Telecoms – Classification and Definition

Submitted by: WTO
1 GATS Annex on Telecommunications

(a) "Telecommunications" means the transmission and reception of signals by any electromagnetic means.

(b) "Public telecommunications transport service" means any telecommunications transport service required, explicitly or in effect, by a Member to be offered to the public generally. Such services may include, inter alia, telegraph, telephone, telex, and data transmission typically involving the real-time transmission of customer-supplied information between two or more points without any end-to-end change in the form or content of the customer's information.

(c) "Public telecommunications transport network" means the public telecommunications infrastructure which permits telecommunications between and among defined network termination points.

2 GATS Services Sectoral Classification (W/120)

2.C. Telecommunication services

a. Voice telephone services 7521
b. Packet-switched data transmission services 7523**
c. Circuit-switched data transmission services 7523**
d. Telex services 7523**
e. Telegraph services 7522
f. Facsimile services 7521**+7529**
g. Private leased circuit services 7522**+7523**
h. Electronic mail 7523**
i. Voice mail 7523**
j. On-line information and data base retrieval 7523**
k. electronic data interchange (EDI) 7523**
l. enhanced/value-added facsimile services, incl. store and forward, store and retrieve 7523**
m. code and protocol conversion n.a.

** The (**) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance (e.g. voice mail is only a component of CPC item 7523).
NOTES FOR SCHEDULING BASIC TELECOM SERVICES COMMITMENTS

1. **Unless otherwise noted** in the sector column, any basic telecom service listed in the sector column:
   
   (a) encompasses local, long distance and international services for public and non-public use;
   
   (b) may be provided on a facilities-basis or by resale; and
   
   (c) may be provided through any means of technology (e.g., cable\(^1\), wireless, satellites).

2. **Subsector (g) --private leased circuit services** -- involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column. This would include capacity via cable, satellite and wireless network.

3. In view of points 1 and 2 above, it should not be necessary to list cellular or mobile services as a separate subsector. However, a number of Members have done so, and a number of offers have commitments only in these subsectors. Therefore, in order to avoid extensive changes in schedules, it would seem appropriate for Members to maintain separate entries for these subsectors.

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**752** Telecommunications services

7521 Public telephone services

75211 Public local telephone services

Switching and transmission services necessary to establish and maintain communications within a local calling area. This service is primarily designed (used) to establish voice communications, but may serve other applications such as text communication (facsimile or teletex) and is generally provided for a flat monthly fee independent of the number of calls made by the subscriber.

**Exclusions:** Private line services and rental services of terminal equipment are classified in class 7522 (Business network services) and 7541 (Equipment rental services), respectively.

75212 Public long distance telephone services

Switching and transmission services necessary to establish and maintain communications between local calling areas. This service is primarily designed (used) to establish voice communications, but may serve other applications such as text communication (facsimile or teletex) and may be provided on a toll or flat rate basis. This service provides the customer with access to the supplier's and connecting carrier's entire telephone network or, in some instances, to a limited number of exchange areas (WATS service).

\(^1\)Including all types of cable.
75213 Mobile telephone services

Radio telephone services which, by means of transportable equipment, give both-way access to the public telephone network or other mobile telephones. Some versions of this service, with proper terminal equipment, may be used to transmit facsimiles as well as voice communications.

Exclusion: Air-to-ground and maritime mobile communications services are classified in subclass 75299 (Other telecommunications services n.e.c.).

7522 Business network services

75221 Shared network services

Network services necessary to establish telephone communications between selected (point-to-point or multi-point) locations (terminals) via a public (shared) network. This type of service is primarily used to establish long distance voice communications but some versions can also accommodate facsimile and data transmission. It is provided on a pay-as-you-use basis at discount rates over regular long distance telephone charges.

75222 Dedicated network services

Network services necessary to establish telephone communications between selected (point-to-point or multi-point) locations (terminals) via private line(s). This type of service is primarily used to establish voice communications between distant PBX's (tie line), between a distant location and a PBX (off premises extension), between a PBX and a distant exchange area (foreign exchange) or between designated telephone sets, but may also accommodate data transmission. It is provided on a lease basis.

7523 Data and message transmission services

75231 Data network services

Network services necessary to transmit data between equipment using the same or different protocols. This service can be provided via a public or dedicated data network (i.e. via a network dedicated to the customer's use).

75232 Electronic message and information services

Network and related services (hardware and software) necessary to send and receive electronic messages (telegraph and telex/TWX services) and/or to access and manipulate information in databases (so-called value-added network services).

