

Annex II 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 specific sectors, subsectors, or activities for which that Party may maintain existing, or adopt new or more restrictive, measures that do not conform with 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 8.6.2 (Non-Conforming Measures), do not apply to the sectors, subsectors, or activities scheduled in the entry;
- (c) **Description** sets out the scope of the sectors, subsectors, or activities covered by the entry; and
- (d) **Existing Measures** identifies, for transparency purposes, existing measures that apply to the sectors, subsectors, or activities covered by the entry.

3. In accordance with Article 8.6.2 (Non-Conforming Measures), the article of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the sectors, subsectors, and activities identified in the **Description** element of that entry.

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

5. 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:	All Sectors
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Without prejudice to Korea's commitments undertaken in Annex I and Annex II, Korea reserves the right to adopt or maintain any measure with respect to the transfer to the private sector of all or any portion of services provided in the exercise of governmental authority.
Existing Measures:	<i>Financial Investment Services and Capital Markets Act</i> (Law No. 19211, December 31, 2022), Article 168

2. Sector:	All sectors
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Market Access (Article 8.4) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to the defense industry.
Existing Measures:	<i>Foreign Investment Promotion Act</i> (Law No. 18755, January 11, 2022), Article 6 <i>Defense Acquisition Program Act</i> (Law No. 18805, May 4, 2022), Article 35

3. Sector:	All sectors
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to the critical technology, including National Core Technology, which is in the <i>Act on Prevention of Divulgence and Protection of Industrial Technology</i> .
Existing Measures:	<i>Act on Prevention of Divulgence and Protection of Industrial Technology</i> (Law No. 19166, January 3, 2023) <i>Enforcement Decree of the Act on Prevention of Divulgence and Protection of Industrial Technology</i> (Presidential Decree No. 31380, January 5, 2021) <i>Foreign Investment Promotion Act</i> (Law No. 18755, January 11, 2022) <i>Enforcement Decree of the Foreign Investment Promotion Act</i> (Presidential Decree No. 33635, July 18, 2023)

4. Sector:	All sectors
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Market Access (Article 8.4) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to the supply of service by the presence of natural persons, or other movement of natural persons, including immigration, temporary entry or temporary stay, subject to the provisions of Chapter Nine (Temporary Entry for Business Persons).

5. Sector: Firearms, Swords, Explosives, and Similar Items

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to the firearms, swords, explosives, gas sprays, electric shocks, and crossbows sector, including the use, sale, storage, transport, import, export, and possession of firearms, swords, explosives, gas sprays, electric shocks, and crossbows.

6. Sector:	Disadvantaged Groups
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure that accords rights or preferences to socially or economically disadvantaged groups, such as the disabled, persons who have rendered distinguished services to the state, and ethnic minorities.

7. Sector: State-Owned National Electronic/Information System

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure affecting the administration and operation of any state-owned electronic information system that contains proprietary government information or information gathered pursuant to the regulatory functions and powers of the government.

This entry does not apply to payment and settlement systems related to financial services.

8. Sector:	Social Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent that they are social services established or maintained for public purposes: income security or insurance, social security or insurance, social welfare, public training, public utilities, public transport, public housing, health, and child care.

9. Sector:	All Sectors
Obligations Concerned:	Market Access (Article 8.4)
Description:	<u>Cross-Border Trade in Services</u>

Korea reserves the right to adopt or maintain any measure that is not inconsistent with Korea's obligations under Article XVI of GATS as set out in Korea's Schedule of Specific Commitments under the GATS (GATS/SC/48, GATS/SC/48/Suppl.1, GATS/SC/48/Suppl.1/Rev.1, GATS/SC/48/Suppl.2, GATS/SC/48/Suppl.3, and GATS/SC/48/Suppl.3/Rev.1).

