. registry that are owned, controlled, or operated by persons who are not citizens or permanent residents of the United States (14 C.F.R. § 375.1). Under 49 U.S.C. § 40102(a)(15), a citizen of the United States means an individual who is a U.S. citizen; a partnership in which each member is a U.S. citizen; or a U.S. corporation of which the president and at least two-thirds of the board of directors and other managing officers are U.S. citizens, which is under the actual control of U.S. citizens, and in which at least seventy-five percent of the voting interest in the corporation is owned or controlled by U.S. citizens. *A person of Korea will be able to obtain such an authorization if Korea accepts the definition of specialty air services in Chapter 12 and provides effective reciprocity by virtue of this Agreement.	描述:	<u>跨境服务和投资</u> “外国民用航空器”需获得运输部授权方可在美国领土内开展专业航空服务。*在决定是否批准特定申请时，运输部会综合考虑多项因素，包括申请人国籍国给予美国民用航空器运营商的有效互惠程度。“外国民用航空器”指在外国注册的航空器，或由非美国公民或永久居民拥有、控制或运营的美国注册航空器（联邦法规第14编第375.1节）。根据美国法典第49编第40102(a)(15)节，美国公民指：作为美国公民的个人；所有合伙人均为美国公民的合伙企业；或总裁及至少三分之二董事会成员和其他管理官员为美国公民、实际由美国公民控制、且至少75%公司表决权权益由美国公民拥有或控制的美国公司。 *韩国的个人将能够获得此类授权，前提是韩国接受第12章中专业航空服务的定义，并根据本协议提供有效互惠。

Sector:	Transportation Services - Customs Brokers
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Local Presence (Article 12.5)
Level of Government:	Central
Measures:	19 U.S.C. § 1641(b)
Description:	<u>Cross-Border Services and Investment</u> A customs broker’s license is required to conduct customs business on behalf of another person. Only U.S. citizens may obtain such a license. A corporation, association, or partnership established under the law of any state may receive a customs broker’s license if at least one officer of the corporation or association, or one member of the partnership, holds a valid customs broker’s license.

部门:	运输服务 - 报关行
相关义务:	国民待遇（第11.3条和第12.2条） 本地存在（第12.5条）
政府层级:	中央
措施:	美国法典第19编第1641(b)节
描述:	<u>跨境服务和投资</u> 代表其他个人从事海关业务需持有报关行执照。仅美国公民可获取此类许可证。根据任何州法律成立的公司、协会或合伙企业，若其至少一名公司或协会高级职员，或合伙企业的一名成员持有有效报关行执照，则可获得报关行执照。

Sector:	All Sectors	部门:	所有部门
Obligations Concerned:	National Treatment (Article 11.3) Most-Favored-Nation Treatment (Article 11.4)	相关义务:	国民待遇（第11.3条） 最惠国待遇（第11.4条）
Level of Government:	Central	政府层级:	中央
Measures:	<i>Securities Act of 1933</i> , 15 U.S.C. §§ 77c(b), 77f, 77g, 77h, 77j, and 77s(a) 17 C.F.R. §§ 230.251 and 230.405 <i>Securities Exchange Act of 1934</i> , 15 U.S.C. §§ 78l, 78m, 78o(d), and 78w(a) 17 C.F.R. § 240.12b-2	措施:	1933年证券法，美国法典第15编第77c(b)、77f、77g、77h、77j和77s(a)节 联邦法规第17编第230.251和230.405节 1934年证券交易法，美国法典第15编第78l、78m、78o(d)和78w(a)节 联邦法规第17编第240.12b-2节
Description:	<u>Investment</u> Foreign firms, except for certain Canadian issuers, may not use the small business registration forms under the Securities Act of 1933 to register public offerings of securities or the small business registration forms under the Securities Exchange Act of 1934 to register a class of securities or file annual reports.	描述:	<u>投资</u> 外国公司（某些加拿大发行人除外）不得使用1933年证券法下的小型企业注册表格注册证券公开发行，也不得使用1934年证券交易法下的小型企业注册表格注册一类证券或提交年度报告。