7524 Programme transmission services

75241 Television broadcast transmission services

Network services necessary for the transmission of television signals, independently of the type of technology (network) employed. This subclass does not include satellite-to-cable services where the provider sells T.V. signals via satellite to cable companies (as opposed to selling use of satellite facilities) nor does it include DTH (direct-to-home) satellite services where the provider sells television programme packages directly to households located in remote areas.

75242 Radio broadcast transmission services

Network services necessary for the transmission of audio signals such as radio broadcasting, wired music and loudspeaker service.
Interconnection services

Network services by one carrier to another when a communication originating in a carrier’s territory must travel through another carrier’s network to reach its destination.

Integrated telecommunications services

Private point-to-point or multipoint network services which enable the users to simultaneously or alternatively transmit voice, data and/or image. This type of service offers high bandwidth capacity and flexible, customer controlled network reconfiguration to accommodate changing traffic patterns.

Other telecommunications services

Paging services

The summoning of a person to the telephone through the use of an electronic pager. This subclass includes tone, voice and digital display paging services.

Teleconferencing services

Network and related services necessary to hold a one-way or two-way fully interactive video conference.

Other telecommunications services n.e.c.

Telecommunications services, not elsewhere classified. This class includes mobile maritime and air-to-ground communications services.
# 5 Telecom Commitments Worksheet

**Key:**  
- **M** = Monopoly  
- **P** = Partial competition  
- **C** = Full competition  
- **NP** = Not permitted  
- **NA** = Not applicable

<table>
<thead>
<tr>
<th>Categories</th>
<th>Geographic Market</th>
<th>Means of Supply</th>
<th>User-Base</th>
<th>Type of Technology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telecommunications^2 Services (2.C.)</td>
<td>Local</td>
<td>Long distance</td>
<td>International</td>
<td>Facilities-based^3</td>
</tr>
<tr>
<td>a. Voice telephone</td>
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<td>b. &amp; c. Data transmission</td>
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<td>(d.e.&amp;f. Telex, Telegraph, facsimile)</td>
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<tr>
<td>g. Private leased circuit services^8</td>
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<tr>
<td>CATEGORIES</td>
<td>GEOGRAPHIC MARKET</td>
<td>MEANS OF SUPPLY</td>
<td>USER-BASE</td>
<td>TYPE OF TECHNOLOGY</td>
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<tr>
<td>Telecommunications Services (2.C.)</td>
<td>Local</td>
<td>Long distance</td>
<td>International</td>
<td>Facilities-based</td>
</tr>
<tr>
<td>h. Electronic mail</td>
<td>i. Voice mail</td>
<td>j. On-line information and data base retrieval</td>
<td>k. Electronic data interchange</td>
<td>l. Enhanced value-added facsimile</td>
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</table>

1. From the Chairman's note on scheduling basic telecom commitments (S/GBT/W/2.Rev.1) and the draft model schedule annexed to the scheduling guidelines (S/L/92).
2. "Telecommunications" means the transmission and reception of signals by any electromagnetic means, Annex on Telecommunications, para 3(a).
3. A.k.a. infrastructure-based supply of a service. Involves the ability of a supplier "to establish, construct, acquire, lease, operate, or supply telecommunications transport networks...", drawn from Annex, para. 2(c). A "network" means "the telecommunications infrastructure which permits telecommunications between and among defined network termination points", drawn from Annex, para 3(c).
4. A.k.a. non-facilities based supply. By extrapolation, the converse of facilities based supply, hence the supply of a service over leased capacity. Includes, for example, international or domestic simple resale of voice services, supply of data transmission over leased circuits. Note: a non-facilities based supplier would be a user rather than a supplier of private leased circuit services (sub-sector g); but if it resells capacity of the circuits it has leased, it is also supplier of service (g).
5. "... Required, explicitly or in effect, by a Member, to be made generally available to the public – drawn from Annex, para. 3(b).
6. By extrapolation from "public", the Members imposed no requirement that the supplier must make these services generally available to the public. This includes, for example, the ability to sell (to third parties) intra-corporate communications, defined as "telecommunications through which a company communicates within the company or with or among its subsidiaries, branches and, subject to a Member's domestic laws and regulations, affiliates-Annex para 3(d).
7. Including all types of cable (Note by the Chairman, footnote) "[I]involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column", Note by the Chairman, S/GBT/W/2/Rev.1, para 2.
8. "[I]involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column", Note by the Chairman, S/GBT/W/2/Rev.1, para 2.
When using the new approach of scheduling commitments, this schedule would become (without changing the scope of services subject to additional commitments):

