



SADC Trade in Services

List of Commitments by Zambia

The Republic of Zambia herewith submits its final lists of commitments in the context of the SADC Protocol on Trade in Services. This list covers liberalisation commitments in communication, construction, financial, tourism and transport services.

Modes of Supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) presence of Natural Person			
Sector/Subsector	Market Access Limitations	National Treatment Limitations	Additional commitments
HORIZONTAL COMMITMENTS			
	<p>3) With the exception of construction and tourism services sectors, foreign companies to be registered or incorporated in Zambia and/or be established in Zambia</p>	<p>(3) With the exception of business services (Accountancy CPC 862, Medical and dental services CPC 9212, services provided by midwives, nurses, physiotherapists and para-medical personnel CPC 93191; technical testing CPC 8676, services incidental to mining and exploration CPC 883 +5115); construction and related engineering services; health and related social services (hospital services CPC 9311 and other human health services CPC 9319 other than CPC 93191) and tourism services sectors the following limitations shall apply:</p> <p>All companies are required to have a secretary who is resident in Zambia, if an individual, or is incorporated in Zambia if a body corporate</p> <ul style="list-style-type: none"> - Intra-Corporate Transferees must also provide for training in higher skills for Zambians to enable them to assume specialized roles - For a registered branch, at least one Director shall be resident in Zambia - For companies, at least half of the Directors, should be resident in Zambia - Companies are required to designate a Director who is resident in Zambia as the Managing Director 	

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	<p>(4) Unbound, except for measures concerning the entry and temporary stay of natural persons employed in management and expert jobs for the implementation of foreign investment as follows:</p> <p>A. Business Visitor- natural person coming to Zambia to transact business during the person’s stay in Zambia, such as attending meetings, conferences, arranging of deals and the signing of contracts and includes:</p> <ul style="list-style-type: none"> i) A“foreign natural person”, who is paid by an employer abroad, who comes to Zambia, for a short period, to work, install, erect, repair or service foreign-made machinery or equipment; ii) a person who comes to Zambia to advise on the development of new computer systems or information technology; or iii) the provision of any service consisting of advice, training or learning by observation or in a classroom <p>Business Visitors are entitled to a maximum period of stay of 30 days in any given period of 12 months.</p>	<p>(4) Unbound, except for measures concerning the categories of persons referred to in the market access column</p>	

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	<p>B. Intra-corporate Transferee- A sufficiently qualified natural person who is an employee of a SADC juridical person that provide services in Zambia through a commercial presence. These include:</p> <ul style="list-style-type: none"> i) Executive: a natural person working within a juridical person who primarily directs the management and policies of a service supplier, exercises wide decision-making and who receives only general supervision from the board of directors or shareholders. ii) Manager: a natural person working within a juridical person who supervises or controls the work of other employees. iii) Specialist: a natural person working within a juridical person who possesses specialized or technical knowledge essential to the commercial presence's production, research equipment, techniques, processes, procedures or management. <p>Intra-corporate Transferees should apply for Employment Permits which may be issued up to two (2) years and may be extended for periods of two (2) years. They may also be required to possess practicing certificates</p>		

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	<p>from the Zambian National Professional Regulatory bodies where applicable.</p> <p>The employment of such persons shall be agreed upon by the contracting parties and approved by the Government of Zambia</p> <p>C. Contractual Service Supplier - a natural person employed by a corporation which has no commercial presence in Zambia and has concluded a bona fide contract to supply services with a final consumer in Zambia requiring the presence on a temporary basis of its employees in Zambia for the purpose of fulfilling the contract to provide services.</p> <p>Contractual Service Suppliers are entitled to a maximum period of stay of 30 days in any given period of 12 months.</p> <p>D. Independent Professionals - natural persons engaged in the supply of a service and established as self-employed in their Country and have no commercial presence Zambia and who have concluded a bona fide contract to supply services with a final consumer in Zambia, requiring their presence on a temporary basis in Zambia for the purpose of fulfilling the contract to provide services.</p> <p>Independent Professionals are entitled to a maximum period of stay of 30 days in any given period of 12 months.</p>		

