

Annex I

Schedule of Korea

Explanatory Notes

1. The Schedule of a Party to this Annex sets out, pursuant to Article 8.6 (Non-Conforming Measures), the Party's existing measures that are not subject to some or all of the obligations imposed by:

- (a) Article 8.2 (National Treatment);
- (b) Article 8.3 (Most-Favored-Nation Treatment);
- (c) Article 8.4 (Market Access); or
- (d) Article 8.5 (Local Presence).

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 Article 8.6.1(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 8.6.1.

- (e) **Description** sets out commitments, if any, for liberalization on the date of entry into force of this 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 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 Article 8.6.1(a), and subject to Article 8.6.1(c), and 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. For Korea, a **foreign person** means a foreign national or an enterprise organized under the laws of another country.

6. For greater certainty, Local Presence (Article 8.5) and National Treatment (Article 8.2) are separate disciplines and a measure that is only inconsistent with Local Presence (Article 8.5) need not be reserved against National Treatment (Article 8.2).

1. Sector:	Construction Services
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Framework Act on the Construction Industry</i> (Law No. 18823, February 2, 2022), Articles 9 and 10</p> <p><i>Enforcement Decree of the Framework Act on the Construction Industry</i> (Presidential Decree No. 33456, May 9, 2023), Article 13</p> <p><i>Enforcement Regulations of the Framework Act on the Construction Industry</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1207, May 3, 2023), Articles 2</p> <p><i>Information and Communication Construction Business Act</i> (Law No. 18737, January 11, 2022), Article 14</p> <p><i>Fire Fighting System Installation Business Act</i> (Law No. 19159, January 3, 2023), Articles 4 and 5</p> <p><i>Enforcement Decree of the Fire Fighting System Installation Business Act</i> (Presidential Decree No. 33456, May 9, 2023), Article 2 (table 1)</p> <p><i>Enforcement Regulations of the Fire Fighting System Installation Business Act</i> (Ordinance of the Ministry of the Interior and Safety, No. 397, April 19, 2023), Article 2</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p>

2. Sector:	Leasing, Rental, Maintenance, Repair, Sales, and Disposal Services Related to Construction Machinery and Equipment
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Construction Machinery Management Act</i> (Law No. 19365, April 18, 2023), Article 21</p> <p><i>Enforcement Decree of the Construction Machinery Management Act</i> (Presidential Decree No. 33434, April 25, 2023), Articles 13, 14, 15, and 15-2</p> <p><i>Enforcement Regulations of the Construction Machinery Management Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1233, July 19, 2023), Articles 57 through 63, 65-2, and 65-3</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies leasing, rental, maintenance, repair, sales, and disposal services related to construction machinery and equipment must establish an office in Korea.</p>

3. Sector:	Transportation Services - Automobile Maintenance, Repair, Sales, Disposal, and Inspection Services; Automobile License Plate Issuing Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Automobile Management Act</i> (Law No. 19315, March 28, 2023), Articles 20, 44, 44-2, 45, 45-2, and 53</p> <p><i>Enforcement Regulations of the Automobile Management Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1243, August 11, 2023), Articles 7, 8, 83, 87, and 111</p> <p><i>Rule on Enforcement of Comprehensive Inspection of Automobiles, Etc.</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1217, May 25, 2023, Ordinance of the Ministry of Environment No.1035, May 25, 2023), Article 16</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p> <p>A person that supplies automobile inspection services that is designated as a “designated repair facility” must establish an office in Korea.</p> <p>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.</p>

4. Sector:	Distribution Services - Wholesale and Retail Distribution of Tobacco and Liquor
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Tobacco Business Act</i> (Law No. 17142, March 31, 2020) Articles 12, 13, and 16</p> <p><i>Enforcement Decree of the Tobacco Business Act</i> (Presidential Decree No. 33004, November 29, 2022), Articles 4 and 5</p> <p><i>Enforcement Regulations of the Tobacco Business Act</i> (Ordinance of the Ministry of Economy and Finance No. 880, December 29, 2021), Articles 5, 7, and 7-3</p> <p><i>Liquors License Act</i> (Law No. 18723, January 6, 2022), Articles 5-7 through 9</p> <p><i>Enforcement Decree of the Liquors License Act</i> (Presidential Decree No. 33280, February 28, 2023), Article 8</p> <p><i>Notice of National Tax Service</i>, 2021-14(May 14, 2021)</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies tobacco wholesale (including importation) or retail distribution services must establish an office in Korea.</p> <p>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.</p> <p>The distance between places of business of tobacco retailers must be at least 50 meters.</p> <p>A person that supplies liquor wholesale distribution services must establish an office in Korea and obtain authorization from the head of</p>

the relevant tax office, which is subject to an economic needs test.

The sale of liquor by telephone or in electronic commerce is prohibited.

5. Sector:	Business Services - <i>An-gyung-sa</i> (Optician and Optometry) Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<i>Medical Technicians Act</i> (Law No. 17643, December 15, 2020), Article 12 <i>Enforcement Regulations of the Medical Technicians Act</i> (Ordinance of the Ministry of Health and Welfare No. 672, September 27, 2019), Articles 13 and 15
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.

