



**Asia-Pacific  
Economic Cooperation**

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**2019/CTI/WKSP4/012**

Session: I

## **Thailand's Experience on Optimizing Liberalization Investment Measures**

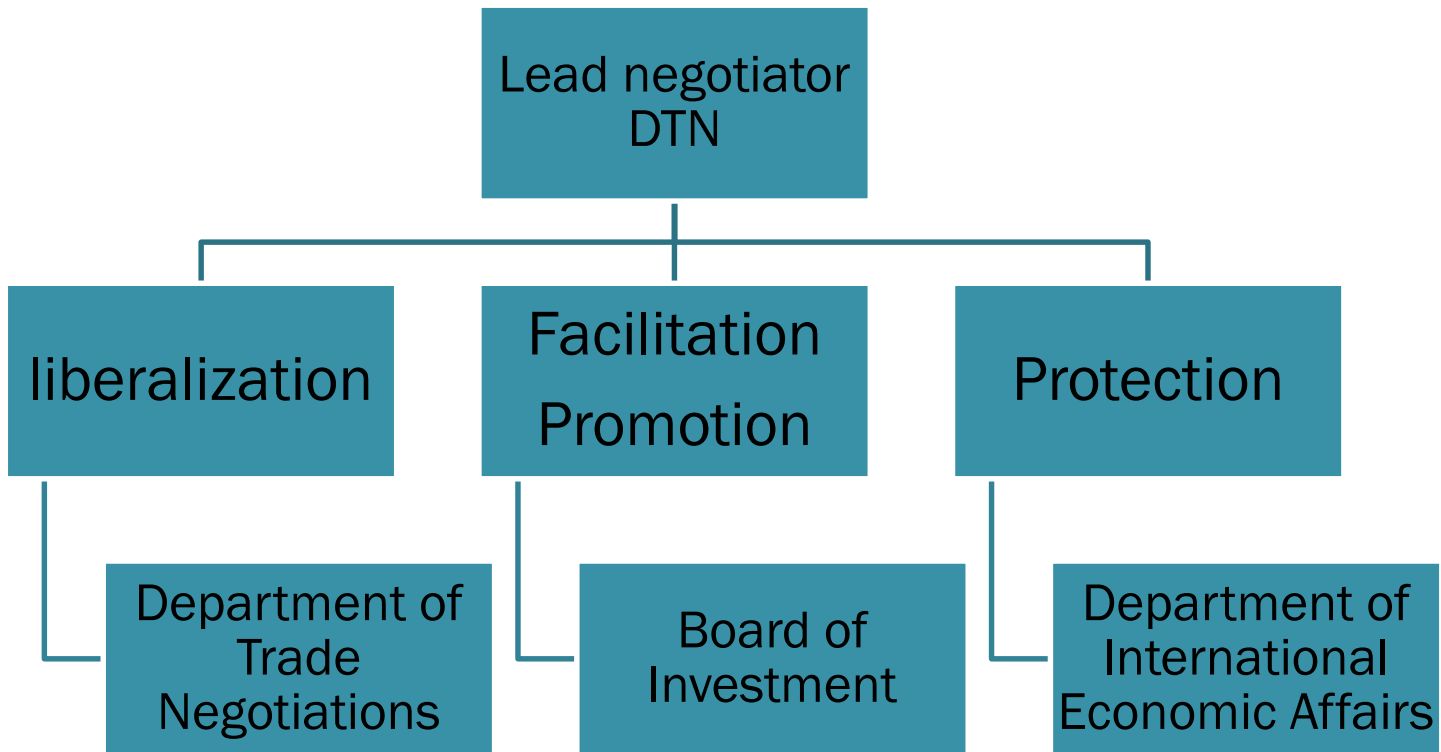
Submitted by: Thailand



**Workshop on Optimizing Investment Measures in  
the Asia-Pacific Region  
Shanghai, China  
11-12 April 2019**

**OPTIMIZING INVESTMENT  
LIBERALIZATION MEASURES**  
THAILAND'S EXPERIENCE

# FREE TRADE AGREEMENT



Relevant agencies

# INVESTMENT SECTORS (NON-SERVICE SECTORS )

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Agriculture	Ministry of Agriculture and Cooperatives Department of Lands
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Fishery	Department of Fisheries
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Mining and Quarrying	Department of Primary Industries and Mines
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Forestry	Royal Forest Department
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Manufacturing	Department of Industrial Works Industrial Estate Authority of Thailand
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# DOMESTIC LAW AND REGULATIONS

## Specific Law

- Act Governing the Right to Fish in Thai Fishery Waters B.E. 2482 (1939) [Fishery]
- Fishery Act B.E. 2490 [Fishery]
- Mineral Act B.E. 2510 [Mining]

## Foreign Business Act 1999

- Department of Business Development
- A foreigner is not allowed to undertake any business relating to printing of newspaper, extraction of Thai herbs and making or casting Buddha images and monk alms bowls [Manufacturing]
- A foreigner must obtain permission for undertaking any business relating to forestry from forest plantation [Forestry]

# OPTIMIZING LIBERALIZATION MEASURES

FTA

Main Text

Annex

SMBD

NT

MFN

PPR

Reservation  
List

# OPTIMIZING LIBERALIZATION MEASURES

Prohibition of Performance Requirements (PPR)