Sector:	Communications – Radiocommunications*	部门:	通信 - 无线电通信*
Obligations Concerned:	National Treatment (Article 11.3)	相关义务:	国民待遇（第11.3条）
Level of Government:	Central	政府层级:	中央
Measures:	47 U.S.C. § 310 (a)-(b) Foreign Participation Order 12 FCC Rcd 23891, paras. 97-118 (1997)	措施:	美国法典第47编第310条(a)-(b)款 外国参与令12 FCC Rcd 23891，第97-118段（1997年）
Description:	<u>Investment</u> The United States reserves the right to restrict ownership of radio licenses in accordance with the above statutory and regulatory provisions, which provide that, <i>inter alia</i> : (a) no station license may be granted to or held by a foreign government or representative thereof; (b) no broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by: (i) an alien or its representative; (ii) a corporation organized under the laws of a foreign government; or (iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country; and (c) absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.	描述:	<u>投资</u> 美国保留根据上述法定和监管条款限制无线电许可证所有权的权利，这些条款特别规定： (a) 任何电台许可证不得授予或由外国政府或其代表持有； (b) 任何广播、公共运营商、航空途中或航空固定电台许可证不得授予或由以下主体持有：(i) 外国人或其代表；(ii) 根据外国政府法律成立的公司；或(iii) 其超过五分之一股本由外国人或其代表、外国政府或其代表、或根据外国法律成立的公司记录或投票持有的公司；以及(c) 除非特别认定公共利益将得到 通过允许外国所有权持有广播许可证来实现服务，但不得向任何由另一家公司直接或间接控制的公司授予广播电台许可证，如果该另一家公司超过四分之一的股本由外国人或其代表、外国政府或其代表、或根据外国法律成立的公司记录在案或投票持有。

*Radiocommunications consists of all communications by radio, including broadcasting.

*无线电公司 通信包括所有无线电通信，包括广播。

Sector:	Professional Services - Patent Attorneys, Patent Agents, and Other Practice before the Patent and Trademark Office	部门:	专业服务 - 专利律师、专利代理人及其他在专利商标局的执业
Obligations Concerned:	National Treatment (Article 12.2) Most-Favored-Nation Treatment (Article 12.3) Local Presence (Article 12.5)	相关义务:	国民待遇（第12.2条） 最惠国待遇（第12.3条） 本地存在（第12.5条）
Level of Government:	Central	政府层级:	中央
Measures:	35 U.S.C. Chapter 3 (practice before the U.S. Patent and Trademark Office) 37 C.F.R. Parts 10 and 11 (representation of others before the U.S. Patent and Trademark Office)	措施:	美国法典第35编第3章（在美国专利商标局执业） 联邦法规第37编第10和11部分（在美国专利商标局代表他人）
Description:	<u>Cross-Border Services</u> As a condition to be registered to practice for others before the U.S. Patent and Trademark Office (USPTO): (a) a patent attorney must be a U.S. citizen or an alien lawfully residing in the United States (37 C.F.R. § 11.6(a)); (b) a patent agent must be a U.S. citizen, an alien lawfully residing in the United States, or a non-resident who is registered to practice in a country that permits patent agents registered to practice before the USPTO to practice in that country; the latter is permitted to practice for the limited purpose of presenting and prosecuting patent applications of applicants located in the country in which he or she resides (37 C.F.R. §11.6(c)); and (c) a practitioner in trademark and non-patent cases must be an attorney licensed in the United States, a “grandfathered” agent, an attorney licensed to practice in a country that accords equivalent treatment to attorneys licensed in the United States, or an agent registered to practice in such a country; the latter two are permitted to practice for the limited purpose of representing parties located in the country in which he or she resides (37 C.F.R. § 10.14(a)-(c)).	描述:	<u>跨境服务</u> 作为在美国专利商标局（USPTO）注册为他人执业的条件： (a) 专利律师必须是美国公民或合法居住在美国的外国人（联邦法规第37编§11.6(a)）；(b) 专利代理人必须是美国公民、合法居住在美国的外国人，或是注册在允许美国专利商标局注册专利代理人执业的国家执业的非居民；后者仅限为居住在其所在国的申请人提交和处理专利申请（联邦法规第37编§11.6(c)）；以及(c) 商标及非专利案件的执业者必须是在美国执业的律师、“祖父条款保护的”代理人、在给予美国执业律师同等待遇的国家执业的律师，或在 在该等国家注册执业的代理人；后两者仅限代理居住所在国的当事人（《联邦法规》第37编第10.14(a)-(c)条）。

