

5 July 2004

Dear Minister Vaile,

I refer to the signing on this date of the Thailand-Australia Free Trade Agreement (hereinafter “the Agreement”) and to the discussions in relation to Chapters 8 and 10 during negotiation of the Agreement.

I wish to propose that:

Thailand and Australia shall enter into negotiations on financial services and telecommunication services as part of the review of commitments provided for in Article 812 (1);

Thailand and Australia shall enter into negotiations with a view to incorporating into Chapter 8 a provision on emergency safeguard measures, taking into account developments in bilateral and multilateral trade negotiations to which they are party and the impact on competition in their respective markets that may result from enhancing their commitments in this Agreement;

Thailand shall explore the possibility of eliminating management needs test requirements for Australian intra-corporate transferees and contractual service suppliers;

Thailand shall explore the possibility of extending the initial period of work permits granted to Australian intra-corporate transferees from the current one year to three years with a total period of stay up to 10 years;

Thailand shall explore the possibility of extending the period for which Australian business visitors who do not hold an APEC Business Travel Card will be permitted to perform the activities specified in Annex 8 from 15 days to 90 days;

Australia shall explore ways to develop a qualification evaluation scheme for Thai masseurs and Thai massage therapists, in order to facilitate the entry and provision of services by qualified Thai service suppliers; and

The Honourable Mark Vaile MP
Minister for Trade
Australia

Thailand and Australia shall consider the outcomes of the discussions on the issues set out in this letter at the first meeting of the FTA Joint Commission that occurs three years after entry into force of this Agreement.

If the above proposals are acceptable to Australia, then I propose that this letter and your confirmatory reply shall constitute an integral part of the Agreement.

Yours sincerely,

Watana Muangsook
Minister of Commerce

5 July 2004

Dear Minister Watana,

I refer to the signing on this date of the Australia-Thailand Free Trade Agreement (hereinafter “the Agreement”) and your letter of this date, which reads:

“Dear Minister Vaile,

I refer to the signing on this date of the Thailand-Australia Free Trade Agreement (hereinafter “the Agreement”) and to the discussions in relation to Chapters 8 and 10 during negotiation of the Agreement.

I wish to propose that:

Thailand and Australia shall enter into negotiations on financial services and telecommunication services as part of the review of commitments provided for in Article 812 (1);

Thailand and Australia shall enter into negotiations with a view to incorporating into Chapter 8 a provision on emergency safeguard measures, taking into account developments in bilateral and multilateral trade negotiations to which they are party and the impact on competition in their respective markets that may result from enhancing their commitments in this Agreement;

Thailand shall explore the possibility of eliminating management needs test requirements for Australian intra-corporate transferees and contractual service suppliers;

Thailand shall explore the possibility of extending the initial period of work permits granted to Australian intra-corporate transferees from the current one year to three years with a total period of stay up to 10 years;

Thailand shall explore the possibility of extending the period for which Australian business visitors who do not hold an APEC Business Travel Card will be permitted to perform the activities specified in Annex 8 from 15 days to 90 days;

Mr. Watana Muangsook
Minister of Commerce
Kingdom of Thailand

Australia shall explore ways to develop a qualification evaluation scheme for Thai masseurs and Thai massage therapists, in order to facilitate the entry and provision of services by qualified Thai service suppliers; and

Thailand and Australia shall consider the outcomes of the discussions on the issues set out in this letter at the first meeting of the FTA Joint Commission that occurs three years after entry into force of this Agreement.

If the above proposals are acceptable to Australia, then I propose that this letter and your confirmatory reply shall constitute an integral part of the Agreement.”

I have the honour to confirm that your proposals are acceptable to Australia. Therefore, your letter and this reply shall constitute an integral part of the Agreement.

Yours sincerely,

Mark Vaile
Minister for Trade