TRIMs: AANZFTA

TRIMs plus: AJCEP/ACIA(4<sup>th</sup> protocol to amend)

Most-Favored Nation (MFN)



Negotiated: AKFTA/ACFTA  
 Auto: ACIA

# APPROACHES OF SCHEDULING

-POSITIVE LISTING (Schedule of Commitments) - JTEPA  
- TAFTA  
(HYBRID)



Capacity Building – Workshops

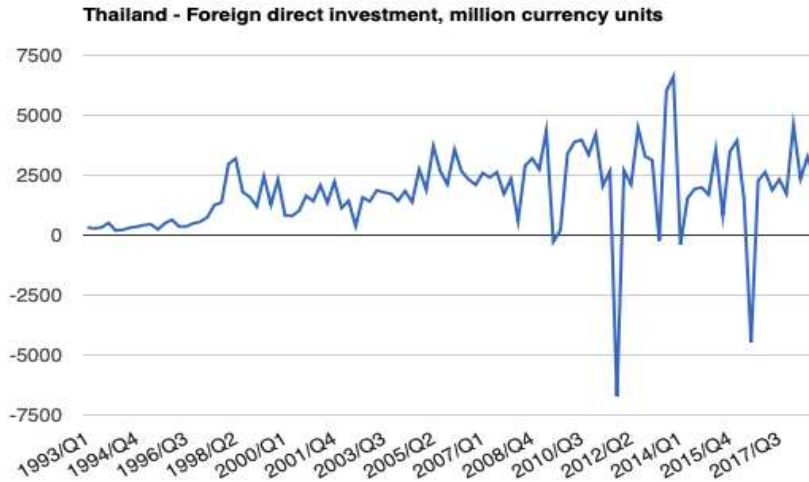
-NEGATIVE LISTING (Reservation List – Non Conforming Measures)

- ACIA
- RCEP
- ASEAN +1
- Future Agreements



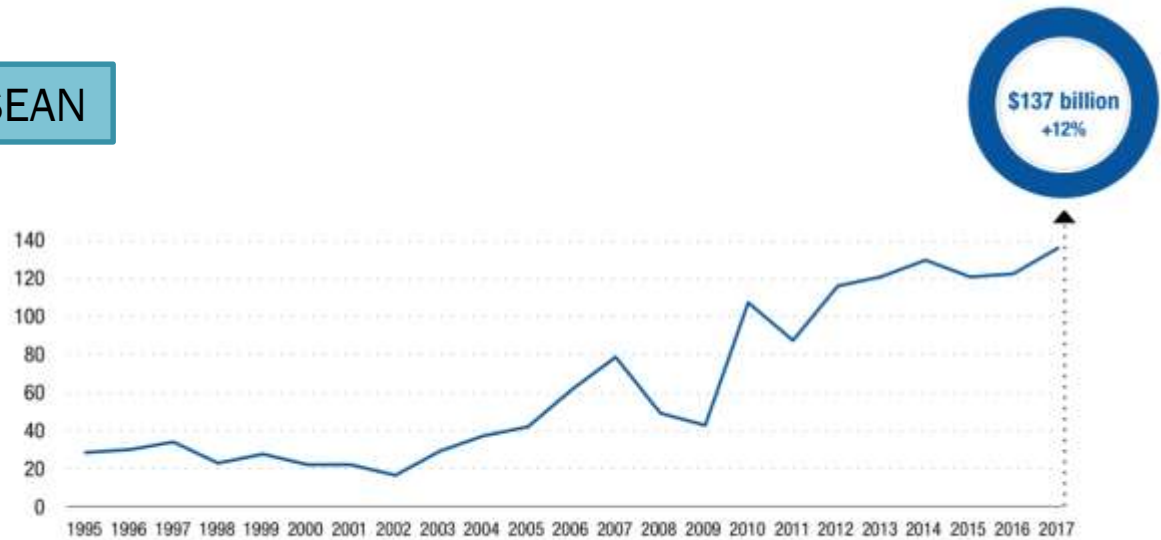
# FDI STATISTICS

THAILAND



Source: TheGlobalEconomy.com, Bank of Thailand

ASEAN



Source: ASEAN Secretariat, ASEAN FDI database.

STATUS	FTAs	SERVICES	INVESTMENT
In force	AFAS	✓	
	ACIA		✓
	AANZFTA	✓	✓
	ASEAN-China	✓	✓
	ASEAN-Japan	✓	✓
	ASEAN-Korea	✓	✓
	ASEAN-India	✓	✓
	Thailand-Japan	✓	✓
	Thailand-Australia	✓	✓
	Thailand-Chile	✓	
Concluded but not yet in force	ASEAN-Hong Kong, China	✓	✓
In negotiations	RCEP	✓	✓
	Thailand-Sri Lanka	✓	✓
	Thailand-Peru	✓	
	Thailand-India	✓	✓

STATUS	FTAs	INVESTMENT CHAPTER	INVESTMENT COMMITMENT
IN FORCE	ACIA	✓	✓
	ASEAN-China	✓	
	ASEAN-Japan	✓	
	ASEAN-Korea	✓	
	ASEAN-India	✓	
	Thailand-Japan	✓	✓
	Thailand-Australia	✓	✓
Concluded but not yet in force	ASEAN-Hong Kong, China	✓	

# ONGOING NEGOTIATIONS

RCEP



ACIA



REVIEW OF SIGNED AGREEMENTS

