

**ASEAN AGREEMENT ON
THE MOVEMENT OF NATURAL PERSONS**

**CAMBODIA'S SCHEDULE OF MOVEMENT OF NATURAL
PERSONS COMMITMENTS**

1. Cambodia's commitments under Article 4 in relation to the temporary entry into its territory or temporary stay in its territory of natural persons of another ASEAN Member State apply only in relation to the categories of persons set out below.

2. In accordance with Article 6, for the categories of persons set out in this Schedule, Cambodia specifies below any terms, conditions, limitations or qualifications in relation to the temporary entry or temporary stay of an ASEAN natural person in its territory.

Entry in the following categories only	Conditions (including duration of stay)
<p><u>Business visitors</u></p> <p><u>Definition:</u> A natural person who:</p> <ul style="list-style-type: none"> - enters Cambodia for the purposes of participating in business meetings, establishing business contacts including negotiations for the sale of services and/or other similar activities; - stays in Cambodia without receiving income from within Cambodian sources; - does not engage in making direct sales to the general public or supplying services. 	<p>Entry visa for business visitors shall be valid for a period of 90 days for an initial stay of 30 days, which may be extended.</p>
<p><u>Persons responsible for setting up of a commercial establishment:</u></p> <p><u>Definition:</u> Persons working in an executive or managerial position, receiving remuneration from an entity as defined below, who are responsible for the setting up, in Cambodia, of a commercial presence of a service provider of a Member, that will support employment of persons described in categories a, b, and c of the intra-Corporate Transferees.</p>	<p>The subject persons are not subject to a maximum duration of stay.</p>
<p><u>Intra-Corporate Transferees</u></p> <p><u>Definition:</u> Natural persons who have been employed by a juridical person of another member for a period of not less than 1 year and who seek temporary entry to provide services through a branch, subsidiary and affiliate in Cambodia and who are:</p> <p>a) <u>Executives:</u> without requiring compliance with labour market tests, persons within an organization who primarily direct the management of the organization, exercise wide</p>	<p>Temporary residency and work permit is required for the natural persons in the categories defined under intra-corporate transferees. Such permits are issued for two years and may be renewed annually up to maximum of total five years.</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization.</p> <p>b) <u>Managers:</u> without requiring compliance with labour market tests, natural persons employed by a juridical entity and who possess knowledge at an advanced level of expertise or proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management, and who primarily direct the organization or a department of the organization; supervise and control the work of other supervisory, professional or managerial employees; have the authority to hire and fire or recommend hiring, firing or other personnel actions; and exercise discretionary authority over day-to-day operations. They do not include first-line supervisors, unless the employees supervised are professionals, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p>c) <u>Specialists:</u> Natural persons, within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research equipment, techniques, or management.</p>	
<p><u>Contractual Service Suppliers</u></p> <p>Contractual Service Supplier means a natural person who is an employee of a juridical person established in the territory</p>	<p>Temporary residency and work permit are required for the natural persons who are contractual service suppliers. Such permits</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>of a Member State which has no commercial presence in the territory of the other Member State where the services will be provided, who:</p> <p>(i) enters the territory of that other Member State temporarily in order to supply a service pursuant to a contract(s) between his/her employer and service consumer(s) in the territory of the other Member State;</p> <p>(ii) is either an executive, manager, or specialist as defined in subparagraph e(i), e(ii) and e(iii) of this Article, who receives remuneration from his/her employer;</p> <p>(iii) must possess the appropriate educational and professional qualifications relevant to the service to be provided; and</p> <p>(iv) as may be applicable, has been an employee of the juridical person for a period as may be specified in the Schedule of Commitments;</p>	<p>are issued for two years and may be renewed annually up to maximum of total five years.</p>

3. The commitments set out above apply to all services sectors/subsectors specified in Cambodia's schedules of specific commitments under the ASEAN Framework Agreement on Services except Restaurants (CPC 642, 643)

4. Cambodia remains unbound in relation to National Treatment Limitations applicable to Subsidies, including for Research and Development.

6. All the commitments in respect of presence of natural persons made in Cambodia's Schedule of Specific Commitments under the ASEAN Framework Agreement on Services, including any commitments, regulations and additional commitments, apply to the services suppliers of other ASEAN Members.