6. Sector:	Wholesale and Retail Distribution Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Pharmaceutical Affairs Act</i> (Law No. 18307, July 20, 2021), Articles 42 and 45</p> <p><i>Enforcement Decree of the Pharmaceutical Affairs Act</i> (Presidential Decree No. 33382, April 11, 2023), Article 31-2</p> <p><i>Decree on the Facility Standards of Manufacturer and Importer of Pharmaceuticals</i> (Presidential Decree No. 32089, October 19, 2021), Article 6</p> <p><i>Supply, Demand and Distribution of Oriental Medicinal Herbs Regulations</i> (Notice of the Ministry of Health and Welfare No. 2021-239, September 7, 2021), Articles 4 and 12</p> <p><i>Medical Devices Act</i> (Law No. 18319, July 20, 2021), Article 15</p> <p><i>Enforcement Regulations of the Medical Devices Act</i> (Ordinance of Prime Minister No. 1841, December 19, 2022), Article 29</p> <p><i>Health Functional Foods Act</i> (Law No. 18445, August 17, 2021), Article 6</p> <p><i>Enforcement Regulations of the Health Functional Foods Act</i> (Ordinance of the Prime Minister No. 1872, March 22, 2023), Articles 2 and 5</p> <p><i>Food Sanitation Act</i> (Law No. 18445, August 17, 2021), Articles 36 and 37</p> <p><i>Enforcement Decree of the Food Sanitation Act</i> (Presidential Decree No. 33647, July 25, 2023), Articles 23 and 24</p>

Enforcement Regulations of the Food Sanitation Act (Ordinance of the Prime Minister No. 1879, May 19, 2023), Article 36 (attached table 14)

Livestock Products Sanitary Control Act (Law No. 18445, August 17, 2021), Articles 21, 22, and 24

Enforcement Degree of the Livestock Products Sanitary Control Act (Presidential Decree No. 33160, December 27, 2022), Articles 21 and 22

Enforcement Regulations of the Livestock Products Sanitary Control Act (Ordinance of the Prime Minister No. 1868, March 2, 2023), Article 29 (attached table 10)

Special Act on Imported Food Safety Management (Law No. 18965, June 10, 2022), Articles 14 and 15

Enforcement Decree of the Special Act on Imported Food Safety Management (Presidential Decree No. 33434, April 25, 2023), Article 2

Enforce Regulations of the Special Act on Imported Food Safe Management (Ordinance of the Prime Minister No. 1885, June 9, 2023), Article 15

Testing and Inspection of Food and Drugs Act (Law No. 19473, June 13, 2023), Article 6

Enforcement Regulations of the Testing and Inspection of Food and Drugs Act (Ordinance of the Prime Minister No. 1894, August 11, 2023), Article 2

Act on the Control of Narcotics (Law No. 18964, June 10, 2022), Articles 6 and 6-2

Cosmetics Act (Law No. 18448, August 17, 2021), Article 3

Enforcement Regulations of the Cosmetics Act
(Ordinance of the Prime Minister No. 1887, June 22, 2023), Article 4

Description:

Cross-Border Trade in Services

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;
- (d) narcotic drug wholesale and retail distribution services; or
- (e) cosmetics (including functional cosmetics) supply services.

The Minister of Health and Welfare controls the supply and demand of the wholesale distribution of imported designated *han-yak-jae* (Asian medicinal herbs).

Certain liquor-selling bars and the wholesale and retail distribution of narcotics require authorization by the relevant authority.

7. Sector:	Retail Distribution of Pharmaceuticals
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<i>Pharmaceutical Affairs Act</i> (Law No. 18307, July 20, 2021), Articles 20 and 21 <i>Enforcement Decree on the Pharmaceutical Affairs Act</i> (Presidential Decree No. 33382, April 11, 2023), Article 22-2
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 it in the form of a corporation.

8. Sector:	Transportation Services - Rail Transportation and Incidental Services
Obligations Concerned:	National Treatment (Article 8.2) Market Access (Article 8.4)
Measures:	<p><i>Railroad Service Act</i> (Law No. 19056, November 15, 2022), Articles 5, 6, 12, and 13</p> <p><i>Korea Railroad Corporation Act</i> (Law No. 15460, March 13, 2018), Article 9</p> <p><i>Act on the Construction of Railroad and the Maintenance of Railroad Facilities</i> (Law No. 19393, April 18, 2023), Article 8</p> <p><i>Framework Act on Rail Industry Development</i> (Law No. 18693, January 4, 2022), Articles 3, 20, 26, and 38</p> <p><i>Korea National Railway Act</i> (Law No. 17007, February 18, 2020), Article 7</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>The existing regulation broadly states that only juridical persons that have obtained authorization from the Minister of Land, Infrastructure and Transport may supply railroad transportation services. In practice, however, only juridical persons of Korean nationality (of which shares are 100% owned by the shareholders with Korean nationality) established by a Korean national may supply railroad transportation services on railroad routes constructed on or before June 30, 2005.</p> <p>Only juridical persons that have obtained authorization from the Minister of Land, Infrastructure and Transport may supply railroad transportation services on railroad routes constructed on or after July 1, 2005. Such authorization is subject to an economic needs test.</p>

In case that a person who operates a rail transport service business concludes or revises a contract for joint venture or agreement related to transport, he/she must obtain relevant authorization from the Minister of Land, Infrastructure, and Transport.

Only the central or local level of government, or the Korea National Railway 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 *Private Investment in Social Infrastructure Act* may supply rail construction services.