For purposes of this entry only, Korea's Schedule is subject to the following modifications:

- (a) for any sector and subsector with regard to which Korea's Annex I contains an entry (other than an entry with regard to "All Sectors") that does not list Market Access as one in the Obligations Concerned element, "None" is inscribed in the Market Access column for modes 1 and 2, and "Unbound except as indicated in the Horizontal commitments section" is inscribed for mode 4;
- (b) for any sector and subsector with regard to which Korea's Annex I contains an entry (other than an entry with regard to "All Sectors") that lists a limitation to the Market Access obligation, that limitation is inscribed in the Market Access column with regard to the appropriate mode of supply; and
- (c) for any sector and subsector listed in Appendix II-A, Korea's

Schedule is modified as indicated
in the Appendix II-A.

These modifications shall not affect any limitation relating to sub-paragraph (f) of paragraph 2 of Article XVI of GATS inscribed in the Market Access column of Korea's Schedule.

For greater certainty, an entry of "None" in the Market Access column of Korea's Schedule shall not be construed to alter the application of Article 8.5 (Local Presence) as modified by Article 8.6 (Non-Conforming Measures).

10. Sector:	All Sectors
Obligations Concerned:	Most-Favored-Nation Treatment (Article 8.3)
Description:	<u>Cross-Border Trade in Services</u>

Korea reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of this Agreement.

Korea reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed after the date of entry into force of this Agreement involving:

- (a) aviation;
- (b) fisheries;
- (c) maritime matters, including salvage; or
- (d) railroad transportation.

11. Sector: Communication Services - Broadcasting Services

Obligations Concerned: Most-Favored-Nation Treatment (Article 8.3)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure that accords differential treatment to persons of other countries due to the application of reciprocity measures or through international agreements involving sharing of the radio spectrum, guaranteeing market access, or national treatment with respect to the one-way satellite transmission of direct-to-home (DTH) and direct broadcasting satellite (DBS) television services and digital audio services.

12. Sector: Environmental Services - Treatment and Supply Services for Potable Water; Collection and Treatment Services for Municipal Sewage; Collection, Transportation, and Disposal Services for Municipal Refuse; Sanitation and Similar Services; Nature and Landscape Protection Services (Except for Environmental Impact Assessment Services)

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to the following environmental services: treatment and supply of potable water; collection and treatment of municipal sewage; collection, transportation, and disposal of municipal refuse; sanitation and similar services; and nature and landscape protection services (except for environmental impact assessment services).

This entry shall not apply to the supply of the aforementioned services pursuant to a contract between private parties, to the extent private supply of such services is permitted under relevant laws and regulations.

13. Sector:	Atomic Energy - Supply of Nuclear Fuel; Nuclear Materials; Radioactive Waste Treatment and Disposal (including treatment and disposal of spent and irradiated nuclear fuel); Radioisotope and Radiation Generation Facilities; Monitoring Services for Radiation; Services Related to Nuclear Energy; Planning, Maintenance, and Repair Services
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to the atomic energy industry.

14. Sector:	Energy Services - Electric Power Transmission, Distribution, and Sales; Electricity Business
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to electric power transmission, distribution, and sales.

15. Sector: Energy Services - Gas industry

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to the import and wholesale distribution of natural gas and the operation of terminals and the national high pressure pipeline network.

16. Sector: Distribution Services - Commission Agents' Services, Wholesaling and Retailing of Agricultural Raw Materials and Live Animals (*nong chuk san mul*)

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to:

- (a) commission agents' services of agricultural raw materials, live animals, food products, beverage;
- (b) wholesaling (including importation) services of grain, meat, poultry, grain powder, ginseng, red ginseng, fertilizers; and
- (c) retailing services of rice, ginseng, and red ginseng

17. Sector: Transportation Services - Passenger Road Transportation Services (Taxi Services and Scheduled Passenger Road Transportation Services)

Obligations Concerned: National Treatment (Article 8.2)
Most-Favored-Nation Treatment (Article 8.3)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to taxi services and scheduled passenger road transportation services.

18. Sector: Transportation Services - Freight Road Transportation Services (not including Road Transportation Services Related to Courier Services)

Obligations Concerned: National Treatment (Article 8.2)
Most-Favored-Nation Treatment (Article 8.3)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to freight road transportation services, not including road transportation of containerized freight (excluding cabotage) by international shipping companies and road transportation services related to courier services.

19. Sector:	Transportation Services - Internal Waterways Transportation Services and Space Transportation Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to internal waterways transportation services and space transportation services.

