Agreement ID : AUSTRALIA-THAILAND
Short Name : Australia-Thailand FTA&EIA

Member Countries

Australia
Thailand

Total: 2 countries

Australia-Thailand Free Trade Agreement

Status : Signed in **2004**. In force since 2005
Scope : Bilateral
Type : FTA & EIA
WTO Notification : GATT Art XXIV, GATS Art V 2004
Agreement text :
http://www.dfat.gov.au/fta/tafta/aus-thai_FTA_text.pdf
Other links :
http://www.dfat.gov.au/fta/tafta/tafta_toc.html
WTO consideration process :
http://docsonline.wto.org/imrd/gen_redirectsearchdirect.asp?RN=0&searchtype=browse&query=@meta_Symbol%22WT/REG185/3/Corr.1%22&language=1&ct=DDFEnglish

GOODS

Tariffs
Positive list and schedule
Tariff elimination by 2010; Calls for consultations in order to accelerate the schedule
Agricultural export subsidies (Art 208),

Rules of Origin
Change in Tariff heading (4 or 6 Digit level)

Value Added Content: 40-55% FOB value

No Specific Manufacturing Process Required

Contingency Measures
Anti - Dumping : WTO Agreement on Implementation of WTO Art VI. Time frame: 12 months (6 for seasonal prods)
Countervailing Duties :
Safeguards : Chapter 5

Standards : Chapter 6, including SPS

Notes :

SERVICES

WTO Notification (GATS Art. V) : Notified
Date of notification : 27/12/2004
Consideration Process : Factual Presentation issued

Liberalization Approach : Positive Lists

Modes Covered
Cross - Border Supply : **Yes**
Consumption Abroad : **Yes**
Commercial Presence Abroad : **Yes**
Movement of Natural Persons : **Yes**

Specific Chapters on

Specific Sectors Excluded

Air transport : **Yes**

Public Sectors carve-out : GATS-like (Article I:3(b))

Most Favoured Nation : Non-binding

National Treatment : Binding

Market Access : Binding

Domestic Regulation : Not featured

Subsidies covered by services disciplines : Not covered

Denial of benefits for commercial presence : Article 804

Notes :

The agreement incorporates selected provisions from GATS main disciplines and Annexes on Financial Services, Air Transport, and Telecomms (Article 807)

Link to schedules :

http://www.dfat.gov.au/fta/tafta/Annex8-Australia.pdf http://www.dfat.gov.au/fta/tafta/Annex8-Thailand.pdf

INVESTMENT

Scheduling Approach : Positive Lists

Definition of investment : Limited to FDI

Most Favoured Nation : Binding

National Treatment : Binding

NT provision applies to entry and establishment rights : **Yes**

Fair and Equitable Treatment : Not Featured

Expropriation : Binding

Board of Directors and executive personnel : Not Featured

Invester - State arbitration : Yes

Denial of Benefits :

A Party may deny the benefits of this Part to an investor of the other Party that is a juridical person of such Party and to investments of such an investor where the Party establishes that the juridical person is owned or controlled by persons of a non-Party (Art. 905, for pre-establishment national treatment) and has no substantive business operations in the territory of the other Party (Art. 911, for post-establishment national treatment)

Additional BIT exists between the parties : No

BIT list I :

Status:

BIT list II :

Status:

Notes :

Link to schedules :
http://www.dfat.gov.au/fta/tafta/Annex8-Australia.pdf http://www.dfat.gov.au/fta/tafta/Annex8-Thailand.pdf

TRADE FACILITATION

Customs procedures : **Yes** Article 301, 302, 304, and 305 of the Agreement
Customs valuation : **Yes** Article 303 of the Agreement
Trade regulations publication and administration : **Yes** Article 305 of the Agreement
Use of ICT : **Yes** Article 309 and 311 of the Agreement
Mobility of business people : **No**
Freedom of transit : **No**
Transport and logistics : **No**
Trade finance : **No**

OTHER AREAS

Government Procurement : **Yes** Chapter 15 http://www.dfat.gov.au/trade/negotiations/aust-thai/tafta_chapter_15.html
Investment : **Yes** Chapter 9
Competition Policy : **Yes** Chapter 12
Intellectual Property : **Yes** Chapter 13
Dispute Settlement : **Yes** Chapter 18
Labor Mobility : **Yes** Chapter 10 on Movements of natural persons
Labor and Environmental Standards : **No**
Technical cooperation : **No**
Institutional mechanism : **No**

Notes :

RULES OF ORIGIN

Cumulation
Bilateral

Specific Process
Not required
Heading Change
Change in Tariff heading (4 or 6 Digit level)
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Minimum Content
Value Added Content: 40-55% FOB value

Drawback

HTTP Link
http://www.dfat.gov.au/trade/negotiations/aust-thai/tafta_chapter_4.html

Notes :