

## **Annex 2:**

### **GATS Sector Specific Commitments / Horizontal Commitments**

## Benin<sup>1</sup>

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

### WTO Services Database Output

1)Cross-border supply 2)Consumption abroad  
3)Commercial presence 4)Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Benin</b>				
09. Tourism and Travel Related Services				
A. Hotels and restaurants services (CPC 641-643)	1) None	1) None		
-Lodging services				
- Hotels				
- Motels				
- Holiday villages				
- Inns				
- Hydro-therapy centres (spas)				
2) None (but manager must have hotel management qualifications)	2) None	2) None		
3) None	3) None	3) None		

<sup>1</sup> Sector Specific Commitments in Tourism do not make reference to the Horizontal Commitments.

4)	Unbound, except for measures affecting the entry and temporary stay of natural persons - who are employees of a company and transferred to a company incorporated in Cameroon belonging to, controlled by or a subsidiary of the former - in the following categories:	4)	None
	- directors		
	- senior executives		
	- specialists who possess knowledge that is essential to the provision of the service		
Restaurants	1) Unbound	1)	Unbound
	2) None	2)	None
	3) None	3)	None
	4) Unbound, except for measures affecting the entry and temporary stay of natural persons - who are employees of a company and transferred to a company incorporated in Cameroon belonging to, controlled by or a subsidiary of the former - in the following categories:	4)	None
	- directors		
	- senior executives		
	- specialists who possess knowledge that is essential to the provision of the service		

## Burkina Faso<sup>2</sup>

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

### WTO Services Database Output

- 1)Cross-border supply 2)Consumption abroad  
3)Commercial presence 4)Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Burkina Faso</b>				
09. Tourism and Travel Related Services				
A. Hotel and restaurant services	1) Unbound *1	1) Unbound		*1) Unbound due to lack of technical feasibility.
(CPC 641-643)	2) None	2) None		
	3) None	3) None		
	4) Unbound, except for measures affecting the entry and temporary stay of natural persons in the following categories: managers, executives and specialists	4) Unbound, except for measures affecting the entry and temporary stay of natural persons in the following categories: managers, executives and specialists		
B. Travel agencies and tour operators services	1) None	1) None		
	2) None	2) None		
	3) The number of foreign travel agencies may not exceed 1/3 of the national total	3) None		
	4) Unbound, except for measures affecting the entry and temporary stay of natural persons in the following categories: managers, executives and specialists	4) Unbound, except for measures affecting the entry and temporary stay of natural persons in the following categories: managers, executives and specialists		

<sup>2</sup> Sector Specific Commitments in Tourism do not make reference to the Horizontal Commitments.

## Burundi

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

### WTO Services Database Output

- 1) Cross-border supply
- 2) Consumption abroad
- 3) Commercial presence
- 4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
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## Burundi

### 09. Tourism and Travel Related Services

(CPC 641 to 7472)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound, except for managers.</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound, except for managers.</li> </ol>		
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## HORIZONTAL COMMITMENTS

WTO Services Database Output

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Burundi</b>				
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>4) Unbound, except for medical specialists, specialized senior management and managers.</p> <p>"Medical specialists", "managers" or "specialized senior management" may be taken to include persons who meet the following requirements:</p> <ul style="list-style-type: none"> <li>- they have specialized, and not general, knowledge, of the profession;</li> <li>- they engage in it regularly and exclusively;</li> <li>- they have studied beyond a general level, as evidenced by diplomas.</li> </ul>	<p>4) Unbound, except for specialists, specialized senior management and managers.</p>		

