

ANNEX I
SCHEDULE OF KOREA

Sector:	Construction Services
Obligations Concerned:	Local Presence (Article 9.5)
Measures:	<p><i>Framework Act on the Construction Industry</i> (Law No. 11015, August 4, 2011), Articles 9 and 10</p> <p><i>Enforcement Decree of the Framework Act on the Construction Industry</i> (Presidential Decree No. 23583, February 2, 2012), Article 13</p> <p><i>Enforcement Regulations of the Framework Act on the Construction Industry</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 397, November 3, 2011), Articles 2 and 3</p> <p><i>Information and Communication Construction Business Act</i> (Law No. 10250, April 12, 2010), Article 14</p> <p><i>Fire Fighting System Installation Business Act</i> (Law No. 11036, August 4, 2011), Articles 4 and 5</p> <p><i>Enforcement Decree of the Fire Fighting System Installation Business Act</i> (Presidential Decree No. 23571, January 31, 2012), Article 2 (Table 1)</p> <p><i>Enforcement Regulations of the Fire Fighting System Installation Business Act</i> (Ordinance of the Ministry of Public Administration and Security, No.282, February 3, 2012), 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>

Sector: Leasing, Rental, Maintenance, Repair, Sales, and Disposal Services Related to Construction Machinery and Equipment

Obligations Concerned: Local Presence (Article 9.5)

Measures: *Construction Machinery Management Act* (Law No. 11361, February 22, 2012), Article 21

Enforcement Decree of the Construction Machinery Management Act (Presidential Decree No. 22467, November 2, 2010), Articles 13, 14, 15, and 15-2

Enforcement Regulations of the Construction Machinery Management Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 266, July 20, 2010), Articles 57 through 63, 65-2, and 65-3

Description: Cross-Border Trade in Services

A person that supplies leasing, rental, maintenance, repair, sales, and disposal services related to construction machinery and equipment must establish an office in Korea.

Sector: Transportation Services - Automobile Maintenance, Repair, Sales, Disposal, and Inspection Services; Automobile License Plate Issuing Services

Obligations Concerned: Market Access (Article 9.4)
Local Presence (Article 9.5)

Measures: *Automobile Management Act* (Law No. 11190, January 17, 2012), Articles 20, 44, 45, and 53

Enforcement Regulations of the Automobile Management Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No.222, February 18, 2010), Articles 7, 8, 83, 87, and 111

Description: Cross-Border Trade in Services

A person that supplies automobile management services (which includes used car sales, maintenance, auto dismantling and recycling services) must establish an office in Korea and obtain authorization from the head of the *si/gun/gu* (municipal authorities), which is subject to an economic needs test, as appropriate.

A person that supplies automobile inspection services that is designated as a “designated repair facility” must establish an office in Korea.

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.

Sector: Distribution Services - Wholesale and Retail Distribution of Tobacco and Liquor

Obligations Concerned: Market Access (Article 9.4)
Local Presence (Article 9.5)

Measures: *Tobacco Business Act* (Law No. 9932, January 18, 2010), Articles 12, 13, and 16

Enforcement Decree of the Tobacco Business Act (Presidential Decree No. 23349, December 6, 2011), Articles 4 and 5

Enforcement Regulations of the Tobacco Business Act (Ordinance of the Ministry of Strategy and Finance No. 131, March 3, 2010), Articles 5, 7, and 7-3

Liquors Act (Law No. 11134, December 31, 2011), Articles 8 through 10

Enforcement Decree of the Liquors Act (Presidential Decree No. 23598, February 2, 2012), Article 9

Notice of National Tax Service, 2010-13 (April 1, 2010) and 2011-24 (December 31, 2011)

Description: Cross-Border Trade in Services

A person that supplies tobacco wholesale (including importation) or retail distribution services must establish an office in Korea.

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.

The distance between places of business of tobacco retailers must be at least 50 meters.

A person that supplies liquor wholesale distribution services must establish an office in Korea and obtain authorization from the head of the relevant tax office, which is subject to an economic needs test.

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

Sector:	Agriculture and Livestock
Obligations Concerned:	National Treatment (Article 8.3)
Measures:	<p><i>Foreign Investment Promotion Act</i> (Law No. 10801, June 15, 2011), Article 4</p> <p><i>Enforcement Decree of the Foreign Investment Promotion Act</i> (Presidential Decree No. 23297, November 16, 2011), Article 5</p> <p><i>Consolidated Public Notice for Foreign Investment</i> (No. 2012-220, April 26, 2012, Ministry of Knowledge Economy), Appendix 1</p>
Description:	<p><u>Investment</u></p> <p>Foreign persons may not: (i) invest in an enterprise engaged in rice or barley farming; or (ii) hold 50 percent or more of the equity interest of an enterprise engaged in beef cattle farming.</p>

Sector: Business Services - *An-gyung-sa* (Optician and Optometry) Services

Obligations Concerned: Market Access (Article 9.4)
Local Presence (Article 9.5)

Measures: *Medical Technicians Act* (Law No. 11102, November 22, 2011), Article 12

Enforcement Regulations of the Medical Technicians Act (Ordinance of the Ministry of Health and Welfare No. 124, May 23, 2012), Article 15

Description: Cross-Border Trade in Services

Only a natural person that is a licensed *an-gyung-sa* (optician or optometrist) that has established an office in Korea may engage in optician or optometry services.