Sector:	All Sectors	部门:	所有部门
Obligations Concerned:	National Treatment (Articles 11.3 and 12.2) Most-Favored-Nation Treatment (Articles 11.4 and 12.3) Local Presence (Article 12.5) Performance Requirements (Article 11.8) Senior Management and Boards of Directors (Article 11.9)	相关义务:	国民待遇（第11.3条和第12.2条） 最惠国待遇（第11.4条和第12.3条） 本地存在（第12.5条） 业绩要求（第11.8条） 高级管理层和董事会（第11.9条）
Level of Government:	Regional	政府层级:	区域
Measures:	All existing non-conforming measures of all states of the United States, the District of Columbia, and Puerto Rico	措施:	美国各州、哥伦比亚特区和波多黎各的所有现行不符措施
Description:	<u>Cross-Border Services and Investment</u> For purposes of transparency, Appendix I-A sets out an illustrative, non-binding list of non-conforming measures maintained at the regional level of government.	描述:	<u>跨境服务和投资</u> 为增强透明度，附录I-A列出了一份说明性、非约束性的区域政府层级维持的不符措施清单。

Appendix I-A: Illustrative list of U.S. regional non-conforming measures¹

	Sectors in which regional measures are described	Sectors in which regional measures do not currently affect US specific commitments under the GATS
Business services		
Professional services		
Legal services	X	
Accounting, auditing and bookkeeping services	X	
Architectural services	X	
Engineering services	X	
Integrated engineering services	X	
Urban planning and landscape architectural services	X	
Computer and related services		X
Research and development services		X
Real estate services	X	
Rental/leasing services without operators		X
Other business services		
Advertising services		X
Market research and public opinion polling services		X
Management consulting service		X
Services related to man. consulting		X
Technical testing and analysis services		X
Services incidental to agriculture, hunting and forestry		X
Services incidental to fishing		X
Services incidental to mining		X
Services incidental to energy distribution		X
Placement and supply services of Personnel	X	
Investigation and security	X	
Related scientific and technical consulting services		X
Maintenance and repair of equipment		X
Building-cleaning services		X
Photographic services		X
Packaging services		X
Printing, publishing		X
Convention services		X
Other		X
Communication services		
Express delivery services		X
Other delivery services		X
Telecommunication services		X
Audiovisual services		X
Construction and related engineering services	X	
Distribution services		X

¹ This document is provided for transparency purposes only, and is neither exhaustive nor binding. The information contained in this document is drawn from U.S. commitments under the General Agreement on Trade in Services, the May 2005 Revised U.S. Services Offer under the Doha Development Agenda negotiations, and related documents.

附录I-A：美国地区不符措施示例清单¹

	涉及区域措施的部门措施描述	涉及区域措施的部门措施目前不影响美国具体承诺根据《服务贸易总协定》
商业服务		
专业服务		
法律服务	X	
会计、审计和簿记服务	X	
建筑服务	X	
工程服务	X	
综合工程服务	X	
城市规划与景观建筑服务	X	
计算机及相关服务		X
研究与开发服务		X
房地产服务	X	
不带操作员的租赁服务		X
其他商业服务		
广告服务		X
市场调研和民意调查服务		X
管理咨询服务		X
与管理咨询相关的服务		X
技术测试与分析服务		X
农业、狩猎和林业相关服务		X
渔业相关服务		X
矿业相关服务		X
能源配送相关服务		X
人员安置与供应服务	X	
调查与安保	X	
相关科学与技术咨询服务		X
设备维护与修理		X
建筑物清洁服务		X
摄影服务		X
包装服务		X
印刷出版		X
会议服务		X
其他		X
通信服务		
快递服务		X
其他递送服务		X
电信服务		X
视听服务		X
建筑及相关工程服务	X	
分销服务		X