<table>
<thead>
<tr>
<th>Sector</th>
<th>Market Access</th>
<th>National Treatment</th>
<th>Additional commitments</th>
</tr>
</thead>
</table>
2) None  
3) Monopoly for long-distance and international voice services until 1 January 2005.  
4) Unbound, except as indicated in horizontal commitments | 1) None  
2) None  
3) None  
4) Unbound, except as indicated in horizontal commitments | Member X undertakes the obligations contained in the reference paper attached hereto for the following services:  
a) Voice telephone services (CPC7521)  
b) Packet-switched data transmission services (CPC7523**)  
c) Circuit-switched data transmission services (CPC7523**)  
d) Telex services (CPC7523**)  
e) Telegraph services (CPC7522)  
f) Facsimile services (CPC7521**+7529**)  
g) Private leased circuit services (CPC7522**+7523**)  
o) other |

[Optional footnote: * This includes notably, but not only, W120-2C - h) Electronic mail (CPC7523**), i) Voice mail (CPC7523**), j) On-line information and database retrieval(CPC7523**), k) Electronic data interchange (EDI) (CPC7523**), l) Enhanced/value-added facsimile services, including store and forward, store and retrieve(CPC7523**) and m) Code and protocol conversion.]

These commitments cover services like voice mail and e-mail, and enhanced/value-added facsimile services, incl. store and forward, store and retrieve.]

This ensures a legally certain and comprehensive coverage of all telecom services.

In the case of most Members which acceded to the WTO after 1997, additional commitments apply to all services, thus there is no need to list any service in the fourth column.
### Sample Schedule

Modes of supply: 1) Cross-border  2) Consumption Abroad  3) Commercial Presence  4) Presence of Natural Persons

<table>
<thead>
<tr>
<th>Sector</th>
<th>Market Access</th>
<th>National Treatment</th>
<th>Additional Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. C  Telecommunications</td>
<td>1) None</td>
<td>1) None</td>
<td>Member X undertakes the obligations contained in the reference paper attached hereto for the following basic telecommunications services, (list consistent with 1997 commitments, as appropriate):</td>
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<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td>Voice telephone services</td>
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<td></td>
<td>3) None</td>
<td>3) None</td>
<td>Packet-switched data transmission services</td>
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<td>4) Unbound, except as indicated in horizontal commitments</td>
<td>4) Unbound, except as indicated in horizontal commitments</td>
<td>Circuit-switched data transmission services</td>
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<td>Telex services</td>
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<td>Telegraph services</td>
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<td>Facsimile services</td>
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<td>Private leased circuit services</td>
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<td>Other</td>
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</table>

These services include, but are not limited to:

- Voice telephone services
- Packet-switched data transmission services
- Unbound, except as indicated in horizontal commitments

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1. This sample is only for illustrative purposes and is without prejudice to any revisions that the United States may make to its existing offer in the telecommunications sector of the United States.

2. These services are scheduled in accordance with the Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/Rev.1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3).
Modes of supply: 1) Cross-border  2) Consumption Abroad  3) Commercial Presence  4) Presence of Natural Persons

<table>
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<tr>
<th>Sector</th>
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<th>Additional Commitments</th>
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<tbody>
<tr>
<td>c. Circuit-switched data transmission services</td>
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<td>d. Telex services</td>
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<td>e. Telegraph services</td>
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<td>f. Facsimile services</td>
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<td>g. Private leased circuit services</td>
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<tr>
<td>o. Other</td>
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</tbody>
</table>

Value-added Services

These services include, but are not limited to:

<table>
<thead>
<tr>
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<th>Market Access</th>
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<th>Additional Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>h. Electronic mail</td>
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<tr>
<td>i. Voice mail</td>
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<tr>
<td>j. On-line information and database retrieval</td>
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<tr>
<td>k. Electronic data interchange</td>
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<td>l. Enhanced/value-added facsimile services, including store and forward, store and retrieve</td>
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<tr>
<td>m. Code and protocol conversion</td>
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<tr>
<td>n. On-line information and/or data processing (including transaction processing)</td>
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<td>o. Other</td>
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<tr>
<td>Sector</td>
<td>Market Access</td>
<td>National Treatment</td>
<td>Additional commitments</td>
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<tr>
<td>2.C Telecommunications</td>
<td>1) [see request]</td>
<td>1) None.</td>
<td>[Member] undertakes the obligations contained in the reference paper attached hereto for the following services:</td>
</tr>
<tr>
<td></td>
<td>2) None</td>
<td>2) None</td>
<td>a. Voice telephone services</td>
</tr>
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<td></td>
<td>3) [see request]</td>
<td>3) None.</td>
<td>b. Packet-switched data transmission services</td>
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<td>4) Unbound, except as indicated in horizontal commitments.</td>
<td>4) Unbound, except as indicated in horizontal commitments</td>
<td>c. Circuit-switched data transmission services</td>
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<td>d. Telex services</td>
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<td>f. Facsimile services</td>
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<td>g. Private leased circuit services</td>
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<td>o. Other</td>
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</table>