An *an-gyung-sa* (optician or optometrist) may not establish more than one office.

Sector:	Wholesale and Retail Distribution Services
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<p><i>Pharmaceutical Affairs Act</i> (Law No. 10788, June 7, 2011), Articles 42 and 45</p> <p><i>Decree on the Facility Standards of Pharmacy, Manufacturer, Importer and Distributor of Pharmaceuticals</i> (Presidential Decree No. 23248, October 25, 2011), Articles 6 and 7</p> <p><i>Supply, Demand and Distribution of Oriental Medicinal Herbs Regulations</i> (Notice of the Ministry of Health and Welfare No. 2011-118, September 28, 2011), Articles 4 and 13</p> <p><i>Medical Devices Act</i> (Law No. 10564, April 7, 2011), Article 15</p> <p><i>Enforcement Regulations of the Medical Devices Act</i> (Ordinance of the Ministry of Health and Welfare No. 85, November 25, 2011), Article 19</p> <p><i>Functional Foods Act</i> (Law No. 10219, March 31, 2010), Article 6</p> <p><i>Enforcement Regulations of the Functional Foods Act</i> (Ordinance of the Ministry of Health and Welfare No. 48, April 1, 2011), Articles 2 and 5</p> <p><i>Food Sanitation Act</i> (Law No. 10787, June 7, 2011), Articles 24, 36 and 37</p> <p><i>Enforcement Decree of the Food Sanitation Act</i> (Presidential Decree No. 23619, February 3, 2012), Articles 23 and 24</p> <p><i>Enforcement Regulations of the Food Sanitation Act</i> (Ordinance of the Ministry of Health and Welfare No. 125, May 31, 2012), Articles 23 and 36 (attached table 14)</p> <p><i>Act on the Control of Narcotics</i> (Law No. 10786, June 7, 2011), Article 6</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>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:</p>

- (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; or
- (d) narcotic drug wholesale and retail distribution 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.

Sector:	Retail Distribution of Pharmaceuticals
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<i>Pharmaceutical Affairs Act</i> (Law No. 10788, June 7, 2011), Articles 20 and 21
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 in the form of a corporation.

Sector: Transportation Services - Rail Transportation and Incidental Services

Obligations Concerned: Market Access (Article 9.4)

Measures: *Railroad Enterprise Act* (Law No. 10722, May 24, 2011), Articles 5, 6, 12, and 13

Korea Railroad Corporation Act (Law No. 10580, April 12, 2011), Article 9

Railroad Construction Act (Law No. 10599, April 14, 2011), Article 8

Framework Act on Railroad Industry Development (Law No. 9772, June 9, 2009), Articles 3, 20, 26, and 38

Korea Rail Network Authority Act (Law No. 9391, January 30, 2009), Article 7

Description: Cross-Border Trade in Services

Only the Korea Railroad Corporation may supply railroad transportation services on railroad routes constructed on or before June 30, 2005.

Only juridical persons that have obtained authorization from the Minister of Land, Transport, and Maritime Affairs may supply railroad transportation services on railroad routes constructed on or after July 1, 2005. Such authorization is subject to an economic needs test.

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, Transport, and Maritime Affairs.

Only the central or local level of government or the Korea Rail Network Authority 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 *Act on Public-Private Partnerships in Infrastructure* may supply rail construction services.

Sector: Transportation Services - Passenger Road Transportation Services (not including Taxis and Scheduled Passenger Road Transportation Services)

Obligations Concerned: Local Presence (Article 9.5)

Measures: *Passenger Transport Service Act* (Law No. 10599, April 14, 2011), Article 4

Enforcement Decree of the Passenger Transport Service Act (Presidential Decree No. 23743, April 20, 2012), Article 3

Enforcement Regulations of the Passenger Transport Service Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 425, December 30, 2011), Article 11

Tramway Transportation Act (Law No. 11060, September 16, 2011), Article 4

Enforcement Regulations of Tramway Transportation Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 208, January 11, 2010) Article 3

Description: Cross-Border Trade in Services

A person that supplies passenger road transportation services, not including taxis and scheduled passenger road transportation services, must establish an office in the *dang-hae--ji-yeok* (relevant geographic area) in Korea.

Sector: Transportation Services - International Maritime Cargo
Transportation and Maritime Auxiliary Services

Obligations Concerned: National Treatment (Article 9.2)
Market Access (Article 9.4)
Local Presence (Article 9.5)

Measures: *Maritime Transportation Act* (Law No. 10219, March 31, 2010), Articles 24 and 33

Enforcement Regulations of the Maritime Transportation Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 147, July 1, 2009), Articles 16, 19, 22, and 23

Pilotage Act (Law No. 10801, June 15, 2011), Article 6

Ship Investment Company Act (Law No. 9707, May 22, 2009), Articles 3 and 31

Description: Cross-Border Trade in Services

A person that supplies international maritime cargo transportation and shipping brokerage services must be organized as a *Chusik Hoesa* (stock company) in Korea. A ship investment company must also be organized as a *Chusik Hoesa* (stock company) in Korea.