¹ 本文件仅为提高透明度而提供，既不详尽也不具约束力。本文件所含信息源自美国在《服务贸易总协定》下的承诺、2005年5月修订的美国在多哈发展议程谈判中的服务出价及相关文件。

Appendix I-A: Illustrative list of U.S. regional non-conforming measures¹

	Sectors in which regional measures are described	Sectors in which regional measures do not currently affect US specific commitments under the GATS
Educational services	X	
Environmental services		X
Health related and social services	X	
Tourism and travel related services		X
Recreational, cultural and sporting services (other than audiovisual services)		
Entertainment services (including theatre, live bands and circus services)		X
News agency services		X
Libraries, archives, museums and other cultural services		X
Sporting and other recreational services		X
Transport services		
Air Transport Services (Maintenance and repair of aircraft)		X
Rail Transport Services	X	
Road Transport Services		X
Pipeline Transport		X
Services auxiliary to all modes of transport		
Cargo-handling services		X
Storage and warehouse services		X
Freight transport agency services		X

附录I-A：美国地区不符措施示例清单¹

	涉及区域措施的部门	涉及区域措施的部门
教育服务	X	
环境服务		X
健康相关和社会服务	X	
旅游和旅行相关服务		X
娱乐、文化和体育服务（视听服务除外）		
娱乐服务（包括剧院、现场乐队和马戏团服务）		X
新闻社服务		X
图书馆、档案馆、博物馆及其他文化服务		X
体育及其他娱乐服务		X
运输服务		
航空运输服务（飞机维护与修理）		X
铁路运输服务	X	
公路运输服务		X
管道运输		X
所有运输方式的辅助服务		
货物装卸服务		X
仓储和仓库服务		X
货运代理服务		X

Appendix I-A: Illustrative list of U.S. regional non-conforming measures²

Sector	Non-conforming measure by jurisdiction	
Legal services (practice of U.S. law)	<u>Residency</u> : Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Jersey, New Hampshire, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.	(or maintain an office in Oklahoma, Rhode
	<u>In-state office</u> : District of Columbia, Indiana, Michigan, Minnesota (or maintain individual residency in Minnesota), Mississippi, New Jersey, Ohio, South Dakota and Tennessee.	l (or maintain individual akota and Tennessee.
Legal services (foreign legal consulting)	<u>Residency</u> : Michigan, Texas.	
	<u>In-state office</u> : Arizona, District of Columbia, Indiana, Massachusetts, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Utah.	etts, Minnesota,
Accounting, auditing and bookkeeping services	<u>Residency</u> : Arizona, Arkansas, Connecticut, District of Columbia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, West Virginia	, Idaho, Indiana, Iowa, ssippi, Missouri, akota, Ohio, Oklahoma,
	<u>In-state office</u> : Arkansas, Connecticut, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, Ohio, Vermont, Wyoming	Michigan, Minnesota, ng
	<u>Citizenship</u> : North Carolina	
Architectural services, urban planning and landscape architecture services	<u>Senior Managers and Boards of Directors</u> : Michigan	
Engineering services and integrated engineering services	<u>Residency</u> : Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, West Virginia	klahoma, South
Real estate services	<u>Residency</u> : South Dakota	
	<u>Citizenship</u> : Mississippi, New York	
Placement and supply services of personnel	<u>Citizenship</u> : Arkansas	
Investigation and security	<u>Residency</u> : Maine, Michigan, New York	

² This document is provided for transparency purposes only, and is neither exhaustive nor binding. The information contained in this document is drawn from U.S. commitments under the General Agreement on Trade in Services, the May 2005 Revised U.S. Services Offer under the Doha Development Agenda negotiations, and related documents.

from U.S. commitments under documents.

Appendix I-A: Illustrative list of U.S. regional non-conforming measures²

Sector	Non-conforming measure by jurisdiction	
Construction and related engineering services	<u>In-state office:</u> Michigan	
Educational services (Cosmetology schools)	<u>Limited number of licenses:</u> Kentucky	
Health and related social services	<u>Corporate form:</u> Michigan, New York	
Rail transport services	<u>Incorporation requirement:</u> Vermont	