



SADC Trade in Services

List of Commitment by Mauritius

Mauritius submits her final list of commitments in the communication, financial, transport and tourism services under the SADC Protocol Trade in Services.

Mauritius also submits an exemption of the Most-Favoured Nation Treatment in Accordance with Article 4:5 of the SADC Protocol on Trade in Services for the Financial Services Sector. The draft list of MFN Exemptions is in accordance with Mauritius' list of MFN Exemptions under Article II of the GATS at the World Trade Organization.

Modes of supply:		1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments
I. HORIZONTAL COMMITMENTS					
ALL SECTORS INCLUDED IN THIS SCHEDULE	3) Foreign service suppliers need to incorporate/register, in Mauritius.				
	<p>4) Unbound except for measures affecting the entry and temporary stay of natural persons in the following categories:</p> <p>(a) Business Visitors: Persons who visit Mauritius temporarily for the purposes specified in (i) – (iv) below:</p> <ul style="list-style-type: none"> (i) For the sale of services or entering into agreements for such sales for that services supplier (Service Seller) and/or (ii) Employees of a juridical person for the purpose of setting up a commercial presence of that juridical person in Mauritius (iii) Persons participating in business meetings (iv) Persons engaged in installing machinery or providing after-sale services of machinery under the conditions of the purchase of the machinery. <p>Access is subject to the condition that representatives of such services suppliers or employees of such juridical persons:</p>		4) Unbound, except for measures concerning the entry and temporary stay of natural persons referred to in the market access column.		

Modes of supply:	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
	<ul style="list-style-type: none"> • will not be engaged in making direct sales to the general public or in supplying services themselves, and • will not receive any remuneration from a source located within Mauritius. <p>Entry for persons in this category shall be for a period of not more than 90 days in any 365-day period.</p>			
	<p>(b) Intra-Corporate Transferees: Specific categories of employees listed below who are hired temporarily by a service supplier with a commercial presence in Mauritius in the context of provision of a service in Mauritius.</p> <p>Managers: Persons who direct a branch office or one or more departments as their head, or supervise or control the work of other supervisory, professional or managerial personnel and have the authority to appoint or remove the personnel and powers to exercise discretionary authority over day-to-day operations.</p>		<p>For intra-corporate transferees, the employer may be required to appoint a suitable Mauritian counterpart to be trained by the foreign natural person during the posting in Mauritius.</p>	
	<p>Executives: Persons who are in senior positions within a juridical person or a branch, and who primarily direct the management, have wide decision-making powers and are either members of the board of directors or receive</p>			

Modes of supply:		1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments		
	directions from the board or the general body of shareholders.				
	Specialists are: Persons who possess high qualifications and knowledge at an advanced level relevant to the organization's activities or of the organization's research, equipment, techniques or management and may include persons who are members of accredited professional bodies.				
	(c) Contractual Service Suppliers – natural persons employed by a SADC juridical person who: <ul style="list-style-type: none"> (i) travel to Mauritius temporarily for short periods of stay of up to one year in order to perform a service pursuant to a contract between their employer and a client(s) located in Mauritius where the employer does not have an affiliate office and where remuneration must be paid solely to the employer. (ii) travel to Mauritius temporarily for short periods of stay of up to one year in order to fulfil qualification and licensing requirements where presence in Mauritius is an essential condition for the fulfilment of these requirements. <p>Access shall be available under this category only in the specific service sector in which</p>				

Modes of supply:		1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments
	contract has been entered into and employees should have appropriate educational and professional qualifications relevant to the services to be provided.				
	<p>(d) Independent professionals: Natural persons who travel to Mauritius temporarily for short periods of stay up to nine months with permission for extending for a maximum of three months in order to perform a service pursuant to a contract(s) between them and a client(s) located in Mauritius for which he or she possesses the necessary academic credentials and qualifications and has obtained, wherever necessary, registration with the professional body and remuneration is to be paid solely to the natural person.</p> <p>Access shall be available under this category only in the specific service sector in which contract has been entered into.</p>				
	For categories of persons in (b), (c), (d) above, they may apply for an Occupation Permit to work and reside in Mauritius for a minimum of 3 months and a maximum of 3 years, which may be renewable. If they are holder of a Work Permit and Residence Permit, they may work and reside in Mauritius for a maximum of 5 years, which may be renewable				

Modes of supply:	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
II. SECTOR SPECIFIC COMMITMENTS				
2. COMMUNICATION SERVICES				
B. Courier Services Courier services refers to individualised and time-sensitive services of accepting, conveying and distributing documents and goods on a door to door basis	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
C. Telecommunication Services				
a. Voice telephone services (CPC 7521)	1) None 2) None 3) License for a new mobile (including satellite based) and fixed line service supplier based on an Economic Needs Test. ¹ 4) Unbound, except as indicated in the horizontal commitments		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
b. Packet switched data transmission services (CPC 7523**)	1) None 2) None		1) None 2) None	
c. Circuit switched data transmission services (CPC 7523**)	3) None		3) None	
d. Telex services (CPC 7523**)	4) Unbound, except as indicated in the horizontal commitments		4) Unbound, except as indicated in the horizontal commitments	
e. Telegraph services (CPC 7523**)				
f. Facsimile services (CPC 7521**+7529**)				

¹Criteria for ENT: New supplier should demonstrate qualitatively and quantitatively the innovations it is bringing in the mobile landscape in Mauritius, value added activities, new business models, unique branding, significant transfer of technology, FDI inflows and significant job creation in the sector.