Only a Korean national may supply maritime pilotage services.

Sector: Transportation Services - Air Transportation Services

Obligations Concerned: National Treatment (Article 8.3)
Senior Management and Boards of Directors (Article 8.10)

Measures: *Aviation Act* (Law No. 11244, January 26, 2012), Articles 2, 3, 6, 112, 113, 114, 129 and 132

Enforcement Regulations of the Aviation Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. Construction and Transportation No. 436, January 18, 2012), Articles 14-2, 15, 278, 278-3, 296-2, 298 and 299

Description: Investment

The following persons may not supply scheduled or non-scheduled domestic air transportation services or supply international air transportation services as Korean air carriers:

- (a) a foreign national;
- (b) a foreign government or a foreign *gong-gong-dan-che* (organization for public purposes);
- (c) an enterprise organized under foreign law;
- (d) an enterprise in which any of the persons referred to in subparagraphs (a) through (c) owns 50 percent or more of the equity interest, or has control; 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.

A person that owns an aircraft or is authorized to operate a chartered aircraft must register the aircraft with the Minister of Land, Transport, and Maritime Affairs. The persons listed in subparagraphs (a) through (e) are not allowed to register an aircraft.

For purposes of this entry, non-scheduled air transportation services include point-to-point transportation services, flight tour services and charter flight services.

Sector:	Transportation Services - Aircraft- Use Services
Obligations Concerned:	National Treatment (Article 8.3) Senior Management and Boards of Directors (Article 8.10)
Measures:	<i>Aviation Act</i> (Law No. 11244, January 26, 2012), Articles 3, 6, and 134 <i>Enforcement Regulations of the Aviation Act</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 436, January 18, 2012), Articles 15-2, 298 and 299-2
Description:	<p><u>Investment</u></p> <p>A person that supplies aircraft-<i>sa-yong</i> (use) services must register its self-owned or chartered aircraft with the Minister of Land, Transport, and Maritime Affairs.</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; or (e) 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 a foreign national or half or more of whose senior management are foreign nationals. <p>For purposes of this entry, aircraft-<i>sa-yong</i> (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, aerial inspections and observations, glider towing, parachute jumping, aerial construction, and heli-logging.</p>

Sector: Transportation Services - Road Transportation Support Services

Obligations Concerned: Market Access (Article 9.4)
Local Presence (Article 9.5)

Measures: *Passenger Transport Service Act* (Law No. 10599, April 14, 2011), Articles 36 and 37

Enforcement Regulations of the Passenger Transport Service Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 425, December 30, 2011), Article 73

Parking Lot Service Act (Law No. 10599, April 14, 2011), Article 12

Road Traffic Act (Law No. 10790, June 8, 2011), Article 36

Description: Cross-Border Trade in Services

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, Transport, and Maritime Affairs, head of local police, or head of *shi/gun*, as appropriate, which is subject to an economic needs test.

Sector:	Courier Services
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<p><i>Aviation Act</i> (Law No. 11116, December 2, 2012), Article 139</p> <p><i>Enforcement Regulations of the Aviation Act</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 436, January 18, 2012), Article 306</p> <p><i>Truck Transportation Business Act</i> (Law No. 11064, September 16, 2011), Articles 3, 24 and 29</p> <p><i>Enforcement Regulations of Truck Transportation Business Act</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 430, December 31, 2011), 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, Transport, and Maritime Affairs, 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>

Sector:	Telecommunications Services
Obligations Concerned:	National Treatment (Articles 8.3 and 9.2) Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<i>Telecommunications Business Act</i> (Law No. 10656, May 19, 2011), Articles 6, 7, 8, 21 and 87 <i>Telecommunications Business Act</i> (Law No. 5385, August 28, 1997), Addenda Article 4 <i>Radio Waves Act</i> (Law No. 10393, July 23, 2010), Articles 13 and 20
Description:	<u>Investment and Cross-Border Trade in Services</u> A license 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. A license 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. A foreign government, foreign person, or deemed foreign person may not in the aggregate hold more than 49 percent of the total voting shares of a facilities-based supplier of public telecommunications services. In addition, with respect to KT Corporation (KT), a foreign government, foreign person, or deemed foreign person may not be the largest shareholder of KT, except if it holds less than five percent of the total voting shares of KT. A foreign government, or its representative, or a foreign person may not obtain or hold a radio station license. 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 licensed in Korea. For purposes of this entry:

- (a) **deemed foreign person** means a juridical

person organized under Korean law in which a foreign government or a foreign person (including a “specially related person” under relevant Korean laws or regulations) 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. 10656, May 19, 2011), a facilities-based supplier is a supplier that owns transmission facilities;
- (c) consistent with Article 5.3 of the *Telecommunications Business Act* (Law No. 10656, May 19, 2011), 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 licensed facilities-based supplier; and
- (d) consistent with Article 2.3 of the *Telecommunications Basic Act* (Law No. 10139, March 17, 2010), **transmission facilities** means wireline or wireless transmission facilities (including circuit facilities) that connect transmitting points with receiving points.

