

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

**RESTRICTED**  
**MTN.GNS/W/157**  
**14 September 1992**  
**Special Distribution**

Group of Negotiations on Services

Original: English

**COMMUNICATION FROM GHANA**

**Conditional Offer by Ghana of Initial Commitments  
in the Uruguay Round Negotiations on Trade in Services**

The following communication is circulated at the request of the permanent delegation of Ghana to the members of the Group of Negotiations on Services.

Ghana presents its conditional offer of initial commitments on trade in services as contained in the attached list. Commitments contained are on initial commitments on services.

Ghana reserves its right to modify or withdraw this offer in all or part, depending on the nature of the requests and of the adequacy of response from other participants on the requests made by Ghana in the current negotiations.

The description of sectors and sub-sectors in which commitments are made are based on the Services Sectoral Classification List as shown in document MTN.GNS/W/120.

All enterprises of sectors/sub-sectors indicated in the list are subject to the following:

1. No enterprise eligible for foreign participation shall be established or operated by a non-Ghanaian unless there is the investment of foreign capital or an equivalent in capital goods worth at least US\$ 60,000 by way of total equity capital in the case of a joint venture with a Ghanaian partner or an investment of foreign capital or an equivalent goods worth at least US\$ 100,000 by way of total equity capital where the enterprise is wholly owned by a non-Ghanaian.
2. Authorities may stipulate conditions to be complied with by foreign companies with regard to utilization of resources, amount and source of capital, nationality and number of shareholders with respect to each activity concerned.
3. No less favourable treatment than that accorded to national services or services providers is applied across services sectors with respect to foreign exchange, income and investment-related transactions. Horizontal measures may discriminate against foreign services provided in the area of alien employment.
4. Sectors and sub-sectors indicated in the list are not covering mining or petroleum activities.

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UR-92-0096

Sector/Sub-sector	Limitations and Conditions on Market Access	Conditions and Qualifications on National Treatment
<u>Tourism</u>		
Hotel and restaurants including catering	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Enterprises concerned with the development of tourist industry such as tourist accommodation insofar as these are net foreign exchange earning.</p> <p>Enterprises should apply for an establishment licence.</p> <p>Business representation for foreign enterprises is reserved for Ghanaian enterprises unless the enterprise has an employed capital of not less than US\$ 500,000 or its equivalent.</p> <p>Public relation businesses relating to tourism are entirely reserved for Ghanaian enterprises.</p> <p>(4) Quota of expatriates should be approved by national authorities.</p> <p>Public relation businesses related to tourism are entirely reserved for Ghanaian citizens.</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Certain restrictions on transactions relating to foreign exchange, income and alien employment.</p> <p>(4) Certain restrictions on transactions relating to foreign exchanges, income and alien employment.</p>

Sector/Sub-sector	Limitations and Conditions on Market Access		Conditions and Qualifications on National Treatment
<u>Tourism</u>			
Travel agencies and tour operators services	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Enterprises concerned with the development of tourist industry such as tourist accommodation insofar as these are net foreign exchange earning.</p> <p>Enterprises should apply for an establishment licence.</p> <p>Business representation for foreign companies is reserved for Ghanaian enterprises unless the enterprise has an employed capital of not less than US\$ 500,000 or its equivalent.</p> <p>Public relation businesses relating to tourism, travel agencies, taxi services and car-hire services, commercial transportation of passengers by land are entirely reserved for Ghanaian enterprises.</p> <p>(4) Quota of expatriates should be approved by national authorities.</p> <p>Public relation businesses related to tourism, travel agencies, taxi services and car-hire services, commercial transportation of passengers by land are entirely reserved for Ghanaian citizens.</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Certain restrictions on transactions in foreign exchange income and investment regulations.</p>	<p>(4) Certain restrictions on transactions relating to foreign exchange, income and alien employment regulations.</p>

Sector/Sub-sector	Limitations and Conditions on Market Access	Conditions and Qualifications on National Treatment
Other tourism and travel-related services	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) Unbound</li> <li>(3) Enterprises concerned with the development of tourist industry such as tourist accommodation insofar as these are net foreign exchange earning.</li> </ul> <p>Enterprises should apply for an establishment licence.</p>	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) Unbound</li> <li>(3) Certain restrictions on transactions relating to foreign exchange, income and investment regulations.</li> </ul>
	<p>Business representation for foreign companies is reserved for Ghanaian enterprises unless the enterprise has an employed capital of not less than US\$ 500,000 or its equivalent.</p>	<p>Public relation businesses relating to tourism, travel agencies, taxi services and car-hire services, commercial transportation of passengers by land are entirely reserved for Ghanaian enterprises.</p>
	<p>(4) Quota of expatriates should be approved by national authorities.</p>	<p>(4) Certain restrictions on transactions relating to foreign exchange, income and alien employed regulations.</p>
	<p>Public relation businesses related to tourism, travel agencies, taxi service and car-hire services, commercial transportation of passengers by land are entirely reserved for Ghanaian citizens.</p>	