9. Sector:	Transportation Services - Passenger Road Transportation Services (not including Taxis and Scheduled Passenger Road Transportation Services)
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Passenger Transport Service Act</i> (Law No. 18558, December 7, 2021), Article 4</p> <p><i>Enforcement Decree of the Passenger Transport Service Act</i> (Presidential Decree No. 33434, April 25, 2023), Articles 3 and 4</p> <p><i>Enforcement Regulations of the Passenger Transport Service Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1232, July 10, 2023), Article 11</p> <p><i>Tramway Transport Service Act</i> (Law No. 18185, May 18, 2021), Article 4</p> <p><i>Enforcement Regulations of the Tramway Transport Service Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1232, July 10, 2023), Article 3</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies passenger road transportation services, not including taxis and scheduled passenger road transportation services, must establish an office in the <i>hae-dang-ji-yeok</i> (relevant geographic area) in Korea.</p>

10. Sector:	Transportation Services - International Maritime Cargo Transportation and Maritime Auxiliary Services
Obligations Concerned:	National Treatment (Article 8.2) Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Maritime Transportation Act</i> (Law No. 19415, May 16, 2023), Articles 24 and 33</p> <p><i>Enforcement Regulations of the Maritime Transportation Act</i> (Ordinance of the Ministry of Oceans and Fisheries No. 553, June 30, 2022), Articles 16, 19, 22, and 23</p> <p><i>Pilotage Act</i> (Law No. 18695, January 4, 2022), Article 6</p> <p><i>Ship Investment Company Act</i> (Law No. 17112, March 24, 2020), Articles 3 and 31</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies international maritime cargo transportation must be organized as a company in Korea as stipulated under the <i>Korean Commercial Act</i>. A ship investment company must be organized as a <i>Chusik Hoesa</i> (stock company) in Korea.</p> <p>A person that engages in shipping brokerage services, maritime agency services and vessel maintenance and repair services must be the company as stipulated under the <i>Korean Commercial Act</i> and registered according to the <i>Maritime Transportation Act</i>.</p> <p>Only a Korean national may supply maritime pilotage services.</p>

11. Sector:	Transportation Services - Specialty Air Services
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Measures:	<p><i>Aviation Safety Act</i> (Law No.18789, January 18, 2022), Articles 7 and 10</p> <p><i>Aviation Business Act</i> (Law No. 18565, December 7, 2021) Articles 30 and 50</p> <p><i>Enforcement Regulations of the Aviation Business Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1164, December 8, 2022), Articles 32 and 49</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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 Land, Infrastructure and Transport and establish an office in Korea.</p> <p>The following persons may not register an aircraft:</p> <ul style="list-style-type: none"> (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;³ or

- (e) an enterprise organized under Korean law whose *dae-pyo-ja* (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-*sa-yong* (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 photographing and other aerial agricultural activities, and aerial inspections and observations.

³ For greater certainty, subparagraph (d) is limited to cases where an aircraft is to be registered for the purpose of engaging in aviation businesses, which can be operated by obtaining a license, permission, or authorization from the Minister of Land, Infrastructure and Transport, or by filing registration or a report with the Minister of Land, Infrastructure and Transport, pursuant to the Aviation Business Act.

12. Sector:	Transportation Services - Road Transportation Support Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Passenger Transport Service Act</i> (Law No. 18558, December 7, 2021), Articles 36 and 37</p> <p><i>Enforcement Regulations of the Passenger Transport Service Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1232, July 10, 2023), Article 73</p> <p><i>Parking Lot Service Act</i> (Law No. 18562, December 7, 2021), Article 12</p> <p><i>Road Traffic Act</i> (Law No. 19158, January 3, 2023), Article 36</p> <p><i>Enforcement Decree of the Road Traffic Act</i> (Presidential Decree No. 33547, June 20, 2023), Article 17</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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 Land, Infrastructure and Transport, head of local police, or head of <i>si/gun</i>, as appropriate, which is subject to an economic needs test.</p>

13. Sector:	Courier Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Aviation Business Act</i> (Law No. 18565, December 7, 2021), Article 52</p> <p><i>Enforcement Regulations of the Aviation Business Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1164, December 8, 2022), Article 52</p> <p><i>Trucking Transport Business Act</i> (Law No. 18568, December 7, 2021), Articles 3, 24, and 29</p> <p><i>Enforcement Regulations of Trucking Transportation Business Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1232, July 10, 2023), Articles 6, 34, and 41-2</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p> <p>In order to obtain a trucking business license from the Minister of Land, Infrastructure and Transport, a domestic courier services supplier must establish an office in the relevant geographic area. Such a license is subject to an economic needs test.</p> <p>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.</p>

14. Sector:	Telecommunications Services
Obligations Concerned:	National Treatment (Articles 8.2) Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<i>Telecommunications Business Act</i> (Law No. 19153, January 3, 2023), Articles 6, 7, 8, and 87 <i>Telecommunications Business Act</i> (Law No. 5385, August 28, 1997), Addenda Article 4 <i>Radio Waves Act</i> (Law No. 18957, June 10, 2022), Articles 13 and 20
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A registration 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.</p> <p>A registration 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.</p> <p>A foreign government, or its representative, or a foreign person may not obtain or hold a radio station license.</p> <p>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 registered in Korea.</p> <p>For purposes of this entry:</p> <p>(a) deemed foreign person means a juridical person organized under Korean law in which a foreign</p>

government or a foreign person (including a “specially related person” under subparagraph 6(a) of Article 2 of the *Act on Corporate Governance of Financial Companies*) 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;

- (b) consistent with Article 5.2 of the *Telecommunications Business Act* (Law No. 19153, January 3, 2023), a facilities-based supplier is a supplier that owns transmission facilities;
- (c) 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 registered facilities-based supplier; and
- (d) consistent with subparagraph 3 of Article 2 of the *Telecommunications Basic Act* (Law No. 16019, December 24, 2018), **transmission facilities** means wireline or wireless transmission facilities (including circuit facilities) that connect transmitting points with receiving points.