Sector:	Real Estate Brokerage and Appraisal Services
Obligations Concerned:	Local Presence (Article 9.5)
Measures:	<p><i>Act on Duties of a Licensed Real Estate Broker and Filing of Real Estate Transactions</i> (Law No. 10580, April 12, 2011), Article 9</p> <p><i>Enforcement Decree of the Act on Duties of a Licensed Real Estate Broker and Filing of Real Estate Transactions</i> (Presidential Decree No. 23086, August 19, 2011), Article 13</p> <p><i>Enforcement Regulations of the Act on Duties of a Licensed Real Estate Broker and Filing of Real Estate Transactions</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 399, November 8, 2011), Article 4</p> <p><i>Public Notice of Values and Appraisal of Real Estate Act</i> (Law No. 10136, March 17, 2010), Article 27</p> <p><i>Enforcement Decree of the Public Notice of Values and Appraisal of Real Estate Act</i> (Presidential Decree No. 23488, January 6, 2012), Articles 65, 66, and 68</p> <p><i>Enforcement Regulations of the Public Notice of Values and Appraisal of Real Estate Act</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 456, April 13, 2012), Articles 25 and 26</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>

Sector: Retail, Leasing, Rental and Repair Services Related to Medical Devices

Obligations Concerned: Local Presence (Article 9.5)

Measures: *Medical Devices Act* (Law No. 10564, April 7, 2011), Articles 16 and 17

Enforcement Regulations of the Medical Devices Act (Ordinance of the Ministry of Health and Welfare No. 85, November 25, 2011), Articles 22 and 24

Description: Cross-Border Trade in Services

A person that supplies retail, leasing, rental, or repair services related to medical devices must establish an office in Korea.

Sector:	Rental Services - Automobiles
Obligations Concerned:	Local Presence (Article 9.5)
Measures:	<i>Passenger Transport Service Act</i> (Law No. 10599, April 14, 2011), Articles 28 and 29 <i>Enforcement Regulations of the Passenger Transport Service Act</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 425, December 30, 2011), Article 60
Description:	<u>Cross-Border Trade in Services</u> A person that supplies automobile rental services must establish an office in Korea.

Sector:	Scientific Research Services and Sea Map Making Services
Obligations Concerned:	National Treatment (Articles 8.3 and 9.2)
Measures:	<i>Marine Scientific Research Act</i> (Law No. 8852, February 29, 2008), Articles 6, 7, and 8 <i>Territorial Sea and Contiguous Zone Act</i> (Law No. 10524, April 4, 2011), Article 5
Description:	<u>Investment and Cross-Border Trade in Services</u>

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 Land, Transport, and Maritime Affairs 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 Land, Transport, and Maritime Affairs.

Sector:	Professional Services - Legal Services
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<p><i>Attorney-at-law Act</i> (Law No. 10922, July 25, 2011), Articles 4, 7, 21, 34, 45, 58-6, 58-22, and 109</p> <p><i>Certified Judicial Scriveners Act</i> (Law No. 8920, March 21, 2008), Articles 2, 3, and 14</p> <p><i>Notary Public Act</i> (Law No. 11154, January 17, 2012), 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 entity.</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>

Sector:	Professional Services - Labor Affairs Consulting Services
Obligations Concerned:	Local Presence (Article 9.5)
Measures:	<p><i>Certified Labor Affairs Consultant Act</i> (Law No. 10321, May 25, 2010), Articles 5 and 5-2, 7-3 and 7-4</p> <p><i>Enforcement Decree of the Certified Labor Affairs Consultant Act</i> (Presidential Decree No. 23759, May 1, 2012), Articles 15 and 19</p> <p><i>Enforcement Regulations of the Certified Labor Affairs Consultant Act</i> (Ordinance of the Ministry of Employment and Labor No. 48, February 9, 2012), Articles 6 and 10</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 Certified Labor Affairs Consultant Act may supply <i>gong-in-no-mu-sa</i> services.</p> <p>A person that supplies <i>gong-in-no-mu-sa</i> 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>

Sector:	Professional Services - Patent Attorney (<i>byeon-ri-sa</i>)
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<i>Patent Attorney Act</i> (Law No. 10706, May 24, 2011), Articles 3, 5, 6-2, and 6-3
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) or a <i>teuk-heo-beop-in</i> (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>

Sector:	Professional Services - Accounting and Auditing Services
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<i>Certified Public Accountant Act</i> (Law No. 10812, June 30, 2011), Articles 2, 7, 12, 18, and 23 <i>External Audit of Stock Companies Act</i> (Law No. 10303, May 17, 2010), Article 3
Description:	<u>Cross-Border Trade in Services</u> 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. 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> . 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.