1. These services do not cover the economic activity consisting of the provision of content services which require telecommunications services for their transport and which are subject to commitments in the other relevant sectors.

2. These services are scheduled in accordance with the Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/Rev.1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3).
m. Code and protocol conversion  

n. On-line information and/or data processing (incl. transaction processing)\(^1\)  
o. Other *(services as defined by scheduling Member)*

These services may be provided on a facilities basis or non-facilities basis, and encompass local, long-distance, or international services, for public or non-public use, and may be provided through any means of technology.

*(optional exclusion for radio and television broadcasting)*  
[Services of broadcasting transmission of TV and radio programmes to the public [other than satellite-based services] are not included.]*

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\(^1\) These cover those on-line information and/or data processing (incl. transaction processing) services provided as part of or provided in the course of telecommunications services, but do not cover such services provided solely as part of computer and related services under CPC 843 which are subject to commitments [under 1.B.c of the W/120 classification list] in the other relevant part of this schedule.
1. CPC 84 covers all computer and related services.

2. Technological developments have led to the increased offering of these services as a bundle or package of related services that can include some or all of the basic functions listed in paragraph 3. For example, services such as web or domain hosting, data mining services and grid computing each consist of a combination of basic computer services functions.

3. Computer and related services, regardless of whether they are delivered via a network, including the Internet, include all services that provide any of the following or any combination thereof:
   - consulting, adaptation, strategy, analysis, planning, specification, design, development, installation, implementation, integration, testing, debugging, updating, support, technical assistance, or management of or for computers or computer systems;
   - consulting, strategy, analysis, planning, specification, design, development, installation, implementation, integration, testing, debugging, updating, adaptation, maintenance, support, technical assistance, management or use of or for software;¹
   - data processing, data storage, data hosting or database services;
   - maintenance and repair services for office machinery and equipment, including computers and
   - training services for staff of clients, related to software, computers or computer systems, and not elsewhere classified.

4. In many cases, computer and related services enable the provision of other services² by both electronic and other means. However, in such cases, there is an important distinction between the computer and related service (e.g., web-hosting or application hosting) and the other service enabled by the computer and related service. The other service, regardless of whether it is enabled by a computer and related service, is not covered by CPC 84.

¹ The term “software” may be defined as the sets of instructions required to make computers work and communicate. A number of different programmes may be developed for specific applications (application software), and the customer may have a choice of using ready-made programmes off the shelf (packaged software), developing specific programmes for particular requirements (customized software) or using a combination of the two.

² E.g., W/120.1.A.b. (accounting, auditing and bookkeeping services), W/120.1.A.d. (architectural services), W/120.1.A.h. (medical and dental services), W/120.2.D (audiovisual services), W/120.5. (educational services).
ANNEX TO THE UNDERSTANDING ON
THE SCOPE OF COVERAGE OF CPC 84

CPC DIVISION 84 - COMPUTER AND RELATED SERVICES

841 Consultancy services related to the installation of computer hardware

8410 Consultancy services related to the installation of computer hardware

Assistance services to the clients in the installation of computer hardware (i.e. physical equipment) and computer networks.

842 Software implementation services

All services involving consultancy services on, development and implementation of software. The term "software" may be defined as the sets of instructions required to make computers work and communicate. A number of different programmes may be developed for specific applications (application software), and the customer may have a choice of using ready-made programmes off the shelf (packaged software), developing specific programmes for particular requirements (customized software) or using a combination of the two.

8421 Systems and software consulting services

Services of a general nature prior to the development of data processing systems and applications. It might be management services, project planning services, etc.

8422 Systems analysis services

Analysis services include analysis of the clients' needs, defining functional specification, and setting up the team. Also involved are project management, technical coordination and integration and definition of the systems architecture.