Modes of supply:	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
g. (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 (CPC 7523**)				
l. Enhanced/ value added facsimile services, incl. store and forward, store and retrieve (CPC 7523**) m. Code and protocol conversion n. On-line information and/or data processing (incl. transaction processing) (CPC 843**) o. Others (i) Paging (ii) Private Mobile Radio Equipment rental services (iii) Equipment sales services (iv) Equipment maintenance services (v) Mobile services (satellite-based)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	

Modes of supply:	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
7. FINANCIAL SERVICES				
Headnote:				
1. The commitments on financial services are made in accordance with the Annex on Financial Services. All the commitments in this Schedule are subject to domestic laws, guidelines, rules and regulations, terms and conditions of the relevant authorities in Mauritius, consistent with Article 6 of the Protocol and paragraph 2 of the Annex on Financial Services.				
2. The admission to the market of new financial services or products may be subject to the existence of, and consistency with, a regulatory framework aimed at achieving the objectives indicated in Article 2(a) of the Annex on Financial Services				
A. Insurance and Insurance-related Services				
a) Direct life insurance (CPC 81211)	1) Foreign insurance companies must be incorporated/registered and licensed in Mauritius for long term insurance business. ² 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.	
b) Direct non-life insurance (CPC 8129)	1) Foreign insurance companies must be incorporated/registered and licensed in Mauritius for general insurance business 2) Insurance of assets situated in Mauritius and insurances which are compulsory in Mauritius including compulsory Third Party Insurance, cannot be placed outside Mauritius 3) None		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	

²"Long term insurance business" means insurance business of any of the following classes: life assurance business; pension business; permanent health insurance business; linked long-term insurance business.

Modes of supply:		1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments
	4) Unbound, except as indicated in the horizontal commitments				
(c) Reinsurance and retrocession (CPC 81299*)	1) At least 5% of reinsurance must be placed with African Reinsurance Corporation 2) None 3) At least 5% of reinsurance must be placed with African Reinsurance Corporation 4) Unbound, except as indicated in the horizontal commitments.		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		
(d) Insurance intermediation comprising (i) Agents	1) Companies must be incorporated/ registered prior to being licensed in Mauritius and individuals must be licensed as insurance agents. Insurance agents must have a commercial presence and act only for insurers licensed in Mauritius. 2) Insurance of assets situated in Mauritius and insurances which are compulsory in Mauritius including compulsory Third Party Insurance, cannot be placed outside Mauritius. 3) Insurance agents must act only for insurers licensed in Mauritius. 4) Unbound, except as indicated in the horizontal commitments.		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		
(ii) Brokers	1) Companies must be incorporated/ registered in Mauritius and licensed as brokers.		1) None 2) None 3) None		

Modes of supply:		1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment		Additional Commitments
	2) Insurance of assets situated in Mauritius and insurances which are compulsory in Mauritius including compulsory Third Party Insurance, cannot be placed outside Mauritius. 3) Insurance brokers may arrange insurance business with insurers licensed in Mauritius, and reinsurance business where brokers may also arrange business with a foreign reinsurer. 4) Unbound, except as indicated in the horizontal commitments.		4) Unbound, except as indicated in the horizontal commitments.		
(iii) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services (CPC 81404) (iv) Average and loss adjustment Services (CPC 81403) (v) Salvage Administration Services (CPC 81405)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		
B. Banking and other Financial Services					
a. Acceptance of deposits and other repayable funds from the public (CPC 81116-81119) b. Lending of all types (excluding factoring and specialized and structured products) (CPC 8113) c. Financial leasing (CPC 8112)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments		

Modes of supply:	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons				
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments				
d. All payment and money transmission services, including credit, charge and debit cards, traveler's cheques and banker's drafts (CPC 81339) e. Guarantees and commitments (CPC 81199**)								
f. Trading for own account or for account of customers in the following only: <ul style="list-style-type: none"> - money market instruments (including cheques, bills, certificates of deposits) (CPC 81339**) - transferable securities (CPC 81321*) - foreign exchange (CPC 81333) 								
(g) Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	1) None	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments.	1) None	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments.
(h) Money broking (CPC 81339**)	1) Unbound	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments	1) Unbound	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments
(i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial depository and trust services (excluding pension fund management) (CPC 81323*)	1) Unbound	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments	1) Unbound	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments

Modes of supply:	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
(j) Settlement and clearing services for the following: (i) inter-bank transactions	1) Unbound, 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(ii) securities	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		None None None Unbound, except as indicated in the horizontal commitments	
k. Advisory and auxiliary to financial intermediation - Loan broking services (CPC 81331) - Financial consultancy services (CPC 81332)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments		1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(l) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments.		1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
9. TOURISM AND TRAVEL RELATED SERVICES				
a. Hotel Services (CPC 641)	1) None 2) None		1) None 2) None	

Modes of supply:	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
	3) None	4) Unbound except as indicated in the horizontal commitments	3) None	4) Unbound except as indicated in the horizontal commitments
b. Restaurant Services (CPC 642 + 643)	1) None	2) None	3) Restaurants established by foreign service suppliers shall be staffed predominantly by Mauritians	3) Investment in restaurants by foreign service suppliers shall not be less than RS 10 Million.
	4) Unbound except as indicated in the horizontal commitments		4) Unbound except as indicated in the horizontal commitments	
c. Travel agencies and tour operator services (CPC 74710)	1) None	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments
d. Tourist transport operation (car rental) (CPC 83101)	3) None	4) Unbound, except as indicated in the horizontal commitments	4) Unbound, except as indicated in the horizontal commitments	
e. Tourist guide services (CPC 7472)	1) None	2) None	3) None	4) Unbound, except as indicated in the horizontal commitments
	4) Allowed only in linguistic scarcity areas			
f. Yacht chartering & cruising services (CPC 96499**)	1) None	2) None	3) An investment threshold applies	

Modes of supply:		1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector		Limitations on Market Access		Limitations on National Treatment	Additional Commitments
		3) New licences only for innovative services ³	4) Unbound except as indicated in the horizontal commitments	4) Unbound except as indicated in the horizontal commitments	
g.	Tourist duty-free shops	1) None	2) None	3) Foreign participation limited to 30 per cent	3) None
		4) Unbound except as indicated in the horizontal commitments	4) Unbound except as indicated in the horizontal commitments	4) Unbound except as indicated in the horizontal commitments	
h.	Circus, amusement parks and similar attractions (CPC 96194)	1) None	2) None	1) None	2) None
i.	Recreational parks	3) None	4) Unbound except as indicated in the horizontal commitments	3) None	4) Unbound except as indicated in the horizontal commitments
11. TRANSPORT SERVICES					
A. Maritime Transport Services					
Subsidies limited to nationals only (for Mauritian ships engaged in trade exclusively between Mauritius, Rodrigues and outer islands)					
a.	Passenger transport (CPC 7211)	1) None	1) None	1) None	
b.	Freight transport CPC 7222 (a and b exclude cabotage)	2) None	3) None	2) None	3) None
c.	Maintenance and repair of vessels (CPC 8868**)	4) Unbound except as indicated in the horizontal commitments	4) Unbound except as indicated in the horizontal commitments	4) Unbound except as indicated in the horizontal commitments	

³innovate services means any product/services not currently available in Mauritius or that bring added value to the existing spectrum of products/services in line with Government's policy of broadening its products portfolio and enriching the tourism experience

Modes of supply:		1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector		Limitations on Market Access		Limitations on National Treatment	Additional Commitments
d. Rental of vessels with crew (CPC 7213)					
C. Air Transport Services					
a.	Computer reservation systems (CRS) as defined in the GATS Annex on Air Transport Services	1) None 2) None 3) None		1) None 2) None 3) None	
b.	Maintenance and repair aircraft as defined in the GATS Annex on Air Transport Services	4) Unbound except as indicated in the horizontal commitments		4) Unbound except as indicated in the horizontal commitments	
c.	Selling and marketing of air transport services as defined in the GATS Annex on Air Transport Services	1) None 2) None 3) Service must be provided through an Agent 4) Unbound except as indicated in the horizontal commitments		1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
H. Services auxiliary to all modes of transport					
b.	Storage and warehouse services (CPC 742)	1) Unbound* 2) None 3) None 4) Unbound except indicated in the horizontal commitments.		1) Unbound* 2) None 3) None 4) Unbound except indicated in the horizontal commitments	
c.	Freight transport - agency services (CPC 748)	1) None 2) None		1) None 2) None	
d.	Other auxiliary services (CPC 749)	3) None 4) Unbound, except as indicated in the horizontal commitments		3) None 4) Unbound, except as indicated in the horizontal commitments	

LIST OF MFN EXEMPTIONS PURSUANT TO ARTICLE 4:5 OF THE SADC TRADE IN SERVICES PROTOCOL

Sector or Subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Financial services as listed in the Annex on Financial Services except those contained in the Schedule of Specific Commitments of Mauritius.	Restrictions on commercial presence and cross-border supply to suppliers of other countries on the basis of reciprocity.	All	10 years	Maintenance of reciprocity measures designed to enhance access of Mauritian financial service suppliers to foreign financial market.