Sector:	Professional Services - Tax Accountant (<i>se-mu-sa</i>)
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<p><i>Certified Tax Accountant Act</i> (Law No.11209, January 26, 2012), Articles 6, 13, 16-3, and 20</p> <p><i>Enforcement Decree of the Corporate Tax Act</i> (Presidential Decree No. 23724, April 15, 2012), Article 97</p> <p><i>Enforcement Regulations of the Corporate Tax Act</i> (Ordinance of the Ministry of Strategy and Finance No. 283, April 19, 2012), Articles 50-2 and 50-3</p> <p><i>Guidelines Governing the Work of Tax Agents</i>, Articles 20 and 22</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 forces) or a <i>se-mu-beop-in</i> (tax agency corporation limited liability company) may supply tax reconciliation services.</p> <p>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.</p>

Sector:	Professional Services - Customs Clearance Services
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<i>Customs Broker Act</i> (Law No. 10570, April 8, 2011), Articles 3, 7, and 9
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>Only a <i>gwan-se-sa</i> (customs broker) licensed under the <i>Customs Brokers Act</i>, a corporation incorporated by such customs brokers, or a corporation licensed to engage in the customs-clearance brokerage business under the <i>Customs Broker Act</i> may supply customs-clearance services.</p> <p>A person that supplies customs-clearance services must establish an office in Korea.</p>

Sector:	Engineering and Other Technical Services - Industrial Safety, Health Institution, and Consulting Services
Obligations Concerned:	Local Presence (Article 9.5)
Measures:	<p><i>Industrial Safety and Health Act</i> (Law No. 10968, July 25, 2011), Articles 15, 16, and 52-4</p> <p><i>Enforcement Decree of the Industrial Safety and Health Act</i> (Presidential Decree No. 23845, June 7, 2012), Articles 15-3</p> <p><i>Enforcement Regulations of the Industrial Safety and Health Act</i> (Ordinance of the Ministry of Employment and Labor No. 47, January 26, 2012), Articles 17, 18, 20, 21, and 136-8</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> <p>For greater certainty, only Occupational Safety Consultants and Industrial Hygiene Consultants registered according to the <i>Industrial Safety and Health Act</i> can provide occupational safety and industrial hygiene consulting services such as providing evaluation and guidance on safety in work process</p>

Sector:	Engineering and Other Technical Services - Architectural Services, Engineering Services, Integrated Engineering Services, Urban Planning and Landscape Architectural Services
Obligations Concerned:	Local Presence (Article 9.5)
Measures:	<p><i>Certified Architects Act</i> (Law No. 10719, May 24, 2011), Article 23</p> <p><i>Enforcement Decree of the Certified Architects Act</i> (Presidential Decree No. 23535, January 25, 2012), Articles 22 and 23</p> <p><i>Enforcement Regulations of the Certified Architects Act</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 349, April 7, 2011), Article 13</p> <p><i>Engineering Industry Promotion Act</i> (Law No. 11235, January 26, 2012), Article 21</p> <p><i>Professional Engineers Act</i> (Law No. 10771, June 7, 2011), Article 6</p> <p><i>Special Act on the Safety Control of Public Structures</i> (Law No. 10719, May 24, 2011), Article 9</p> <p><i>Enforcement Decree of the Special Act on the Safety Control of Public Structures</i> (Presidential Decree No. 23299, November 16, 2011), Article 11</p> <p><i>Construction Technology Management Act</i> (Law No. 11056, September 16, 2011), Articles 25 and 28</p> <p><i>Enforcement Decree of the Construction Technology Management Act</i> (Presidential Decree No. 23718, April 10, 2012), Articles 91 and 108</p> <p><i>Enforcement Regulations of the Construction Technology Management Act</i> (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 450, March 16, 2012), Article 48</p> <p><i>Act on Land Survey, Waterway Survey and Cadastral Records</i> (Law No. 11062, September 16, 2011), Article 44</p> <p><i>Enforcement Decree of the Act on Land Survey, Waterway Survey and Cadastral Records</i> (Presidential Decree No. 23718, April 10, 2012), Articles 34, 35, and 36</p> <p><i>Environmental Testing and Inspection Act</i> (Law No. 10615,</p>

April 28, 2011), Article 16

Thermal Spring Management Act (Law No. 10732, May 30, 2011), Article 7

Fire Fighting System Installation Business Act (Law No. 11036, August 4, 2011), 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 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.

Sector:	Business Services - Electronic Billboard Operator Services and Outdoor Advertisement Services
Obligations Concerned:	Performance Requirements (Article 8.9) Senior Management and Boards of Directors (Article 8.10) Local Presence (Article 9.5)
Measures:	<i>Broadcasting Act</i> (Law No. 10856, July 14, 2011), Articles 13 and 73 <i>Outdoor Advertisements, Etc. Management Act</i> (Law No. 10466, March 29, 2011), Article 11 <i>Enforcement Decree of the Outdoor Advertisements, Etc. Management Act</i> (Presidential Decree No. 23215, October 10, 2011), Articles 14 and 44
Description:	<u>Investment and Cross-Border Trade in Services</u> A foreign national or a Korean national who serves as a <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) of a foreign enterprise may not serve as the <i>dae-pyo-ja</i> (for example, a chief executive officer, president, or similar principal senior officer) or chief programmer of an enterprise that supplies electronic billboard operator services. At least 20 percent of the electronic billboard programs must be non-commercial public advertisements provided by the central or local government. A person that supplies outdoor advertising services must establish an office in Korea.