15. Sector:	Real Estate Brokerage and Appraisal Services
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Licensed Real Estate Agents Act</i> (Law No. 19423, June 1, 2023), Article 9</p> <p><i>Enforcement Decree of the Licensed Real Estate Agents Act</i> (Presidential Decree No. 33321, March 7, 2023), Article 13</p> <p><i>Enforcement Regulations of the Licensed Real Estate Agents Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1238, July 28, 2023), Article 4</p> <p><i>Act on Appraisal and Certified Appraisers</i> (Law No. 19403, May 9, 2023), Articles 20, 21, and 29</p> <p><i>Enforcement Decree of the Act on Appraisal and Certified Appraisers</i> (Presidential Decree No. 32352, January 21, 2022), Articles 19, 21, and 25</p> <p><i>Enforcement Regulations of the Act on Appraisal and Certified Appraisers</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1118, March 30, 2022), Articles 18 and 20</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies real estate brokerage services or real estate appraisal services must establish an office in Korea.</p>

16. Sector:	Retail, Leasing, Rental and Repair Services Related to Medical Devices
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Medical Devices Act</i> (Law No. 18319, July 20, 2021), Articles 16 and 17</p> <p><i>Enforcement Regulations of the Medical Devices Act</i> (Ordinance of the Prime Minister No. 1841, December 19, 2022), Articles 35 and 37</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies retail, leasing, rental, or repair services related to medical devices must establish an office in Korea.</p>

17. Sector:	Rental Services - Automobiles
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Passenger Transport Service Act</i> (Law No. 18558, December 7, 2021), Articles 28 and 29</p> <p><i>Enforcement Regulations of the Passenger Transport Service Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport, No. 1232, July 10, 2023), Articles 60, 61, 62, and 64</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies automobile rental services must establish an office in Korea.</p>

18. Sector:	Scientific Research Services and Sea Map Making Services
Obligations Concerned:	National Treatment (Articles 8.2)
Measures:	<p><i>Marine Scientific Research Act</i> (Law No. 17750, December 22, 2020), Articles 6, 7, and 8</p> <p><i>Territorial Sea and Contiguous Zone Act</i> (Law No. 15429, March 13, 2018), Article 5</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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 Oceans 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 Oceans and Fisheries.</p>

19. Sector:	Professional Services - Legal Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Attorney-at-law Act</i> (Law No. 17828, January 5, 2021), Articles 4, 7, 21, 21-2, 34, 45, 58-6, 58-22, and 109</p> <p><i>Certified Judicial Scriveners Act</i> (Law No.16911, February 4, 2020), Articles 2, 3, and 14</p> <p><i>Notary Public Act</i> (Law No.15150, December 12, 2017), Articles 10, 16, and 17</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only a <i>byeon-ho-sa</i> (Korean-licensed lawyer) registered with the Korean Bar Association may supply legal services.</p> <p>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 entities.</p> <p>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.</p> <p>This entry is subject to the commitments undertaken in the entry for Legal Services – Foreign Legal Consultants in the Schedule to Annex II.</p>

20. Sector:	Professional Services - Labor Affairs Consulting Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Certified Labor Affairs Consultant Act</i> (Law No. 18923, June 10, 2022), Articles 5, 6, 7-2, 7-3, and 7-4</p> <p><i>Enforcement Decree of the Certified Labor Affairs Consultant Act</i> (Presidential Decree No.33002, November 22, 2022), Articles 15 and 19-2</p> <p><i>Enforcement Regulations of the Certified Labor Affairs Consultant Act</i> (Ordinance of the Ministry of Employment and Labor No. 375, December 30, 2022), Articles 6 and 10-2</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only a <i>gong-in-no-mu-sa</i> (Korean-licensed labor affairs consultant) registered under the <i>Certified Labor Affairs Consultant Act</i> may supply labor affairs consulting services.</p> <p>A person that supplies labor affairs consulting services must establish an office in Korea.</p> <p>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 Employment and Labor.</p>

21. Sector:	Professional Services - Patent Attorney (<i>byeon-ri-sa</i>)
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<i>Patent Attorney Act</i> (Law No. 19165, January 3, 2023), Articles 3, 5, 6-2, 6-3, and 6-12
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p> <p>Only a <i>byeon-ri-sa</i> (Korean-licensed patent attorney) may establish a <i>gae-in-sa-mu-so</i> (sole proprietorship), a <i>teuk-heo-beop-in</i> (patent law firm) or a <i>teuk-heo-beop-in(yoo-han)</i> (limited liability 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.</p> <p>A <i>byeon-ri-sa</i> (Korean-licensed patent attorney) may establish only one office.</p>

22. Sector:	Professional Services - Accounting and Auditing Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<i>Certified Public Accountant Act</i> (Law No.18114, April 20, 2021), Articles 2, 7, 12, 18, and 23 <i>Act on External Audit of Stock Companies</i> (Law No. 19217, January 17, 2023), Articles 2 and 9
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p> <p>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>.</p> <p>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.</p>