**Ethiopia**

None

## Lesotho

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

### WTO Services Database Output

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Lesotho</b>				
09. Tourism and Travel Related Services				
A. Hotels and Restaurants (including catering) (CPC 643)	1) Unbound except for catering: none	1) Unbound		
2) None		2) None		
3) Unbound except as indicated in the horizontal section		3) Unbound except as indicated in the horizontal section		
4) Unbound except as indicated in the horizontal section		4) Unbound except as indicated in the horizontal section		
B. Travel Agencies and Tour Operators Services (CPC 7471)	1) Unbound	1) Unbound		
2) Unbound		2) Unbound		
3) Unbound		3) Unbound		
4) Unbound except as indicated in the horizontal section		4) Unbound except as indicated in the horizontal section		
C. Tourist Guide Services (CPC 7472)	1) Unbound*	1) Unbound*		
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		



# HORIZONTAL COMMITMENTS

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Lesotho</b>				
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>1) None</p> <p>2) None</p> <p>3) Foreign-owned enterprises including joint-venture enterprises with Lesotho, must satisfy minimum capital outlay and foreign equity requirements as follows:</p> <p>Wholly foreign-owned company required a minimum equity capital outlay of US\$200,000. Joint-venture company should have a minimum foreign-equity capital outlay of US\$50,000 in cash or in kind.</p> <p>Agency establishment must have authority to negotiate and conclude contracts on behalf of foreign parent company.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>		
	<p>4) Automatic entry and work permit is granted for up to 4 expatriate senior executives and specialized skill personnel in accordance with relevant provisions in the Laws of Lesotho. Approval is required for any additional expatriate workers beyond the automatic level. Enterprises must also provide for training in higher skills for the locals to enable them to assume specialized roles.</p>	<p>4) None</p>		

## Madagascar<sup>3</sup>

### SECTOR SPECIFIC COMMITMENTS

Modes of  
supply :

1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

### WTO Services Database Output

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
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<sup>3</sup> Sector Specific Commitments in Tourism do not make reference to the Horizontal Commitments.

## Malawi

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

### WTO Services Database Output

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
9. TOURISM AND TRAVEL RELATED 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		

## Malawi

## HORIZONTAL COMMITMENTS

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Malawi</b>				
ALL SECTORS INCLUDED IN THIS SCHEDULE	<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.</p>	<p>3) With permission from the Reserve Bank of Malawi, a foreign-controlled company can obtain loans or overdrafts of up to one third of the value of its paid up capital</p> <p>4) Unbound except for measures concerning the categories of persons referred to in the market access column.</p>		
	<p>The employment of such persons shall be agreed upon by the contracting parties and approved by the Ministry of Home Affairs.</p>			

## Mali<sup>4</sup>

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

### WTO Services Database Output

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
Mali				
09. Tourism and Travel Related Services				
Hotel and restaurant services	1) Unbound *1	1) Unbound*		*1) Unbound due to lack of technical feasibility.
(CPC 641-643)	2) None 3) None 4) None			
		2) None 3) None 4) None		

<sup>4</sup> Sector Specific Commitments in Tourism do not make reference to the Horizontal Commitments.

## Nepal

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Nepal</b>				
09. Tourism and Travel Related Services				
1. Tourism and restaurants	1) None	1) None		
Hotel, lodging services (CPC 6411) (star hotels only); Graded restaurants (CPC 6421-6423)**				
2. Travel agency and tour operator (CPC 7471)	2) None 3) None, except only through incorporation in Nepal and with maximum foreign equity capital of 51 per cent for travel agency and tour operator (CPC 7471) and 80 per cent for hotel, lodging services (CPC 6411) (star hotels only), and graded restaurants (CPC 6421-6423)**.	2) None 3) None		
	4) Unbound, except as indicated in the horizontal section.	4) Unbound, except as indicated in the horizontal section.		