Sector: Business Services - Job Placement Services, Labor Supply and Worker Dispatch Services, and Education Services for Seafarers

Obligations Concerned: National Treatment (Articles 8.3 and 9.2)
Market Access (Article 9.4)
Local Presence (Article 9.5)

Measures: *Employment Security Act* (Law No. 10339, June 4, 2010), Articles 19 and 33

Enforcement Decree of the Employment Security Act (Presidential Decree No. 23488, January 6, 2012), Articles 21 and 33

Enforcement Regulations of the Employment Security Act (Ordinance of the Ministry of Employment and Labor No. 55, June 5, 2012), Articles 17 and 36

Act Relating to Protection for Dispatched Workers (Law No. 11024, August 4, 2011), Articles 7, 8, 9, and 10

Enforcement Decree of the Act Relating to Protection for Dispatched Workers (Presidential Decree No. 23488, January 6, 2012), Article 3

Enforcement Regulations of the Act Relating to Protection for Dispatched Workers (Ordinance of the Ministry of Employment and Labor No. 48, February 9, 2012), Articles 3, 4, and 5

Special Act on Designation and Management of Free Economic Zones (Law No. 10599, April 14, 2011), Article 17

Seafarers Act (Law No. 11188, January 17, 2012), Articles 109, 110, 112, 115, 116, 117, 142, and 143

Enforcement Regulations of the Seafarers Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 465, May 18, 2012), Article 56-4

Korea Institute of Maritime and Fisheries Technology Act (Law No. 9453, February 6, 2009), Article 5

Description: Investment and 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 April 17, 2009 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 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 Land, Transport, and Maritime Affairs, seafarer management business operators, Korea Shipping Association and National Federation of Fisheries Cooperative may supply seafaring labor supply services.

To become an agent for seafarer personnel management services, a person must register with the Minister of Land, Transport, and Maritime Affairs as a stock company under the *Korean Commercial Code*.

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

Sector:	Investigation and Security Services
Obligations Concerned:	Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<p><i>Certified Private Security Act</i> (Law No. 9579, April 1, 2009), Articles 3 and 4</p> <p><i>Enforcement Decree of the Certified Private Security Act</i> (Presidential Decree No. 23759, May 1, 2012), Articles 3 and 4</p> <p><i>Enforcement Regulations of the Certified Private Security Act</i> (Ordinance of the Ministry of Public Administration and Security, No. 297, May 31, 2012), 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).

Sector:	Distribution Services Related to Publications
Obligations Concerned:	National Treatment (Article 9.2)
Measures:	<p><i>Publication Cultural Industry Promotion Act</i> (Law No. 10108, March 17, 2010), Article 12</p> <p><i>Enforcement Decree of the Publication Cultural Industry Promotion Act</i> (Presidential Decree No. 22783, March 30, 2011), Article 7</p> <p><i>Enforcement Regulations of the Publication Cultural Industry Promotion Act</i> (Ordinance of the Ministry of Culture, Sports and Tourism No. 61, June 21, 2010), Article 7</p>
Description:	<p><u>Cross-Border Trade in Services</u></p> <p>A person that imports the following types of foreign publications for the purpose of domestic distribution must obtain a recommendation from the Minister of Culture, Sports and Tourism:</p> <ul style="list-style-type: none"> (a) publications issued by anti-government subversive entities or groups; or (b) novels, comics, photo albums, pictorial series and magazines. <p>Distributors of domestic publications are subject to a review process on an <i>ad hoc</i> basis after distribution takes place.</p>

Sector: Transportation Services - Aircraft Maintenance and Repair Services

Obligations Concerned: Local Presence (Article 9.5)

Measures: *Aviation Act* (Law No. 11244, January 26, 2012), Articles 137, 137-2, and 138

Enforcement Regulations of the Aviation Act (Ordinance of the Ministry of Land, Transport, and Maritime Affairs No. 436, January 18, 2012), Articles 16, 304, and 305

Description: Cross-Border Trade in Services

A person that supplies aircraft maintenance and repair services must establish an office in Korea.

Sector:	Education Services - Higher Education
Obligations Concerned:	National Treatment (Articles 8.3 and 9.2) Market Access (Article 9.4) Senior Management and Boards of Directors (Article 8.10)
Measures:	<i>Higher Education Act</i> (Law No. 11212, January 26, 2012), Articles 3, 4, 32, 42, and 43 <i>Enforcement Decree of the Higher Education Act</i> (Presidential Decree No. 23650, March 2, 2012), Article 28 <i>Private School Act</i> (Law No. 11216, January 26, 2012), Articles 3, 5, 10, and 21 <i>Enforcement Decree of the Private School Act</i> (Presidential Decree No. 22971, June 9, 2011), Article 9-3 <i>Decree for the Establishment of the Korea Air and Correspondence University</i> (Presidential Decree No. 21709, September 3, 2009), Articles 1 and 2

Description:

Investment and Cross Border Trade in Services

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

The Minister of Education, Science and Technology 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.

