



Australian Government

Department of Foreign Affairs and Trade

### ***FACT SHEET - MOVEMENT OF NATURAL PERSONS***

The ability of investors, goods sellers and service suppliers from one country to enter and stay temporarily in another country to explore business opportunities, negotiate and enter into contracts and transact business (supply services) is a key hallmark of deeper economic integration.

AANZFTA provides a framework for countries to make commitments on temporary business entry covering all sectors of the economy (e.g., service suppliers, goods sellers and investors).

These are set out in each Party's schedule of "Movement of Natural Persons" (MNP) commitments, which is separate to the Party's schedule of Services commitments.

The MNP schedules of most ASEAN countries improve on their WTO commitments on temporary entry of service suppliers, including by:

- . making commitments on new categories of services suppliers
  - The Philippines has made commitments that cover not only services suppliers, but also goods sellers and investors. These include provision for business visitors (59 days with possible extension of up to one year); intra-corporate transferees (one year period of stay, which may be extended) and investors (one year period of stay, which may be extended); contractual service suppliers, including persons in technical advisory or supervisory positions and professionals (accountants, landscape architects and certain engineering sub-sectors), subject to the issue of temporary permits by the Filipino Professional Regulation Commission (one year period, which may be extended); and specialists under contract as part of a higher education twinning or bridging program, in the fields of agriculture, industrial, environment, natural resource management, engineering, architecture, nursing, midwifery, science and technology and health-related programs (one year period, which may be extended).
  - Malaysia has made commitments providing for temporary entry and stay of lecturers and experts and professionals (subject to numerical caps) and contractual service suppliers in higher education for periods of stay up to ten years.
  - Thailand has committed to allowing temporary entry for teachers employed or invited by firms established in the secondary, higher, adult education, and foreign language tuition services sub-sectors (one year period of stay with possibility of extension).

- . increasing the length of stay for various categories
  - Indonesia has made a general commitment to allow entry and stay of intra-corporate transferees (“directors, managers and technical experts”) for up to six years and business visitors for 60 days, with possible extension to 120 days<sup>5</sup>
  - Malaysia has increased the period of stay for intra-corporate transferees, specialists and other professionals to enter and stay to a maximum of ten years, although there are some exceptions to this commitment, including professional services, telecommunications and banking services.
  - Singapore has committed to a longer length of stay for intra-corporate transferee under AANZFTA than under the GATS, namely, a maximum of eight years, as distinct from five under the GATS.
  - Thailand has made increased provision to extensions of the period of stay for intra-corporate transferees (up to four years).
- . increasing the number of sectors covered by the commitments (most ASEAN countries).

AANZFTA provides a platform for countries to improve their MNP commitments as part of the broader process of future reviews of commitments.

AANZFTA also contains regulatory disciplines which will help to facilitate freer and more efficient movement of Australians seeking to travel to ASEAN countries for temporary business purposes. The disciplines include obligations on Parties to:

- . process completed applications for temporary entry and stay promptly;
- . notify applicants, on request, about the status or outcome of the application; and
- . ensure that fees for visas and entry permits are reasonable.

AANZFTA also preserves the right of each Party to protect the integrity of its borders and ensure the orderly movement of persons across those borders.

---

<sup>5</sup> There are some sectoral exceptions to these general commitments. For example, the improvement on WTO commitments in relation to “managers” does not apply in relation to computer and related services and insurance services and the improvement on “technical experts” does not apply to banking services.