23. Sector:	Professional Services - Tax Accountant (<i>se-mu-sa</i>)
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Certified Tax Accountant Act</i> (Law No. 18521, November 23, 2021), Articles 6, 13, 16-3, 20, and 20-2</p> <p><i>Corporate Tax Act</i> (Law No. 19193, December 31, 2022), Article 60</p> <p><i>Enforcement Decree of the Corporate Tax Act</i> (Presidential Decree No. 33621, July 7, 2023), Article 97-3</p> <p><i>Income Tax Act</i> (Law No. 19196, December 31, 2022), Article 70</p> <p><i>Enforcement Decree of the Income Tax Act</i> (Presidential Decree No. 33621, July 7, 2023), Article 131-3</p> <p><i>Guidelines Governing the Work of Tax Agents</i>, Article 31 (Order of National Tax Service No. 2477, December 17, 2021)</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p> <p>Only a <i>se-mu-jo-jeong-ban</i> (tax reconciliation task force) or a <i>se-mu-beop-in</i> (tax agency</p>

corporation limited liability company) 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.

24. Sector: Professional Services - Customs Clearance Services

Obligations Concerned: Market Access (Article 8.4)
Local Presence (Article 8.5)

Measures: *Licensed Customs Broker Act* (Law No. 18722, January 6, 2022), Articles 3, 7, 9, 12, 17-2, 17-4, 17-8, 17-13, 19, and 25

Description: Cross-Border Trade in Services

Only a *gwan-se-sa* (customs broker) licensed under the *Customs Brokers Act*, a corporation incorporated by such customs brokers, or a corporation licensed to engage in the customs-clearance brokerage business under the *Customs Broker Act* may supply customs-clearance services.

A person that supplies customs-clearance services must establish an office in Korea.

25. Sector:	Engineering and Other Technical Services - Industrial Safety, Health Institution, and Consulting Services
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Industrial Safety and Health Act</i> (Law No. 19611, August 8, 2023), Articles 17, 18, 21, and 145</p> <p><i>Enforcement Decree of the Industrial Safety and Health Act</i> (Presidential Decree No.33597, June 27, 2023), Article 27</p> <p><i>Enforcement Regulations of the Industrial Safety and Health Act</i> (Ordinance of the Ministry of Employment and Labor No. 363, August 18, 2022), Articles 16 and 229</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies safety and health management or diagnostic services to industrial workplaces must establish an office in Korea.</p> <p>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.</p>

26. Sector:	Engineering and Other Technical Services - Architectural Services, Engineering Services, Integrated Engineering Services, Urban Planning and Landscape Architectural Services, Surveying and Map-making Services (not including cadastral surveying and cadastral map-making services)
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Certified Architects Act</i> (Law No. 18826, February 3, 2022), Article 23</p> <p><i>Enforcement Decree of the Certified Architects Act</i> (Presidential Decree No. 32825, July 26, 2022), Articles 22 and 23</p> <p><i>Enforcement Regulations of the Certified Architects Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 929, December 15, 2021), Article 13</p> <p><i>Engineering Industry Promotion Act</i> (Law No. 17344, June 9, 2020), Article 21</p> <p><i>Enforcement Decree of the Engineering Industry Promotion Act</i> (Presidential Decree No. 31931, August 6, 2021), Article 33</p> <p><i>Professional Engineers Act</i> (Law No. 18425, August 17, 2021), Articles 5-7 and 6</p> <p><i>Special Act on the Safety Control and Maintenance of Establishments</i> (Law No. 17946, March 16, 2021), Article 28</p> <p><i>Enforcement Decree of the Special Act on the Safety Control and Maintenance of Establishments</i> (Presidential Decree No. 32995, November 15, 2022), Article 23</p> <p><i>Enforcement Regulations of the Special Act on the Safety Control and Maintenance of Establishments</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1150, September 16, 2022), Articles 24 and 25</p>

Construction Technology Promotion Act (Law No. 18933, June 10, 2022), Article 2

Enforcement Decree of the Construction Technology Promotion Act (Presidential Decree No. 33212, January 6, 2023), Article 44)

Enforcement Regulations of the Construction Technology Promotion Act (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1175, December 30, 2022), Article 21

Environmental Testing and Inspection Act (Law No. 18421, August 17, 2021), Article 16

Framework Act on the Construction Industry (Law No.18823, February 3, 2022), Articles 9 and 10

Enforcement Decree of the Framework Act on the Construction Industry (Presidential Decree No. 33456, May 9, 2023), Articles 9 and 13

Act on the Establishment, Management, etc. of Spatial Data (Law No. 18936, June 10, 2022), Article 44

Enforcement Decree of the Act on the Establishment, Management, etc. of Spatial Data (Presidential Decree No. 33525, June 9, 2023), Articles 34, 35, and 36

Act on Marine Research and the Use of Marine Information (Law No. 18755, January 11, 2022), Article 30

Enforcement Decree of the Act on Marine Research and the Use of Marine Information (Presidential Decree No. 33225, January 10, 2023), Article 15

Enforcement Regulations of the Act on Marine Research and the Use of Marine Information (Ordinance of the Ministry of Oceans and Fisheries No. 466, February 19, 2021), Article

Hot Spring Act (Law No. 19028, November 15, 2022), Article 7

Fire Fighting System Installation Business Act (Law No. 19159, January 3, 2023), Article 4

Description:

Cross-Border Trade in Services

A person that supplies architectural services, engineering services, integrated engineering services, urban planning and landscape architectural services or surveying and map-making services (not including cadastral surveying and cadastral map-making services) must establish an office in Korea.

