



SADC Trade in Services

List of Commitments by Malawi

Malawi herewith submits her final list of specific commitments under the SADC Protocol on Trade in Services. This list covers communication, financial, tourism and transport services.

Notes: code and protocol conversion is not regulated in Malawi hence the omission from the telecommunication sector

Mode of Supply:			
1) Cross border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural person
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENT			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>4) Unbound except for measures concerning the entry and temporary stay for the following categories of natural persons as defined in the annex on Movement of Natural Persons:</p> <p>a) Intra-corporate Transferees: Executives, managers and specialists who have worked for the same juridical person for 2 years immediately prior to the transfer to the commercial presence in Malawi. Their entry and stay shall be for a period of up to 2 years.</p> <p>b) Business Visitors: Entry allowed for up to 90 days in a calendar year.</p> <p>c) Contractual service suppliers (CSS): Entry and stay shall be for a period of up to 2 years.</p> <p>d) Independent professionals : Entry and stay shall be for a period of up to 5 years</p>	<p>3) Except for: Accountancy, Medical and dental services; Services provided by midwives, nurses, physiotherapists and para-medical personnel; Technical testing and analysis services; Services incidental to mining; Construction and related Engineering Services; Banking Services; Hospital services; Other Human Health Services; and Tourism and Travel Related Services:</p> <p>Each company must have at least three local directors of whom one will be designated Chairperson and three or more directors (including the Chairperson) should be resident in Malawi.</p> <p>4) Unbound except for measures concerning the categories of persons referred to in the market access column.</p>	
II. SPECIFIC COMMITMENTS			
2. COMMUNICATION SERVICES			
B. Courier Services(CPC 7512) Excluding Mail items weighing less than 350 grams which are reserved for Malawi Post Corporation	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	

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C. Telecommunication Services					
a. Voice telephone services (CPC 7521)	1) None	1) None			
b. Packet-switched data transmission services (CPC 7523**)	2) None	2) None			
c. Circuit-switched data transmission services(CPC 7523**)	3) Foreign shareholding is limited to a maximum of 80%	3) None			
d. Telex services (CPC 7523**)	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section			
e. Telegraph services (CPC 7522)					
f. Facsimile services (CPC 7521**+ 7529**)					
g. Private leased circuit services (CPC 7522**+ 7523**)					
h. Electronic-mail (CPC 7523**)					
i. Voice mail (CPC 7523**)					
j. Online information and data base retrieval (CPC 7523**)					
k. Electronic data interchange (EDI) (CPC 7523**)					
l. Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523**)					
m. On-line information and/or data processing (including transaction processing) (CPC 843**)					

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D. Audio-visual services					
a. Motion picture and video tape production and distribution services (CPC 9611)	1) None 2) None			1) None 2) None	
b. Motion picture projection services (CPC 9612)	3) None 4) Unbound except as indicated in the horizontal section			3) None 4) Unbound except as indicated in the horizontal section	
c. Radio and television services (CPC 9613)	1) None 2) None 3) Maximum foreign shareholding of 40% 4) Unbound except as indicated in the horizontal section			1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
d. Radio and television transmission services (CPC 7524)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
7. FINANCIAL SERVICES					
A. All insurance and insurance-related services (CPC 812**)					
a. Life insurance (CPC 8121)	1) Unbound			1) Unbound	
b. Non-life insurance services (CPC 8129**)	2) Unbound			2) Unbound	
c. Reinsurance and retrocession (CPC 81299*)	3) Local incorporation is required and compulsory reinsurance of at least 5% to be			3) None 4) Unbound except as indicated in the horizontal section	

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d. Services auxiliary to insurance (including broking and agency services)(CPC 8140)		placed with African Reinsurance Corporation 4) Unbound except as indicated in the horizontal section			
B. Banking and other Financial Services					
a. Acceptance of deposits and other repayable funds from the public (CPC 81115 – 81119)		1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section		1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
b. Lending of all types, incl., inter alia, consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC 8113)		1) None 2) None 3) Local incorporation required 4) Unbound except as indicated in the horizontal section		1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
c. Financial leasing (CPC 8112)					
d. All payment and money transmission services (CPC 81339)		1) None 2) None 3) Local incorporation required 4) Unbound except as indicated in the horizontal section		1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
e. Guarantees and commitments (CPC 81199)					
f. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:					