## HORIZONTAL COMMITMENTS

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Nepal</b>				
All Sectors included in this Schedule	2) None, except convertible currency limit of USD 2,000 applies to Nepalese citizens on personal travel.	1) None, except with respect to foreign exchange provided to foreigners (excluding those categories of persons covered by commitments in this agreement) to pay for any cross-border services		
	2) None, except convertible currency limit of USD 2,000 applies to Nepalese citizens on personal travel.	2) None		
	3) None The conditions of ownership, operation and juridical form and scope of activity as set out in a license or other form of approval establishing or authorizing the operation and supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of Nepal's accession to WTO.	2) None		
3) None The conditions of ownership, operation and juridical form and scope of activity as set out in a license or other form of approval establishing or authorizing the operation and supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of Nepal's accession to WTO.		3) None, except  - A foreign investor reinvesting earnings is required to obtain the permission of the Department of Industry.  - All foreign investments except for Financial Services require approval by the Department of Industry.  - Incentives and subsidies are available only to enterprises wholly owned by Nepalese nationals.		

4) Unbound, except for temporary entry and stay of natural persons of another Member in the following categories:	4) Unbound except for measures concerning the categories of natural persons referred to in the market access column
Service sales persons Persons not based in the territory of Nepal and receiving no remuneration from a source located within Nepal, who are engaged in activities related to representing a service supplier for the purpose of negotiating for the sale of services of that supplier where:	Selling and buying real estate is the constitutional right of every Nepalese citizen. The Civil Code prohibits anyone from selling, mortgaging, gifting or endowing or disposing any real property to a foreign individual.
a. such sales are not directly made to the general public, and b. the sales person is not engaged in supplying the service.	
Entry for persons named in these two categories is limited to a ninety-day period, which may be renewed.	
Persons responsible for setting up a commercial presence	
Persons who are employees of an enterprise not having commercial presence in Nepal and who stay temporarily in Nepal for the purpose of setting up a commercial presence of that enterprise in Nepal. Personnel engaged in setting up commercial presence shall present proof of the commencement of business operation within one year of the date of entry of that person.	
Entry for the above-listed persons is limited to one year period, which may be renewed.	
Intra-corporate transferees Managers, executives and specialists as defined below who are employees of firms that provide services in Nepal through a branch, subsidiary or affiliate established in Nepal and who have been in the prior employment of their firm outside Nepal for a period of not less than one year immediately preceding the date of their application for admission and who fall with one of the following categories:	



(A) Executives and Managers : persons within an organization who primarily direct the organization or a department or sub-division of the organization, supervise or control the work of their supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing or other personnel actions (such as promotion, or leave authorization) and exercise discretionary authority over day-to-day operations.

(B) Specialists: persons within an organization who possess technical knowledge at an advanced level of continued expertise and who possess propriety knowledge of the organization's services, research techniques or management techniques. (Specialists may include but are not limited to members of licensed professions.)

Entry for the above-listed categories of intra-corporate transferees is limited to a 3 years initial period that may be extended for up to 7 years for a total period not to exceed 10 years.

Temporary entry and stay of natural persons considered to be intra-corporate transferees may be limited to 15 percent of local employees. This commitment shall be further liberalized after five years from the date of accession.

## Rwanda<sup>5</sup>

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

WTO Services Database Output  
 1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Rwanda</b>				
09. Tourism and Travel Related Services				
A. Hotels and restaurants (including catering) Hotels (CPC 641)	1) None	1) None		
	2) None	2) None		
	3) None	3) None		
	4) Unbound, except for measures affecting senior executives and specialists who possess knowledge that is essential to the provision of the service.	4) Unbound, except for measures affecting senior executives and specialists who possess knowledge that is essential to the provision of the service.		
Restaurants CPC 642)	1) None	1) None		
	2) None	2) None		
	3) None	3) None		
	4) Unbound, except for measures affecting natural persons in the following categories: directors, senior executives and specialists who possess knowledge that is essential to the provision of the service.	4) Unbound, except for measures affecting natural persons in the following categories: directors, senior executives and specialists who possess knowledge that is essential to the provision of the service.		

<sup>5</sup> Sector Specific Commitments in Tourism do not make reference to the Horizontal Commitments.