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.

27. Sector:	Business Services - Electronic Billboard Operator Services and Outdoor Advertisement Services
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Broadcasting Act</i> (Law No. 19326, April 6, 2023), Articles 13 and 73</p> <p><i>Act on the Management of Outdoor Advertisements, Etc. and Promotion of Outdoor Advertisements Industry</i> (Law No. 18876, June 10, 2022), Article 11</p> <p><i>Enforcement Decree of the Act on the Management of Outdoor Advertisements, Etc. and Promotion of Outdoor Advertisements Industry</i> (Presidential Decree No. 33021, December 6, 2022), Articles 14 and 44</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>At least 20 percent of the electronic billboard programs must be non-commercial public advertisements provided by the central or local government.</p> <p>A person that supplies outdoor advertising services must establish an office in Korea.</p>

28. Sector:	Business Services - Job Placement Services, Labor Supply and Worker Dispatch Services, and Education Services for Seafarers
Obligations Concerned:	National Treatment (Articles 8.2) Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Employment Security Act</i> (Law No. 18425, August 17, 2021), Articles 19 and 33</p> <p><i>Enforcement Decree of the Employment Security Act</i> (Presidential Decree No. 33131, December 27, 2022), Articles 21 and 33</p> <p><i>Enforcement Regulations of the Employment Security Act</i> (Ordinance of the Ministry of Employment and Labor No. 375, December 30, 2022), Articles 17, 18, and 36</p> <p><i>Act on the Protection, etc. of Temporary Agency Workers</i> (Law No. 17605, December 8, 2020), Articles 5, 6, 7, 8, 9, and 10</p> <p><i>Enforcement Decree of the Act on the Protection, etc. of Temporary Agency Workers</i> (Presidential Decree No. 30256, December 24, 2019), Articles 2 and 3</p> <p><i>Enforcement Regulations of the Act on the Protection, etc. of Temporary Agency Workers</i> (Ordinance of the Ministry of Employment and Labor No. 272, December 26, 2019), Articles 3 and 5</p> <p><i>Special Act on Designation and Management of Free Economic Zones</i> (Law No. 19430, June 9, 2023), Article 17</p> <p><i>Seafarers Act</i> (Law No. 19415, May 16, 2023), Articles 109, 110, 112, 115, 116, 117, 142, and 143</p> <p><i>Marine Transportation Act</i> (Law No. 19415, May 16, 2023), Article 33</p>

Enforcement Regulations of the Marine Transportation Act (Ordinance of the Ministry of Oceans and Fisheries No. 553, June 30, 2022), Article 23

Korea Institute of Maritime and Fisheries Technology Act (Law No. 13272, March 27, 2015), Article 5

Description:

Cross-Border Trade in Services

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 January 16, 2020 the types of business to which workers may be seconded are limited to the 32 businesses set forth in the Presidential Decree, but the Minister of Employment and 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, regional offices of the Minister of Oceans and Fisheries, a seafarer management business operator and an organization or institution related to maritime affairs and fisheries regulated under the *Seafarer Act* may supply seafaring labor supply services.

A person that provides seafarer management services must be the company as stipulated under the *Korean Commercial Act* and register in accordance with the *Maritime Transportation Act*.

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

29. Sector:	Investigation and Security Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Security Services Industry Act</i> (Law No. 19021, November 15, 2022), Articles 3 and 4</p> <p><i>Enforcement Decree of the Security Services Industry Act</i> (Presidential Decree No. 33464, May 15, 2023), Articles 3 and 4</p> <p><i>Enforcement Regulations of the Security Services Industry Act</i> (Ordinance of the Ministry of the Interior and Safety, No. 418, July 17, 2023), Article 3</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only a juridical person organized under Korean law may supply security services in Korea.</p> <p>For transparency purposes, only five types of security services are permitted in Korea:</p> <ul style="list-style-type: none"> (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).

30. Sector:	Distribution Services Related to Publications
Obligations Concerned:	National Treatment (Article 8.2)
Measures:	<p><i>Publishing Industry Promotion Act</i> (Law No. 18382, August 10, 2021), Articles 18, 19, and 19-3</p> <p><i>Enforcement Decree of the Publishing Industry Promotion Act</i> (Presidential Decree No. 33023, December 6, 2022), Article 12</p> <p><i>Enforcement Regulations of the Publishing Industry Promotion Act</i> (Ordinance of the Ministry of Culture, Sports and Tourism No. 397, June 23, 2020), Article 7</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Publications for the purpose of domestic distribution are subject to a review process on an <i>ad hoc</i> basis.</p>

31. Sector:	Transportation Services - Aircraft Maintenance and Repair Services
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Aviation Business Act</i> (Law No. 18565, December 7, 2021), Article 42</p> <p><i>Enforcement Regulations of the Aviation Business Act</i> (Ordinance of the Ministry of Land, Infrastructure and Transport No. 1164, December 8, 2022), Article 41</p> <p><i>Aviation Safety Act</i> (Law No. 18789, January 18, 2022), Article 97</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies aircraft maintenance and repair services must establish an office in Korea.</p>