Sector/Sub-sector	Limitations and Conditions on Market Access	Conditions and Qualifications on National Treatment
<b><u>Construction and related engineering services industries*</u></b>		
General construction work for buildings†	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) Unbound</li> <li>(3) Subject to approval by national authorities: Such approval may be given for activities in <ul style="list-style-type: none"> <li>(a) Real estate development</li> <li>(b) any other activity in the construction and building industries as may be prescribed from time to time</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(1) Unbound</li> <li>(2) Unbound</li> <li>(3) Certain restrictions on transactions relating to foreign exchange, income and investment regulations.</li> </ul>
Estate agencies, public relation business, construction for buildings, lightorage services, manufacturing of cement blocks	<p>Business representation for foreign companies is reserved for Ghanaian enterprises unless enterprises have an employed capital of not less than US\$ 500,000.</p> <p>Quota of expatriates should be approved by national authorities.</p> <p>Public relation businesses related to general construction for buildings, lightorage services, manufacturing of cement blocks, estate agencies, are entirely reserved for Ghanaian nationals.</p>	<ul style="list-style-type: none"> <li>(4) Certain restrictions on transactions relating to foreign exchange, income and alien regulations.</li> </ul>
	*The definition adopted also includes maintenance and repair equipment services in construction but excludes retail or wholesale trade of equipment and parts.	

Sector/Sub-sector	Limitations and Conditions on Market Access	Conditions and Qualifications on National Treatment
<b><u>Construction and related engineering services*</u></b>		
General construction work for civil engineering	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Subject to approval by national authorities:</p> <p>Such approval may be given to activities relating to:</p> <ul style="list-style-type: none"> <li>(a) Real estate development</li> <li>(b) Road construction</li> <li>(c) Any other activity in the construction and building industries as may from time to time be prescribed</li> </ul> <p>Estate agencies, public relation business to general construction for buildings, lightorage services, manufacturing of cement blocks are entirely reserved for Ghanaian enterprises.</p> <p>Business representation for foreign companies is reserved for Ghanaian enterprises unless the enterprises have an employed capital of not less than US\$ 500,000.</p> <p>(4) Quota of expatriates should be approved by national authorities.</p> <p>Public relation businesses related to general construction for buildings, lightorage services, manufacturing of cement blocks, estate agencies, are entirely reserved for Ghanaian nationals.</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) Certain restrictions in transactions relating to foreign exchange, income and investment.</p> <p>(4) Certain restrictions on transactions relating to foreign exchange, income and alien regulations.</p>
(1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Movement of personnel		

\*The definition adopted also includes maintenance and repair equipment services in construction but excludes retail or wholesale trade of equipment.

Sector/Sub-sector	Limitations and Conditions on Market Access	Conditions and Qualifications on National Treatment
<b><u>Construction and related engineering services*</u></b>		
<b>Installation and assembly work†</b>		
	(1) Unbound	(1) Unbound
	(2) Unbound	(2) Unbound
	(3) Subject to approval by national authorities:	(3) Certain restrictions on transactions relating to exchange, income and investment regulations.
	Such approval may be given to activities relating to:	
	(a) Real estate development	
	(b) Road construction	
	(c) Any other activity in the construction and building industries as may from time to time be prescribed	
	Estate agencies, public relation business to general construction for buildings, lightorage services, manufacturing of cement blocks are entirely reserved for Ghanaian enterprises.	
	Business representation for foreign companies is reserved for Ghanaian enterprises unless the enterprises have an employed capital of not less than US\$ 500,000.	
	(4) Quotas of expatriates should be approved by national authorities.	(4) Certain restrictions on transactions relating to foreign exchange, income and alien regulations.
	Public relation businesses related to general construction for buildings, lightorage services, manufacturing of cement blocks, estate agencies, are entirely reserved for Ghanaian nationals.	

\*The definition adopted also includes maintenance and repair equipment services in construction work but excludes retail or wholesale trade of equipment including parts.

Sector/Sub-sector	Limitations and Conditions on Market Access	Conditions and Qualifications on National Treatment			
		(1) Unbound	(2) Unbound	(3) Requires Ministerial supervision and inspection.	(4) Unbound
<u>Education</u> Secondary and specialist education services		(1) Unbound	(2) Unbound	(3) Requires enterprise approval as provided for under the Ghana Investment Code.	(4) Requires expatriate quota approval.