20. Sector: Transportation Services - Storage and Warehousing Services

Obligations Concerned: National Treatment (Article 8.2)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to storage and warehousing services related to agricultural, fisheries, and livestock products.

21. Sector:	Communication Services - Non-monopoly Postal Services
Obligations Concerned:	National Treatment (Article 8.2)
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Korea reserves the right to adopt or maintain any measure with respect to</p> <ul style="list-style-type: none"> (a) the supply of support services to postal offices by military service personnel or other personnel of equivalent status; and (b) the Minister of Science and ICT not needing authorization from the Minister of Land, Infrastructure and Transport in determining the total number of vehicles that may belong to the Ministry of Science and ICT and allocating the vehicles to postal offices. <p>The Korean Postal Authority reserves exclusive rights for collecting, processing, and delivering domestic and international letters.</p> <p>The exclusive rights of the Korean Postal Authority include the right of access to its postal network and operation thereof.</p>
Existing Measures:	<p><i>Postal Service Act</i> (Law No. 18868, June 10, 2022)</p> <p><i>Military Service Act</i> (Law No. 19081, December 13, 2022)</p> <p><i>Regulations on Management of Common-Purpose Motor Vehicles</i> (Presidential Decree No. 28211, July 26, 2017)</p> <p><i>Foreign Investment Promotion Act</i> (Law No. 18755, January 11, 2022), Article 4</p>

22. Sector:	Communication Services - Broadcasting Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Market Access (Article 8.4) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure relating to broadcasting services.

23. Sector:	Communication Services - Broadcasting and Telecommunications Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Market Access (Article 8.4) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to subscription-based video services. For purposes of this entry, subscription-based video services means subscription-based video services that are supplied to end-users over dedicated transmission capacity that the supplier owns or controls (including by leasing) and includes Internet Protocol-based Television (IPTV) and Interactive Broadcasting.
Existing Measures:	<i>Internet Multimedia Broadcasting Business Act</i> (Law No. 18735, January 11, 2022), Articles 4, 7, 9, 18 and 21 <i>Enforcement Decree of the Internet Multimedia Broadcasting Business Act</i> (Presidential Decree No. 32870, August 16, 2022), Article 20

24. Sector:	Communication Services - Broadcasting and Audio-Visual Services
Obligations Concerned:	Most-Favored-Nation Treatment (Article 8.3)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any preferential co-production arrangement for film or television productions. Official co-production status, which may be granted to a co-production produced under such a co-production arrangement, confers national treatment on works covered by a co-production arrangement.
Existing Measures:	<i>Promotion of the Motion Pictures and Video Products Act</i> (Law No 19592, August 8, 2023) <i>Notice on Programming</i> (Korean Broadcasting Commission Notice No.2021-5, June 29, 2021)

25. Sector:	Communication Services - Broadcasting and Audio-Visual Services
Obligations Concerned:	National Treatment (Article 8.2)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure setting criteria for determining whether broadcasting or audio-visual programs are Korean.
Existing Measures:	<i>Promotion of Motion Pictures and Video Products Act</i> (Law No. 19592, August 8, 2023), Articles 27 and 40 <i>Enforcement Decree of the Act on Promotion of Motion Pictures and Video Products</i> (Presidential Decree No. 33434, April 25, 2023), Articles 10 and 19 <i>Enforcement Regulations of the Act on Promotion of Motion Pictures and Video Products</i> (Ordinance of the Ministry of Culture, Sports and Tourism No. 510, April 25, 2023) <i>Notice on Programming</i> (Korean Broadcasting Commission Notice No. 2021-5, June 29, 2021)

26. Sector:	Business Services - Real Estate Services (not including Real Estate Brokerage and Appraisal Services)
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to real estate development, supply, management, sale, and rental services, except for brokerage and appraisal services.

27. Sector: Business Services - Insolvency and Receivership Services

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to insolvency and receivership services.

Korea reserves the right to adopt or maintain any measure with respect to corporate restructuring services, including corporate restructuring companies, corporate restructuring partnerships, and corporate restructuring vehicles.