32. Sector:	Education Services - Higher Education
Obligations Concerned:	National Treatment (Articles 8.2) Market Access (Article 8.4)
Measures:	<p><i>Higher Education Act</i> (Law No. 19430, June 9, 2023), Articles 3, 4, 21, 23, 32, 42, and 43</p> <p><i>Enforcement Decree of the Higher Education Act</i> (Presidential Decree No. 33405, April 18, 2023), Articles 13, 15, and 28</p> <p><i>Private School Act</i> (Law No. 19066, December 13, 2022), Articles 3, 5, 10, and 21</p> <p><i>Enforcement Decree of the Private School Act</i> (Presidential Decree No. 33527, June 13, 2023), Article 9-3</p> <p><i>Act on the Establishment and Operation of the Korea National Open University</i> (Law No. 18989, October 18, 2022), Article 2</p> <p><i>Enforcement Decree on the Establishment of the Korea National Open University</i> (Presidential Decree No. 31709, June 1, 2021), Articles 1 and 2</p> <p><i>Seoul Metropolitan Area Readjustment Planning Act</i> (Law No. 19430, June 9, 2023), Articles 7, 8, 9, and 18</p> <p><i>Enforcement Decree of the Seoul Metropolitan Area Readjustment Planning Act</i> (Presidential Decree No. 33621, July 7, 2023), Articles 2, 3, 10, 11, 12, 13, 14, and 24</p>
Description:	<p><u>Cross Border Trade in Services</u></p> <p>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</p>

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 may establish higher education institutions (other than the types of institutions listed in Annex II) in Korea.

The Minister of Education 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-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.

Any new establishment, extension, or transfer of a higher education institution other than Intra-company Universities may be restricted in the Seoul Metropolitan Area.

Operation of joint educational programs with junior colleges, universities, and industrial universities is limited to foreign universities, which obtained accreditation by foreign public accreditation bodies or which acquired recognition or recommendation by their governments, in fields that the president of the university (junior college) recognizes as necessary.

Credits acquired from other higher educational institutions, local or foreign, are acknowledged to the extent that such acknowledged credits do not exceed half of the total credits required for graduation.

33. Sector:	Education Services - Adult Education
Obligations Concerned:	National Treatment (Articles 8.2) Market Access (Article 8.4)
Measures:	<p><i>Act on the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons</i> (Law No. 19347, April 16, 2023), Articles 2, 2-2, and 13</p> <p><i>Enforcement Decree of the Act on the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons</i> (Presidential Decree No. 31711, June 1, 2021), Article 12</p> <p><i>Lifelong Education Act</i> (Law No. 18195, June 8, 2021), Articles 30, 33 through 38</p> <p><i>Foreign Investment Promotion Act</i> (Law No. 18755, January 11, 2022), Article 4</p> <p><i>Regulation on Foreign Investment</i> (Notice of the Ministry of Trade, Industry and Energy No. 2021-106, June 17, 2021), Attached Table 1</p>
Description:	<p><u>Cross Border Trade in Services</u></p> <p>The types of adult education institutions that a foreign person may establish in Korea are limited to:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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.

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 10 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.

34. Sector:	Education Services - Vocational Competency Development Training Services
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Lifelong Vocational Competency Development Act</i> (Law No. 19174, January 3, 2023), Articles 28, 32, and 36</p> <p><i>Enforcement Decree of the Lifelong Vocational Competency Development Act</i> (Presidential Decree No. 33596, June 27, 2023), Articles 24 and 26</p> <p><i>Enforcement Regulations of the Lifelong Vocational Competency Development Act</i> (Ordinance of the Ministry of Employment and Labor No. 387, July 4, 2023), Articles 12, 14, and 18</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies vocational competency development training services must establish an office in Korea.</p>

35. Sector:	Veterinary Services
Obligations Concerned:	Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Veterinarians Act</i> (Law No. 18691, January 4, 2022), Articles 4, 17, 22-2, 22-4, and 22-5</p> <p><i>Enforcement Regulations of the Veterinarians Act</i> (Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 584, April 27, 2023), Article 15</p> <p><i>Aquatic Life Disease Control Act</i> (Law No. 17036, February 18, 2020), Articles 37-2 and 37-12</p> <p><i>Enforcement Regulations of the Aquatic Life Disease Control Act</i> (Ordinance of the Ministry of Oceans and Fisheries No. 592, March 10, 2023), Article 37-11</p> <p><i>Civil Act</i> (Law No. 19098, December 27, 2022), Article 32</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only a person that is a licensed <i>soo-eui-sa</i> (veterinarian) officially registered with a veterinary hospital established in Korea, pursuant to Article 17 of the <i>Veterinarians Act</i> (Law No. 18691, January 4, 2022), may engage in veterinary services.</p> <p>Only a person that is a licensed <i>soo-san-jil-beung-gaun-ri-sa</i> (aquatic life disease inspector) officially registered with an aquatic life disease inspection center established in Korea, pursuant to Article 37-12 of the <i>Aquatic Life Disease Control Act</i> (Law No. 17036, February 18, 2020), may engage in aquatic life disease inspection services.</p>