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<ul style="list-style-type: none"> - money markets instruments (cheques, bills, certificate of deposits, etc.)(CPC 81339**) - foreign exchange (CPC 81333) - Derivative products incl. but not limited to, futures and options (CPC 81339**) - Exchange rate and interest rate instruments, incl. products such as swaps, forward rate agreements, etc. (CPC 81339**) - transferable securities (CPC 81321*) - other negotiable instruments and financial assets, incl. bullion (CPC 81339**) <p>g. Participation in all issues of all kinds of securities. Incl. under-writing and placement as agent (whether publicly or privately) and provision of service related to such issues (CPC 8132)</p>					
<p>h. Money broking (CPC 81339**)</p> <p>i. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services (CPC 81323*)</p> <p>j. Settlement and clearing services for financial assets, incl.; securities, derivatives</p>	<p>1) None</p> <p>2) None</p> <p>3) Local incorporation required</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>			

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products, and other negotiable instruments (CPC 81339** or 81319**) k. Advisory and other auxiliary financial services on all the activities listed in Article 1B of MTN. TNC/W/50, incl. credit reference and analysis, investment and portfolio research and advices, advice on acquisition and on corporate restructuring and strategy (CPC 8131 or 8133)					
9. TOURISM AND TRAVEL RELATED SERVICES					
A. Hotels and restaurants (incl. catering) (CPC 641-643) B. Travel agencies and Tour operator services (CPC 7471) C. Tourist guides services (CPC 7472) D. Other Tourism Services	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
11. TRANSPORT SERVICES					
B. Internal Waterways Transport					
a. Passenger transportation, including cruise ships for tourism (CPC 7221) b. Freight transportation (CPC 7222) c. Rental of vessels with crew (CPC 7223) d. Maintenance and repair of vessels (CPC 8868**)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			

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e. Pushing and towing services (CPC 7224)						
f. Supporting services for internal waterway transport (CPC 745**)						
E. Rail Transport Services						
a. Passenger transportation (CPC 7111)		1) None		1) None		
b. Freight transportation (CPC 7112)		2) None		2) None		
		3) None		3) None		
		4) Unbound except as indicated in the horizontal section		4) Unbound except as indicated in the horizontal section		
c. Pushing and towing services (CPC 7113)		1) None		1) None		
d. Maintenance and repair of rail transport equipment (CPC 8868**)		2) None		2) None		
		3) None		3) None		
e. Supporting services for rail transport services (CPC 743)		4) Unbound except as indicated in the horizontal section		4) Unbound except as indicated in the horizontal section		
F. Road Transport Services						
a. Passenger transportation (CPC 7121+7122)		1) Unbound		1) Unbound		
b. Freight transportation (CPC 7123)		2) None		2) None		
		3) None		3) None		
c. Rental of commercial vehicles with operator (CPC 7124)		4) Unbound except as indicated in the horizontal section		4) Unbound except as indicated in the horizontal section		
d. Maintenance and repair of road transport equipment (CPC 6112 +8867)						
e. Supporting services for road transport services (CPC 744)						

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G. Pipeline Transport						
a. Transportation of fuels (CPC 7131)		1)	None	1)	None	
b. Transportation of other goods (CPC 7139)		2)	None	2)	None	
		3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	Unbound except as indicated in the horizontal section	
H. Services auxiliary to all modes of transport						
a. Cargo-handling services (CPC 741)		1)	None	1)	None	
b. Storage and warehouse services (CPC 742)		2)	None	2)	None	
c. Freight transport agency services (CPC 748)		3)	None	3)	None	
		4)	Unbound except as indicated in the horizontal section	4)	Unbound except as indicated in the horizontal section	