## Sierra Leone

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

### WTO Services Database Output

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Sierra Leone</b>				
9. TOURISM AND TRAVEL RELATED SERVICES	1) None	1) None		
(Sub-sectors A-D)	2) None	2) None		
	3) None	3) None		
	4) Unbound except as indicated in Horizontal Commitments	4) Unbound except as indicated in Horizontal Commitments		

## HORIZONTAL COMMITMENTS

## WTO Services Database Output

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Sierra Leone</b>				
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Commercial Presence requires that foreign service providers incorporate or establish the business locally in accordance with the relevant provisions of Sierra Leone laws and, where applicable, regulations particularly with respect to land and building acquisition, lease, rental, etc.</p> <p>Foreign enterprises with investment in Sierra Leone could transfer abroad their profits in accordance with the existing regulations.</p>			
	<p>4) Unbound, except for senior management personnel and technical experts not available in the local labour market. Prior to a natural person working in Sierra Leone, a Work Permit must be obtained.</p>	<p>4) None, with respect to categories of persons indicated in market access. Unbound for all other categories of persons.</p>		

## Tanzania<sup>6</sup>

### SECTOR SPECIFIC COMMITMENTS

Modes of supply:

1)Cross-border supply 2)Consumption abroad 3)Commercial presence 4)Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
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#### Tanzania

09. Tourism and Travel Related Services  
Hotels of four stars and above  
\*2

(CPC 641-643)

1)	None	1)	None	
2)	None	2)	None	
3)	Acquisitions of domestic firms and mergers by foreigners are subject to approval	3)	Unbound	
4)	The acquisition of land by foreigners or domestic companies which are deemed foreign because of foreign equity ownership is subject to approval Unbound except for measures concerning senior managers that possess skills not available in Tanzania	4)	Unbound	

\*2) Applies exclusively to hotels of 4 stars and above as defined by Tanzanian legislation.

<sup>6</sup> Sector Specific Commitments in Tourism do not make reference to the Horizontal Commitments.

## Uganda<sup>7</sup>

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

WTO Services Database Output  
 1)Cross-border supply 2)Consumption abroad  
 3)Commercial presence 4)Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Uganda</b>				
09. Tourism and Travel Related Services				
A. Hotels and Restaurants	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Government approval is required in accordance with the Investment Code and the regulations within it.</li> <li>4) Unbound except for technical personnel except where Ugandans are or become available. Entry and temporary stay of foreign service suppliers subject to compliance with laws, regulations and guidelines in force in Uganda.</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except for technical personnel stipulated under market access.</li> </ol>		
B. Travel Agencies/Tour Operators	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Government approval required through Investment Authority.</li> <li>4) Unbound except for technical personnel except where Ugandans are or become available. Entry and temporary stay of foreign service suppliers subject to compliance with laws, regulations and guidelines in force in Uganda.</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except for technical personnel stipulated under market access.</li> </ol>		

<sup>7</sup> Sector Specific Commitments in Tourism do not make reference to the Horizontal Commitments.

## Zambia

### SECTOR SPECIFIC COMMITMENTS

Modes of supply :

WTO Services Database Output  
 1)Cross-border supply 2)Consumption abroad  
 3)Commercial presence 4)Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Zambia</b>				
9. TOURISM AND TRAVEL RELATED 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		

## HORIZONTAL COMMITMENTS

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments	Notes
<b>Zambia</b>				
ALL SECTORS INCLUDED IN THIS SCHEDULE	<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.</p> <p>The employment of such persons shall be agreed upon by the contracting parties and approved by the Ministry of Home Affairs.</p> <p>Enterprises must also provide for training in higher skills for Zambians to enable them to assume specialized roles.</p>	<p>3) With permission from the Bank of Zambia, a foreign-controlled company can obtain loans or overdrafts of up to one third of the value of its paid up capital</p> <p>4) Unbound except for measures concerning the categories of persons referred to in the market access column</p>		