36. 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
Obligations Concerned:	Local Presence (Article 8.5)
Measures:	<p><i>Water Environment Conservation Act</i> (Law No. 18469, September 24, 2021), Article 62</p> <p><i>Environmental Technology and Industry Support Act</i> (Law No. 18469, September 24, 2021), Article 15</p> <p><i>Soil Environment Conservation Act</i> (Law No. 19090, December 13, 2022), Article 23-7</p> <p><i>Groundwater Act</i> (Law No. 19170, January 3, 2023), Article 29-2</p> <p><i>Clean Air Conservation Act</i> (Law No. 19125, December 27, 2022), Article 68</p> <p><i>Environmental Impact Assessment Act</i> (Law No. 18432, August 17, 2021), Article 54</p> <p><i>Chemicals Control Act</i> (Law No. 18420, August 17, 2021), Article 28</p> <p><i>Wastes Control Act</i> (Law No.18853, April 26, 2022), Article 25</p> <p><i>Enforcement Decree of the Wastes Control Act</i> (Presidential Decree No.33011, November 29, 2022), Article 8</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that supplies the environmental services listed in the Sector heading must establish an office in Korea.</p>

37. Sector:	Performance Services
Obligations Concerned:	National Treatment (Article 8.2)
Measures:	<p><i>Public Performance Act</i> (Law No. 19592, August 8, 2023), Articles 6 and 7</p> <p><i>Enforcement Decree of the Public Performance Act</i> (Presidential Decree No. 33441, May 2, 2023), Articles 4 and 6</p> <p><i>Enforcement Regulations of the Public Performance Act</i> (Ordinance of the Ministry of Culture, Sports and Tourism No. 512, May 4, 2023), Article 4</p> <p><i>Enforcement Regulations of the Immigration Control Act</i> (Ordinance of the Ministry of Justice No. 1054, June 30, 2023), Table 5</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p>

38. Sector:	News Agency (<i>News-tong-sin-sa</i>) Services
Obligations Concerned:	National Treatment (Articles 8.2) Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<p><i>Act on the Promotion of News Communications</i> (Law No. 19592, August 8, 2023), Articles 7, 8, 9, 9-5, 16, and 28</p> <p><i>Enforcement Decree of the Act on the Promotion of News Communications</i> (Presidential Decree No. 33416, April 18, 2023), Articles 4 and 10</p> <p><i>Radio Waves Act</i> (Law No. 18957, June 10, 2022), Article 20</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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.</p> <p>The following persons may not supply news agency services in Korea:</p> <ul style="list-style-type: none"> (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 *dae-pyo-ja* (for example, a chief executive officer, president, or similar principal senior officer) or editor of a news agency, or serve as *im-won* (a member of the board of directors) of Yonhap News or the News Agency Promotion Committee:

- (a) a foreign national; or
- (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.

39. Sector:	Publishing of Periodicals (Excluding Newspapers)
Obligations Concerned:	National Treatment (Articles 8.2) Market Access (Article 8.4) Local Presence (Article 8.5)
Measures:	<i>Act on Promotion of Periodicals, including Magazines</i> (Law No. 19592, August 8, 2023), Articles 20 and 29 <i>Enforcement Decree of the Act on Promotion of Periodicals, including Magazines</i> (Presidential Decree No. 33023, December 6, 2022), Articles 17, 18, and 19
Description:	<u>Cross-Border Trade in Services</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: <ul style="list-style-type: none"> (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, Sports and Tourism. 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.

40. Sector:	Distribution Services - Agriculture and Livestock
Obligations Concerned:	National Treatment (Articles 8.2) Market Access (Article 8.4)
Measures:	<p><i>Grain Management Act</i> (Law No. 18525, November 30, 2021), Article 12</p> <p><i>Livestock Industry Act</i> (Law No. 18445, August 17, 2021), Articles 30 and 34</p> <p><i>Seed Industry Act</i> (Law No.18265, June 15, 2021), Article 42</p> <p><i>Feed Management Act</i> (Law No. 17091, March 24, 2020), Article 6</p> <p><i>Ginseng Industry Act</i> (Law No. 18534, November 30, 2021), Article 20</p> <p><i>Foreign Investment Promotion Act</i> (Law No. 18755, January 11, 2022), Article 4</p> <p><i>Enforcement Decree of the Foreign Investment Promotion Act</i> (Presidential Decree No. 33635, July 18, 2023), Article 5</p> <p><i>Regulations on Foreign Investment</i> (Notice of the Ministry of Trade, Industry and Energy, No.2021-106, June 17, 2021), Attached Table 2</p> <p><i>Act on Distribution and Price Stabilization of Agricultural and Fishery Products</i> (Law No. 18525, November 30, 2021), Articles 15, 17, and 43</p> <p><i>Notice on TRQ Products</i> (Ministry of Agriculture, Food and Rural Affairs Notice No. 2023-28, March 31, 2023)</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only the Livestock Cooperatives under the <i>Agriculture Cooperative Act</i> may establish and</p>

manage a *ga-chook-sijang* (livestock market) in Korea.

Only a local government may establish a *gong-yeong-domae-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 8.2 (National Treatment) and 8.4 (Market Access) do not prevent Korea from adopting or maintaining any measure with respect to the administration of the WTO Tariff-Rate-Quota.

41. Sector:	Recreational, Cultural, and Sporting Services - Motion Picture Projection Services
Obligations Concerned:	Market Access (Article 8.4)
Measures:	<i>Promotion of the Motion Pictures and Video Products Act</i> (Law No. 19592, August 8, 2023), Articles 2, 27, and 40 <i>Enforcement Decree of Promotion of the Motion Pictures and Video Products Act</i> (Presidential Decree No. 33434, March 8, 2022), Article 19
Description:	<u>Cross-Border Trade in Services</u> Cinema operators must project Korean motion pictures for at least 73 days per year at each screen in Korea.