For greater certainty, this entry shall not be construed to negatively affect current legitimate investment banking services subject to rights and obligations under Chapter Ten (Financial Services).

28. Sector:	Digital Audio or Video Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Korea reserves the right to adopt any measure to ensure that, upon a finding by the Government of Korea that Korean digital audio or video content or genres thereof is not readily available to Korean consumers, access to such content is not unreasonably denied to Korean consumers. With respect to digital audio or video services targeted at Korean consumers, Korea reserves the right to adopt any measure to promote the availability of such content.</p> <p>For purposes of this entry, digital audio or video service means a service that provides streaming audio content, films or other video downloads or streaming video content regardless of the type of transmission (including through the Internet), but does not include broadcasting services as defined by the <i>Broadcasting Act</i> as of the date this Agreement enters into force or subscription-based video services as defined in the Communications Services – Broadcasting and Telecommunications Services entry in Korea’s Schedule to Annex II.</p>
Existing Measures:	<i>Contents Industry Promotion Act</i> (Law No. 19592, August 8, 2023)

29. Sector: Business Services - Cadastral Surveying Services and Cadastral Map-Making Services

Obligations Concerned: National Treatment (Article 8.2)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to cadastral surveying services and cadastral map related services.

30. Sector: Business and Environmental Services - Examination, Certification, and Classification of Agricultural Raw Materials and Live Animals (*nong chuk san mul*)

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to examination, certification, and classification of agricultural raw materials and live animal products.

31. Sector: Business Services - Services Incidental to Agriculture, Hunting, Forestry, and Fishing

Obligations Concerned: National Treatment (Article 8.2)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to services incidental to agriculture, forestry, and livestock, including genetic improvement, artificial insemination, rice and barley polishing, and activities related to a rice processing complex.

Korea reserves the right to adopt or maintain any measure with respect to the supply of services incidental to agriculture, hunting, forestry, and fishing by the Agricultural Cooperatives, the Forestry Cooperatives, and the Fisheries Cooperatives.

32. Sector:	Publishing of Newspapers
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to the publishing (including printing and distribution) of newspapers.
Existing Measures:	<i>Act on the Promotion of Newspapers, Etc.</i> (Law No. 19592, August 8, 2023) <i>Enforcement Decree of the Act on the Promotion of Newspapers, Etc.</i> (Presidential Decree No. 33321, March 7, 2023)

33. Sector:	Education Services - Pre-Primary, Primary, Secondary, Higher, and Other Education
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to pre-primary, primary, and secondary education; health and medicine-related higher education; higher education for prospective pre-primary, primary, and secondary teachers; professional graduate education in law; distance education at all education levels (except adult education services other than health and medicine-related adult education services, provided that such services do not confer academic credit, diplomas, or degrees); and other education services.

34. Sector:	Social Services - Human Health Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to human health services.

35. Sector:	Recreational, Cultural, and Sporting Services - Motion Picture Promotion, Advertising, or Post- Production Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to motion picture promotion, advertising, or post-production services.

36. Sector:	Recreational, Cultural, and Sporting Services - Museum and Other Cultural Services
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to the conservation and restoration of cultural heritage and properties, including the excavation, appraisal, or dealing of cultural heritage and properties.
Existing Measures:	<i>Cultural Heritage Protection Act</i> (Law No. 19592, August 8, 2023) <i>Act on Protection and Inspection of Buried Cultural Heritage</i> (Law No. 19592, August 8, 2023) <i>Act on Repair of Cultural Heritage</i> (Law No. 19592, August 8, 2023) <i>Special Act On The Preservation And Promotion Of Ancient Cities</i> (Law No. 19592, August 8, 2023) <i>Special Act On The Restoration And Maintenance Of Core Ruins Of The Silla Royal Capital</i> (Law No. 16779, December 10, 2019) <i>Special Act On Conservation, Management And Utilization Of World Heritage</i> (Law No. 17587, December 8, 2020) <i>Special Act On The Maintenance Of Historical And Cultural Zones</i> (Law No. 19430, June 9, 2023) <i>Special Act On The Preservation And Management Of Pungnap-toseong</i> (Law No. 17418, June 9, 2020)

