

**Agreement Establishing the ASEAN–Australia–New Zealand Free
Trade Area**

**CAMBODIA’S SCHEDULE OF MOVEMENT OF NATURAL
PERSONS COMMITMENTS**

1. Cambodia's commitments under the Movement of Natural Persons Chapter, and under Article 2 [National Treatment] and Article 3 [Market Access] of the Trade in Services Chapter, in relation to the supply by a service supplier of one Party through presence of natural persons of a Party in the territory of another Party apply only in relation to the categories of persons set out below.

2. In accordance with Articles 2. 3 and 6 [National Treatment, Market Access and Specific Commitments] of the Trade in Services Chapter, for the categories of persons set out in this Schedule, Cambodia specifies below any terms, conditions, limitations or qualifications in relation to the supply of a service by a service supplier of a Party through the presence of natural persons of a Party in the territory of Cambodia.

Entry in the following categories only	Conditions (including duration of stay)
<p><u>Business visitors</u></p> <p><u>Definition:</u> A natural person who:</p> <ul style="list-style-type: none"> - enters Cambodia for the purposes of participating in business meetings, establishing business contacts including negotiations for the sale of services and/or other similar activities; - stays in Cambodia without receiving income from within Cambodian sources; - does not engage in making direct sales to the general public or supplying services. 	<p>Entry visa for business visitors shall be valid for a period of 90 days for an initial stay of 30 days, which may be extended.</p>
<p><u>Persons responsible for setting up of a commercial establishment:</u></p> <p>Definition: Persons working in an executive or managerial position, receiving remuneration from an entity as defined below, who are</p>	<p>The subject persons are not subject to a maximum duration of stay.</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>responsible for the setting up, in Cambodia, of a commercial presence of a service provider of a Member, that will support employment of persons described in categories a, b, and c of the intra-Corporate Transferees.</p>	
<p><u>Intra-Corporate Transferees</u></p> <p><u>Definition:</u> Natural persons who have been employed by a juridical person of another member for a period of not less than 1 year and who seek temporary entry to provide services through a branch, subsidiary and affiliate in Cambodia and who are:</p> <p>a) <u>Executives:</u> without requiring compliance with labour market tests, persons within an organization who primarily direct the management of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization.</p> <p>b) <u>Managers:</u> without requiring compliance with labour market tests, natural persons employed by a juridical entity and who possess knowledge at an advanced level of expertise or proprietary knowledge of a</p>	<p>Temporary residency and work permit is required for the natural persons in the categories defined under intra-corporate transferees. Such permits are issued for two years and may be renewed annually up to maximum of total five years.</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>juridical entity product, service, research, equipment, techniques, or management, and who primarily direct the organization or a department of the organization; supervise and control the work of other supervisory, professional or managerial employees; have the authority to hire and fire or recommend hiring, firing or other personnel actions; and exercise discretionary authority over day-to-day operations. They do not include first-line supervisors, unless the employees supervised are professionals, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p>c) Specialists: Natural persons, within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques, or management.</p>	

3. The commitments set out above apply to all services sectors/subsectors specifies in the Cambodia's schedules of specific commitments under the WTO except Restaurants (CPC 642, 643) and International Transport under Maritime Services (Freight and Passengers) excluding Cabotage.

4. With respect to Tourist Guides Services (CPC 7472), notwithstanding the commitments set out above, Cambodian Nationality required for Tourist Guides.

5. Cambodia remains unbound in relation to National Treatment Limitations applicable to Subsidies, including for Research and Development.

6. All the commitments in respect of presence of natural persons made in Cambodia's Schedule of Specific Commitments under WTO including any commitments, regulations and additional commitments, apply to the services suppliers of the other Parties.
