

## **ANNEX XVIII**

REFERRED TO IN ARTICLE 3.21

TOURISM AND TRAVEL SERVICES



## ANNEX XVIII

### REFERRED TO IN ARTICLE 3.21

#### TOURISM AND TRAVEL SERVICES

##### Article 1

###### ***Scope***

This Annex applies to measures by Parties affecting trade in tourism and travel services.

##### Article 2

###### ***Movement of Tourists***

1. Each Party shall allow its natural persons to travel freely out of its territory for tourism purposes.
2. Each Party shall allow travellers of the other Parties, in conformity with international law and its domestic laws and regulations, to move freely and unhindered within its territory and to have access to places of transit and stay, to tourism and cultural sites and to open border crossings without being subject to excessive formalities.<sup>1</sup>
3. Nothing in Chapter 3 (Trade in Services) shall prevent the Parties from recommending or encouraging tourists and tourist groups who intend to travel through uninhabited areas of a Party to inform the relevant authorities about their travel.

##### Article 3

###### ***Repatriation in Case of Bankruptcy***

The Parties shall exchange information on existing mechanisms and practices for the repatriation of tourists in the event of bankruptcy or insolvency of an enterprise that organised their travel or transport, with a view to identifying any appropriate action to be undertaken.

---

<sup>1</sup> For the purposes of this Article, “open border crossing” includes, *inter alia*, border crossings that are open only for specified modes of crossing such as pedestrians, or specified periods of the year or that are limited to persons having nothing to declare at customs.

#### Article 4

##### ***Currency Restrictions***

1. Subject to Article 3.13 (Payments and Transfers) and Article 3.14 (Restrictions to Safeguard the Balance of Payments) of the Agreement, no Party shall impose restrictions on the amount of currency that its natural persons carry or spend for private expenditures during travels for tourism purposes in the territory of another Party.
2. Paragraph 1 shall not prevent a Party from maintaining or introducing quantitative limits or declaration requirements on the amount of cash currency (notes and coins) that travellers are allowed to carry with them during a border crossing.

#### Article 5

##### ***Confidentiality of Personal Data***

Each Party shall ensure that travellers from another Party benefit from an adequate level of confidentiality of personal data, whether stored by electronic or other means.

#### Article 6

##### ***Travel Security Information and Warnings***

1. A Party issuing travel security information and warnings to its natural persons in respect of the security situation in another Party shall, with a view to be as specific as possible according to best practices, endeavour to, *inter alia*:
  - (a) limit the scope of warnings, if applicable, to specific regions or locations;
  - (b) describe the type of risk; and
  - (c) recommend appropriate security measures to be taken.
2. A Party that has issued a travel security warning in respect of another Party shall, upon request by that other Party, review the security situation in that other Party and update its warning accordingly. When the former Party considers that the circumstances that motivated the issuance of its warning do not longer exist, it shall withdraw the warning.
3. For the purposes of this Article, “travel security warning” means an announcement via internet sites or other mass media by an authority of a Party to its natural persons.

Article 7

***Letters of Credit***

Whenever a Party requires travel agencies or tour operators to provide letters of credit in connection with the supply of services, such requirement shall be on a national treatment basis.

Article 8

***Tourism Infrastructure and Sites***

1. Each Party shall endeavour to design and manage tourism infrastructure in such a way as to protect natural, cultural and archaeological heritage and preserve wildlife, endangered species and landscape, particularly in sensitive areas such as mountain areas, wetlands, forests, lakes and coastal areas.
2. Having due regard to paragraph 1, each Party shall endeavour to ensure access to its places of interest for tourism. Each Party shall encourage opening privately-owned cultural properties and monuments in its territory to public access.

Article 9

***Access to Services***

Each Party shall ensure that tourists from another Party benefit from prompt access to existing local administrative services, emergency health services, and communication and legal services they may need during their touristic stay in its territory, as far as such services are available to the general public and subject to the terms and conditions applicable to incoming tourists.

Article 10

***Tourism Responsibility***

1. The Parties recognise the importance of, and shall facilitate, initiatives aiming at improving education and responsibility of tourists and tourism professionals regarding:
  - (a) respect for local religion and customs;
  - (b) protection of the environment, wildlife and ecologically sensitive areas;  
and
  - (c) preservation of natural, cultural and archaeological heritage;

including when that implies self-restraint and a lesser or less intensive use of relevant sites.

2. The Parties shall endeavour, through means available to them, to participate in, or contribute to, initiatives referred to in paragraph 1.

3. Each Party shall adequately inform incoming and outgoing tourists about applicable laws and regulations regarding trafficking in protected species, antiques and other cultural property, drugs and prohibited substances.

4. Each Party shall adopt or maintain measures to prevent abuse of human beings and infringements of personal integrity, including when committed by its tourists abroad, and to raise awareness of outgoing and incoming tourists of the offensive nature of such behaviour. Each Party shall ensure that agencies and procedures are established or maintained which are available to victims and witnesses and which provide protection and assistance to identified victims of offences committed in its territory and assist them to defend their legitimate interests.

5. The Parties shall cooperate to contribute to the work in international organisations on the issues covered by this Article.

6. Each Party undertakes to encourage its suppliers of tourism and travel services to adopt codes of conduct, guidelines, self-regulation and related enforcement mechanisms to promote non-discriminatory practices regarding the issues addressed in this Article.

#### Article 11

##### ***Research and Observation***

The Parties undertake to encourage:

- (a) exchange of researchers and information on tourism markets and management; and
- (b) research and systematic observation relevant to tourism and its relationship with and impact on the environment, economy, society, culture, local population and creative economy.

#### Article 12

##### ***Training and Capacity Building***

Each Party shall consider favourably, account being taken of the possibilities and means available to them, requests by another Party for training and capacity building in the tourism sector.

Article 13

***Tourism Operators and Executives***

The Parties shall facilitate the exchange of experience of tourism operators and executives between them in conformity with each Party's domestic laws and regulations.

Article 14

***Online Business Models and Sharing Economy***

1. The Parties shall exchange information on regulatory issues relevant to the practices of online business models and sharing economy in sectors of services covered by this Annex.
  2. Such exchange should include information on the Parties' sectoral and horizontal domestic laws and regulations as well as on the implementation of such laws and regulations covering the issues referred to in paragraph 1.
-