

WORLD TRADE ORGANIZATION

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Group on Basic Telecommunications

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COMMUNICATION FROM THAILAND

Draft Offer on Basic Telecommunications

Revision

The following communication is circulated at the request of Thailand to members of the Group on Basic Telecommunications.

Thailand reserves the right to modify, reduce or withdraw the above-mentioned offer, in whole or in part, at any time, on or before the conclusion of the negotiations on basic telecommunications, if satisfactory offers are not made by other negotiating partners. In addition, Thailand also reserves the right to make technical amendments and corrections to the schedule as necessary.

1. This revised version represents improvements in relation to the previous offer.
2. Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the market access and national treatment elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments on public telecommunication services. Those commitments will be carried out in accordance with the implementing regulations to be issued by virtue of those acts.
3. Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce into its Schedule of Specific Commitments on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.
4. This draft offer is conditional and Thailand reserves the right to list MFN exemptions. Some or all the commitments undertaken may be revised or withdrawn during the present negotiations. Also, Thailand reserves the right to make technical changes to the offer and to correct any errors, omissions or inaccuracies.
5. This draft offer is also covered by the horizontal section of Thailand's Schedule of Specific Commitments (GATS/SC/85, April 1994).

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THAILAND - REVISED DRAFT OFFER

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons				
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments	
<p>Commitments undertaken in this offer are subject to the following general conditions:</p> <ul style="list-style-type: none"> - Each service to be supplied in Thailand requires a specific governmental licence. - Licences are granted only to service suppliers duly constituted according to the Thai legislation, which requires head office and management located in the Thai territory. - Due to scarce resources, the number of licences may be limited. - The services in the Schedule of Specific Commitments shall be on facilities basis. - The service provider shall be a Thai registered company with foreign equity participation not exceeding 20 per cent of the registered capital and the number of foreign shareholders must not exceed 20 per cent of the total number of shareholders of the company. - The Communications Authority of Thailand has exclusive right to link with Intelsat and Inmarsat. - Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, commitments on public telecommunication services will be introduced, and carried out in accordance with the implementing regulations to be issued by virtue of those acts. 				
<p>2.C. Telecommunication Services</p> <p>Public local, domestic long distance and international services:</p> <p>a. Voice telephone services</p> <p>b. Telex services</p> <p>c. Telegraph services</p> <p>d. Facsimile services</p>	<p>1),2) None, other than</p> <ul style="list-style-type: none"> - traffic shall be routed through a gateway in Thailand operated by a supplier duly licensed; - the provision of concerned services shall be agreed by the supplier duly licensed of both ends. <p>3) Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the market access elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>4) Unbound as indicated in the horizontal section.</p>	<p>1),2) None</p> <p>3) Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce the national treatment elements as contained in those acts into the relevant parts of its Schedule of Specific Commitments relating to the supply of public telecommunication services.</p> <p>4) Unbound as indicated in the horizontal section.</p>	<p>Conditional upon passage and coming into force of all necessary new communication acts, commencing from the year of 2006, Thailand will introduce into its Schedule of Specific Commitments on public telecommunication services its treatment on the subjects relating to competitive safeguards, interconnection, universal service, public availability of licensing criteria, separation of regulatory and operational functions, and the allocation and use of scarce resources.</p>	