8423 Systems design services

Design services include technical solutions, with respect to methodology, quality-assurance, choice of equipment software packages or new technologies, etc.

8424 Programming services

Programming services include the implementation phase, i.e. writing and debugging programmes, conducting tests, and editing documentation.

8425 Systems maintenance services

Maintenance services include consulting and technical assistance services of software products in use, rewriting or changing existing programmes or systems, and maintaining up-to-date software documentation and manuals. Also included are specialist work, e.g. conversions.

843 Data processing services

8431 Input preparation services

Data recording services such as key punching, optical scanning or other methods for data entry.
8432  84320  Data-processing and tabulation services

Services such as data processing and tabulation services, computer calculating services, and rental services of computer time.

8433  84330  Time-sharing services

This seems to be the same type of services as 84320. Computer time only is bought; if it is bought from the customer's premises, telecommunications services are also bought. Data processing or tabulation services may also be bought from a service bureau. In both cases the services might be time sharing processed. Thus, there is no clear distinction between 84320 and 84330.

8439  84390  Other data processing services

Services which manage the full operations of a customer's facilities under contract: computer-room environmental quality control services; management services of in-place computer equipment combinations; and management services of computer work flows and distributions.

844  Database services

8440  84400  Database services

All services provided from primarily structured databases through a communication network.

Exclusions: Data and message transmission services (e.g. network operation services, value-added network services) are classified in class 7523 (Data and message transmission services).

Documentation services consisting in information retrieval from databases are classified in subclass 96311 (Library services).

845  Maintenance and repair services of office machinery and equipment including computers

8450  84500  Maintenance and repair services of office machinery and equipment including computers

Repair and maintenance services of office machinery, computers and related equipment.

849  Other computer services

8491  84910  Data preparation services

Data preparation services for clients not involving data processing services.

8499  84990  Other computer services n.e.c.

Other computer related services, not elsewhere classified, e.g. training services for staff of clients, and other professional computer services.
Section: 8 - Business and production services

Division: 84 - Telecommunications services; information retrieval and supply services

841 - Telecommunications and program distribution services
- 8411 - Carrier services
- 8412 - Fixed telephony services
- 8413 - Mobile telecommunications services
- 8414 - Private network services
- 8415 - Data transmission services
- 8416 - All other telecommunications services
- 8417 - Programme distribution services

842 - Internet telecommunications services
- 8421 - Internet backbone services
- 8422 - Internet access services
- 8429 - Other Internet telecommunications services

843 - Online information provision services
This subclass includes:
- database services
- provision of information on web sites
- provision of online data retrieval services from databases and other information, to all or limited number of users
- provision of online information by content providers

844 - News agency services

845 - Library and archive services
• Section: 8 - Business and production services
• Division: 84 - Telecommunications, broadcasting and information supply services

**Group: 841 - Telephony and other telecommunications services**

- 8411 - Carrier services
- 8412 - Fixed telephony services
- 8413 - Mobile telecommunications services
- 8414 - Private network services
- 8415 - Data transmission services
- 8419 - Other telecommunications services

This subclass includes: - provision of telecommunications services not elsewhere classified, such as telegraph, telex and audio conferencing bridging services

**Group: 842 - Internet telecommunications services**

- 8421 - Internet backbone services
- 8422 - Internet access services
- 8429 - Other Internet telecommunications services

This subclass includes: - provision of telecommunications services over the Internet other than Internet access, such as: - fax, telephony, audio conferencing and video conferencing over the Internet

**Group: 843 - On-line content**

- 8431 - On-line text based information
- 8432 - On-line audio content
- 8433 - On-line video content
- 8434 - Software downloads
- 8439 - Other on-line content
  - 84391 - On-line games
  - 84392 - On-line software
  - 84393 - On-line adult content
  - 84394 - Web search portal content
• **84399** - Other on-line content n.e.c.
   This subclass includes: - statistics or other information, including streamed news
   - other on-line content not included above such as greeting cards, jokes, cartoons, graphics, maps
Section: J - Information and communication

- 58 - Publishing activities
- 59 - Motion picture, video and television programme production, sound recording and music publishing activities
- 60 - Programming and broadcasting activities
- 61 - Telecommunications
- 62 - Computer programming, consultancy and related activities
- 63 - Information service activities

Section: J - Information and communication
Division: 61 - Telecommunications

- 611 - Wired telecommunications activities
- 612 - Wireless telecommunications activities
- 613 - Satellite telecommunications activities
- 619 - Other telecommunications activities