37. Sector:	Gambling and Betting Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Korea reserves the right to adopt or maintain any measure with respect to gambling and betting services.</p> <p>For greater certainty, “gambling and betting” includes such services supplied through electronic transmission and services that use <i>sa-haeng-seong-ge-im-mul</i>. “<i>Sa-haeng-seong-ge-im-mul</i>”, as defined in Article 2 of Korea’s Game Industry Promotion Act, includes, inter alia, gaming instruments which result in financial loss or gain through betting or by chance.</p>
Existing Measures:	<p><i>Tourism Promotion Act</i> (Law No. 19592, August 8, 2023) Articles 5, 21 and 28</p> <p><i>Special Act on the Assistance to the Development of Abandoned Mine Areas</i> (Law No. 19122, December 27, 2022) Article 11</p> <p><i>National Sports Promotion Act</i> (Law No. 19592, August 8, 2023) Articles 24, 25 and 26</p> <p><i>Enforcement Decree of the National Sports Promotion Act</i> (Presidential Decree No. 32863, August 9, 2022) Articles 28 and 30</p> <p><i>Korea Racing Association Act</i> (Law No. 19121, December 27, 2022),</p> <p><i>Traditional Bull Fighting Act</i> (Law No. 18853, April 26, 2022)</p> <p><i>Bicycle and Motorboat Racing Act</i> (Law No. 19592, August 8, 2023) Articles 4, 19 and 24</p> <p><i>Game Industry Promotion Act</i> (Law No. 19592, August 8, 2023) Articles 2, 21 and 22</p>

Act on Special Cases concerning Regulation and Punishment of Speculative Acts, etc. (Law No. 17689, December 22, 2020)

National Gambling Control Commission Act (Law No. 18773, January 18, 2022), Article 5

Enforcement Decree of National Gambling Control Commission Act (Presidential Decree No. 32670, June 7, 2022), Article 2

38. Sector:	Legal Services - Foreign Legal Consultants
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>1. Korea reserves the right to adopt or maintain any measures including but not limited to:</p> <ul style="list-style-type: none"> (a) restrictions on certification, approval, registration, admission, and supervision of, and any other requirements with respect to, foreign country-licensed lawyers or foreign law firms supplying any type of legal services in Korea; (b) restrictions on foreign country-licensed lawyers or foreign law firms entering into partnerships, commercial associations, affiliations, or any other type of relationship regardless of legal form, with <i>byeon-ho-sa</i> (Korean-licensed lawyers), Korean law firms, <i>beop-mu-sa</i> (Korean-certified judicial scriveners), <i>byeon-ri-sa</i> (Korean-licensed patent attorneys), <i>gong-in-hoe-gye-sa</i> (Korean-certified public accountants), <i>se-mu-sa</i> (Korean-certified tax accountants), or <i>gwan-se-sa</i> (Korean customs brokers); (c) restrictions on foreign country-licensed lawyers or foreign law firms hiring <i>byeon-ho-sa</i> (Korean-licensed lawyers), <i>beop-mu-sa</i> (Korean-certified judicial scriveners), <i>byeon-ri-sa</i> (Korean-licensed patent attorneys), <i>gong-in-hoe-gye-sa</i> (Korean-certified

public accountants), *se-mu-sa* (Korean certified tax accountants), or *gwan-se-sa* (Korean customs brokers) in Korea; and

- (d) restrictions on senior management and the board of directors of legal entities supplying foreign legal consulting services, including with respect to the chairman.

2. Notwithstanding paragraph 1, Korea shall allow subject to certain requirements consistent with this Agreement, Ecuador's law firms to establish representative offices (Foreign Legal Consultant offices or FLC offices) in Korea and attorneys licensed in Ecuador to provide legal advisory services on laws of the jurisdiction where they are licensed and public international law as FLCs in Korea. However, they shall not be engaged in:

- (a) representation for juridical or statutory procedures in courts and other government agencies as well as preparation of legal documents for such procedures;
- (b) legal representation for the entrustment of the preparation of notarial deeds;
- (c) activities concerning labor affairs consulting services or a legal case whose objective is the acquisition or loss or change of rights concerning real property in Korea, intellectual property rights, mining rights or other rights arising upon registration thereof with government agencies in Korea; and
- (d) activities in legal cases concerning family relations or inheritance, in which a Korean national is

involved as a party or the property concerned is located in Korea.