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I. SPECIFIC COMMITMENTS			
2. COMMUNICATIONS SERVICES			
A. Courier Services (7512)			
Multimodal courier services (CPC 75121) Except that re-mailing and items weighing up to 1kg is reserved for the designated postal monopoly.	(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. Telecommunications Services (CPC 752)			
Note: Fixed Telephony is under state monopoly			
a. Voice Telephone Services: Public (CPC 75213) - Mobile Telephone	(1) None (2) None (3) Additional license for mobile services provider is subjected to an Economic Needs Test ¹ (4) Unbound except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal section	
a. and b. Voice and data transmission services – Non-public (e.g. VPN services. Inter-corporate networks) b. and c. data transmission services - Public (CPC 7523**) - Fixed and mobile	(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	

¹ENT undertaken periodically and takes into account the following: Availability of Spectrum; Population levels; Per-capita income; Subscribers base; Market Penetration levels; Competition levels; National coverage; Tariff levels

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g). leased circuit services - fixed, mobile and satellite (CPC 7522** + 7523**)	(1) None (2) None (3) Additional license for fixed and mobile telephony services providers subject to an Economic Needs Test. (4) Unbound except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal section			
(h)– (n) Value-added services (VAS) (CPC 7523** and 843**) (o). Other - paging services - teleconferencing 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			
7. FINANCIAL SERVICES					
B. Banking and other Financial Services (excl. Insurance)					
NOTE: General limitations related to the sub-sector					
<ol style="list-style-type: none"> 1. Legal entity must be registered or incorporated in Zambia 2. Legal entity must be licensed or designated by the appropriate authority 3. No person may, without prior approval of the Bank of Zambia, acquire more than 25% voting shares in a bank or financial institution unless that person is listed on a recognized stock exchange. The Bank of Zambia may prescribe a different voting share limit for financial businesses. 					
a. Acceptance of deposits and other repayable funds from the public (CPC 81115 -81119)	(1) None (2) None (3) None	(1) None (2) None (3) None			
b. Lending of all types incl. inter alia consumer credit, mortgage credit,					

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factoring and financing of commercial transaction (CPC 8113) c. financial leasing (CPC 8112) e. guarantees and commitments (81199**)	(4) Unbound except as indicated in the horizontal section	(4) Unbound except as indicated in the horizontal section			
f. Trading of own account or for account customers, whether on an exchange, in an over-the-counter market of otherwise, the following: <ul style="list-style-type: none"> - Money markets instruments (cheques, bills, certificate of deposit, etc.) CPC 81339** - derivative products incl., but not limited to, futures and options CPC 81339** - other negotiable instruments and financial assets, incl. bullion CPC 81339 					
g. participation in issues of all kinds of securities incl. underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues (CPC 8132) is limited to: <ul style="list-style-type: none"> - Securities Broking Services (CPC 81321) - Securities issue and registration services (CPC 81322) - Portfolio management services (CPC 81323) 	(1) None (2) None (3) None (4) Unbound except as indicated in horizontal section	(1) None (2) None (3) None (4) Unbound except as indicated in the horizontal section			

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9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and restaurant (incl. catering) (CPC 641 – 643)	(1) None (2) None	(1) None (2) None	
B. Travel agencies and tour operator services (CPC 7471)	(3) None	(3) None	
C. Tourist guide services (CPC 7472)	(4) Unbound except as indicated in the horizontal section	(4) Unbound except as indicated in the horizontal section	
D. Other			
11. TRANSPORT SERVICES			
B. Internal Waterways Transport			
a. Passenger Transportation Passenger Transportation by Ferries (CPC 72211)	(1) None (2) None (3) None (4) Unbound as indicated in Horizontal section	(1) None (2) None (3) Unbound (4) Unbound except as indicated in the Horizontal section	
b. Freight Transportation Transportation of frozen or refrigerated goods (CPC 72221)	(1) Unbound (2) None (3) None (4) Unbound except as indicated in the Horizontal section	(1) Unbound (2) None (3) Unbound (4) Unbound except as indicated in the Horizontal section	
F. Road Transport Services			

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b. Freight Transportation (CPC 7123) <ul style="list-style-type: none"> - Transportation of bulk liquids or gases (CPC 71232) - Transportation of containerized freight (CPC 71233) (Excluding Cabotage) 	(1) Unbound (2) None (3) Maximum foreign shareholding of 25 % for corporations (4) Unbound except as indicated in the horizontal section	(1) Unbound (2) None (3) Directors shall be exclusively Zambian (4) Unbound except as indicated in the horizontal section	