Sector: Education Services - Vocational Competency Development Training Services

Obligations Concerned: Local Presence (Article 9.5)

Measures: *Workers' Vocational Competency Development Act* (Law No. 11272, February 1, 2012), Articles 28, 32, and 36

Enforcement Decree of the Workers' Vocational Competency Development Act (Presidential Decree No. 23839, June 5, 2012), Articles 24 and 26

Enforcement Regulations of the Workers' Vocational Competency Development Act (Ordinance of the Ministry of Employment and Labor No. 57, June 8, 2012), Articles 12, 14, and 18

Description: Cross-Border Trade in Services

A person that supplies vocational competency development training services must establish an office in Korea.

Sector:	Veterinary Services
Obligations Concerned:	Local Presence (Article 9.5)
Measures:	<i>Veterinary Affairs Act</i> (Law No. 11354, February 22, 2012), Article 17 <i>Fish Culture Promotion Act</i> (Law No. 11005, August 4, 2011), Article 24
Description:	<u>Cross-Border Trade in Services</u> A person that supplies veterinary or aquatic animal disease inspection services must establish an office in Korea.

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 9.5)

Measures: *Water Quality and Ecosystem Conservation Act* (Law No. 10599, April 14, 2011), Article 62

Support for Environmental Technology and Environmental Industry Act (Law No. 10615, April 28, 2011), Article 15

Soil Environment Conservation Act (Law No. 10551, April 5, 2011), Article 23-7

Groundwater Act (Law No. 10599, April 14, 2011), Article 29-2

Clean Air Conservation Act (Law No. 11256, February 1, 2012), Article 71

Environmental Impact Assessment Act (Law No. 9037, March 28, 2008), Article 35

Toxic Chemicals Control Act (Law No. 11014, August 4, 2011), Article 20

Wastes Control Act (Law No. 10615, April 28, 2011), Article 25

Enforcement Decree of the Wastes Control Act (Presidential Decree No. 23488, January 6, 2012), Article 8

Description: Cross-Border Trade in Services

A person that supplies the environmental services listed in the Sector heading must establish an office in Korea.

Sector:	Performance Services
Obligations Concerned:	National Treatment (Article 9.2)
Measures:	<p><i>Public Performance Act</i> (Law No. 10723, May 25, 2011), Articles 6 and 7</p> <p><i>Enforcement Decree of the Public Performance Act</i> (Presidential Decree No. 23317, November 25, 2011), 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. 94, November 25, 2011), Article 4</p> <p><i>Enforcement Regulations of the Immigration Control Act</i> (Ordinance of the Ministry of Justice No. 764, February 29, 2012), 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>

Sector:	News Agency (<i>News-tong-sin-sa</i>) Services
Obligations Concerned:	National Treatment (Articles 8.3 and 9.2) Senior Management and Boards of Directors (Article 8.10) Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<i>Act on Promotion of News Communications</i> (Law No. 10585, April 14, 2011), Articles 7, 8, 9, 9-5, 16, and 28 <i>Enforcement Decree of the Act on Promotion of News Communications</i> (Presidential Decree No. 22424, October 1, 2010), Articles 4 and 10 <i>Radio Waves Act</i> (Law No. 11037, August 4, 2011), Article 20

Description:

Investment and Cross-Border Trade in Services

A *news-tong-sin-sa* (news agency) organized under foreign law may supply *news-tong-sin* (news communications) in Korea only under a contract with a news agency organized under Korean law.

The following persons may not supply news agency services in Korea:

- (a) a foreign government;
- (b) a foreign person;
- (c) an enterprise organized under Korean law whose *dae-pyo-ja* (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.

Sector:	Manufacturing of Biological Products
Obligations Concerned:	Performance Requirements (Article 8.9)
Measures:	<i>Pharmaceutical Affairs Act</i> (Law No. 10788, June 7, 2011), Article 42 <i>Enforcement Regulations of the Pharmaceutical Affairs Act</i> (Ordinance of the Ministry of Health and Welfare No. 127, June 15, 2012), Article 21
Description:	<u>Investment</u> A person who manufactures blood products must procure raw blood materials from a blood management body in Korea.

Sector:	Publishing of Periodicals (Excluding Newspapers)
Obligations Concerned:	National Treatment (Articles 8.3 and 9.2) Senior Management and Boards of Directors (Article 8.10) Market Access (Article 9.4) Local Presence (Article 9.5)
Measures:	<i>Act on the Promotion of Periodicals including Magazines, Etc.</i> (Law No. 9098, June 5, 2008), Articles 20 and 29 <i>Enforcement Decree of the Act on the Promotion of Periodicals including Magazines, Etc</i> (Presidential Decree No. 23351, December 6, 2011), Articles 17, 18, 19, and 20
Description:	<u>Investment and 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 50 percent or more 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. As of the date this Agreement enters into force, 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.