For transparency purposes:

- (a) A foreign lawyer who wishes to practice law as a FLC in Korea must be approved by the Minister of Justice, must register with the Korean Bar Association, must have practiced law for at least three years in the jurisdiction where he/she is qualified as a lawyer, and must be in good standing of the legal profession in the jurisdiction.
- (b) Permission of the Minister of Justice is required for the establishment of a representative office in Korea. The representative office consists of a FLC or FLCs approved by the Minister of Justice. It must have credibility and expertise, and sufficient capability to compensate for damages caused to the client, if any. The chief of the representative office must have practiced law for at least five years, including three years in the jurisdiction of his/her qualification.
- (c) A representative office can conduct profit-making activities provided that such presence in Korea maintains proper business plans and financial bases and must observe the Foreign Legal Consultant Act, its presidential decree and enforcement rule.
- (d) For the purpose of this entry, only the law firm which is organized under relevant law of Ecuador and headquartered in Ecuador can

establish its representative office in Korea. Any type of subordinate or dependent legal entity, including but not limited to a branch, a local office, a subsidiary or a joint-venture firm of the law firm of a country other than Ecuador shall not be permitted to establish its representative office in Korea.

For purposes of this entry, **Ecuador's law firm** means a law firm organized under Ecuador's laws and headquartered in Ecuador.

39. Sector: Professional Services - Foreign Certified Public Accountants

Obligations Concerned: National Treatment (Article 8.2)
Market Access (Article 8.4)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to public accountancy services. Foreign public accountants intending to provide accountancy services in Korea must be domestically licensed and registered under the *Certified Public Accountant Act*. Their offices must be established within Korea.

40. Sector: Professional Services - Foreign Certified Tax Accountants

Obligations Concerned: National Treatment (Article 8.2)
Most-Favored-Nation Treatment (Article 8.3)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measures with respect to *se-mu-sa* (Korean-certified tax accountants) services including those concerning ownership, partnership, nationality of executives and directors and the scope of services to be provided. Foreign-certified tax accountants intending to provide *se-mu-sa* (Korean-certified tax accountants) services in Korea must be domestically licensed and registered under the *Certified Tax Accountant Act*. Their offices must be established within Korea.

41. Sector:	Business Services
Obligations Concerned:	National Treatment (Article 8.2) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u>

Korea reserves the right to adopt or maintain any measure with respect to the exportation and re-exportation of controlled commodities, software, and technology.

Only persons residing in Korea may apply for a license to export or re-export such commodities, software, or technology.

42. Sector: Transportation Services - Maritime Passenger Transportation and Maritime Cabotage

Obligations Concerned: National Treatment (Article 8.2)
Most-Favored-Nation Treatment (Article 8.3)
Local Presence (Article 8.5)

Description: Cross-Border Trade in Services

Korea reserves the right to adopt or maintain any measure with respect to the provision of international maritime passenger transportation services, maritime cabotage, and the operation of Korean vessels, including the following measures:

A person that supplies international maritime passenger transportation services must obtain a license from the Minister of Oceans and Fisheries, which is subject to an economic needs test.

Maritime cabotage is reserved for Korean vessels. Maritime cabotage includes maritime transportation between harbors located along the entire Korean peninsula and any adjacent islands.

Korean vessel means:

- (a) a vessel owned by the Korean government, a state enterprise, or an institution established under the Ministry of Maritime Affairs and Fisheries;
- (b) a vessel owned by a Korean national;
- (c) a vessel owned by an enterprise organized under the *Korean Commercial Code*;
- (d) a vessel owned by an enterprise organized under foreign law that has its principal office in Korea and whose *dae-pyo-ja* (for

example, a chief executive officer, president, or similar principal senior officer) is a Korean national. In the event there is more than one, all *dae-pyo-ja* must be Korean nationals.

For greater certainty, measures relating to the landside aspects of port activities are subject to the application of Article 21.2 (Essential Security).

43. Sector:	Air Services
Obligations Concerned:	National Treatment (Article 8.2) Most-Favored-Nation Treatment (Article 8.3) Local Presence (Article 8.5)
Description:	<u>Cross-Border Trade in Services</u> Korea reserves the right to adopt or maintain any measure with respect to air services except aircraft repair and maintenance services, computer reservation system services, specialty air services and the selling and marketing of air transport services.

Appendix II-A

<i>For the following Sectors, Korea's obligations under Article XVI of the General Agreement on Trade in Services as set out in Korea's Schedule of Specific Commitments under the GATS (GATS/SC/48, GATS/SC/48/Suppl.1, GATS/SC/48/Suppl.1/Rev.1, GATS/SC/48/Suppl.2, GATS/SC/48/Suppl.3, and GATS/SC/48/Suppl.3/Rev.1) are improved as described.</i>	
Sector/Sub-sector	Market Access Improvements
<p>Research and Development Services:</p> <p>a. Research and development services on natural sciences</p> <p>b. Research and development services on social sciences and humanities</p> <p>c. Interdisciplinary research and development services</p>	<p>Insert new commitments with "None" for modes 1 and 2, and "Unbound except as indicated in the Horizontal Commitments section." for mode 4</p> <p>Modify modes 1 and 2 limitations from "Unbound" to "None"</p> <p>Insert new commitments with "None" for modes 1 and 2, and "Unbound except as indicated in the Horizontal Commitments section" for mode 4</p>
<p>Market research and public opinion polling services</p>	<p>Modify modes 1 and 2 limitations from "Unbound" to "None"</p>
<p>Services incidental to mining</p>	<p>Modify modes 1 and 2 limitations from "Unbound" to "None"</p>

For the following Sectors, Korea's obligations under Article XVI of the General Agreement on Trade in Services as set out in Korea's Schedule of Specific Commitments under the GATS (GATS/SC/48, GATS/SC/48/Suppl.1, GATS/SC/48/Suppl.1/Rev.1, GATS/SC/48/Suppl.2, GATS/SC/48/Suppl.3, and GATS/SC/48/Suppl.3/Rev.1) are improved as described.

Sector/Sub-sector	Market Access Improvements
Packaging services	Modify modes 1 and 2 limitations from "Unbound" to "None"
<p>Tourism and travel related services:</p> <p>a. Beverage serving services without entertainment</p> <p>Excluding rail and air transport related facilities in beverage serving services without entertainment</p> <p>b. Tour operator services</p>	<p>Insert new commitments with "Unbound*" for mode 1, "None" for mode 2, and "Unbound except as indicated in the Horizontal Commitments section" for mode 4</p> <p>Insert new commitments with "None" for modes 1 and 2, and "Unbound except as indicated in the Horizontal Commitments section" for mode 4</p>
Convention services other than Convention agency services	Insert new commitments with "None" for modes 1 and 2, and "Unbound except as indicated in the Horizontal Commitments section" for mode 4

For the following Sectors, Korea's obligations under Article XVI of the General Agreement on Trade in Services as set out in Korea's Schedule of Specific Commitments under the GATS (GATS/SC/48, GATS/SC/48/Suppl.1, GATS/SC/48/Suppl.1/Rev.1, GATS/SC/48/Suppl.2, GATS/SC/48/Suppl.3, and GATS/SC/48/Suppl.3/Rev.1) are improved as described.

Sector/Sub-sector	Market Access Improvements
Building-cleaning services (CPC 874* excluding 87409)	Insert new commitments with "Unbound*" for mode 1, "None" for mode 2, and "Unbound except as indicated in the Horizontal Commitments section" for mode 4
Environment consulting services (CPC 9409*)	Insert new commitments with "None" for modes 1 and 2, and "Unbound except as indicated in the Horizontal Commitments section" for mode 4
Recreational, Cultural and Sporting Services Other - Game Services (CPC 964**)	Insert new commitments with "Unbound" for mode 1, "None" for mode 2, and "Unbound except as indicated in the Horizontal Commitments section" for mode 4