Sector:	Distribution Services - Agriculture and Livestock
Obligations Concerned:	National Treatment (Articles 8.3 and 9.2) Market Access (Article 9.4)
Measures:	<p><i>Grain Management Act</i> (Law No. 10932, July 25, 2011), Article 12</p> <p><i>Livestock Industry Act</i> (Law No. 11005, August 4, 2011), Articles 30 and 34</p> <p><i>Seed Industry Act</i> (Law No. 10842, July 14, 2011), Article 142</p> <p><i>Feed Management Act</i> (Law No. 10219, March 31, 2010), Article 6</p> <p><i>Ginseng Industry Act</i> (Law No. 10948, July 25, 2011), Article 20</p> <p><i>Foreign Investment Promotion Act</i> (Law No. 10801, June 15, 2011), Article 4</p> <p><i>Enforcement Decree of the Foreign Investment Promotion Act</i> (Presidential Decree No. 23297, November 16, 2011), Article 5</p> <p><i>Consolidated Public Notice for Foreign Investment</i> (No. 2012-220, April 26, 2012, Ministry of Knowledge Economy), Appendix 1</p> <p><i>Act on Distribution and Price Stabilization of Agricultural and Fishery Products</i> (Law No. 10522, March 31, 2011), Articles 15, 17, and 43</p> <p><i>Notice on TRQ Products</i> (Ministry for Food, Agriculture, Forestry and Fishery Notice No. 2011-201, December 31, 2011), Articles 14 and 20-2</p>
Description:	<p><u>Investment and Cross-Border Trade in Services</u></p> <p>A foreign person may not hold 50 percent or more of the shares or equity interest of an enterprise engaged in <i>yook-ryu</i> (meat) wholesaling.</p> <p>Only the Livestock Cooperatives under the Agriculture Cooperative Act may establish and manage a <i>ga-chook-sijang</i> (livestock market) in Korea.</p> <p>Only a local government may establish a <i>gong-yeong-domae-sijang</i> (public wholesale market).</p>

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 9.2 (National Treatment) and 9.4 (Market Access) do not prevent Korea from adopting or maintaining any measure with respect to the administration of the WTO Tariff-Rate-Quota.

Sector:	Energy Industry - Electric Power Generation Other Than Nuclear Power Generation; Electric Power Transmission, Distribution and Sales
Obligations Concerned:	National Treatment (Article 8.3) ¹
Measures:	<p><i>Financial Investment Services and Capital Markets Act</i> (Law No. 11040, August 4, 2011), Article 168</p> <p><i>Enforcement Decree of the Financial Investment Services and Capital Markets Act</i> (Presidential Decree No. 23496, January 6, 2012), Article 187</p> <p><i>Foreign Investment Promotion Act</i> (Law No. 10801, June 15, 2011), Articles 4 and 5</p> <p><i>Enforcement Decree of the Foreign Investment Promotion Act</i> (Presidential Decree No. 23297, November 16, 2011), Article 5</p> <p><i>Consolidated Public Notice for Foreign Investment</i> (No. 2012-220, April 26, 2012, Ministry of Knowledge Economy), Appendix 1</p> <p><i>Notice of Ministry of Strategy and Finance</i> (No. 2000-17, September 28, 2000)</p> <p><i>Financial Investment Service Regulations</i> (Financial Services Commission Notice No. 2009-17, February 4, 2009), Sec. 6-2</p>
Description:	<p><u>Investment</u></p> <p>The aggregate foreign share of KEPCO's issued stocks may not exceed 40 percent. A foreign person may not become the largest shareholder of KEPCO.</p> <p>The aggregate foreign share of power generation facilities, including cogeneration facilities of heat and power (GHP) for the district heating system (DHS), may not exceed 30 percent of the total facilities in the territory of Korea.</p> <p>The aggregate foreign share of electric power transmission, distribution and sales businesses should be less than 50 percent. A foreign person may not be the largest shareholder.</p>

¹ Paragraph (a) of the seventh-entry of Korea's Schedule to Annex II does not apply to this entry.

Sector:	Energy Industry - Gas Industry
Obligations Concerned:	National Treatment (Article 8.3) ²
Measures:	<p><i>Act on the Improvement of Managerial Structure and Privatization of Public Enterprises</i> (Law No. 9401, January 30, 2009), Article 19</p> <p><i>Financial Investment Services and Capital Markets Act</i> (Law No. 11040, August 4, 2011), Article 168</p> <p><i>Foreign Investment Promotion Act</i> (Law No. 10801, June 15, 2011), Articles 4 and 5</p> <p><i>Articles of Incorporation of the Korea Gas Corporation</i> (March 27, 2009), Article 11</p>
Description:	<p><u>Investment</u></p> <p>Foreign persons, in the aggregate, may not own more than 30 percent of the equity of KOGAS.</p>

² Paragraph (a) of the seventh entry of Korea's Schedule to Annex II does not apply to this entry.

Sector:	Recreational, Cultural, and Sporting Services - Motion Picture Projection Services
Obligations Concerned:	Performance Requirements (Article 8.9) Market Access (Article 9.4)
Measures:	<i>Act on Promotion of Motion Pictures and Video Products</i> (Law No. 10219, March 31, 2010), Articles 2, 27, and 40 <i>Enforcement Decree of the Act on Promotion of Motion Pictures and Video Products</i> (Presidential Decree No. 22781, March 30, 2011), Article 19
Description:	<u>Investment and 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.