

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

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COMMUNICATION FROM MAURITIUS

Conditional Offer of Mauritius Concerning
Initial Commitments on Trade in Services

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

Introduction

Mauritius submits its offer of initial commitments on Trade in Services for negotiations under the Uruguay Round of Multilateral Trade Negotiations.

The offer is based on the draft defining the General Agreement on Trade in Services (GATS).

Mauritius is a free market economy committed to the progressive liberalization of trade. Having moved from a predominantly agricultural economy to a developing industrial one, Mauritius is now determined to develop and consolidate its service sector viz. tourism, telecommunications, off-shore banking and free-port in order to promote world trade for the benefit of all parties concerned.

Mauritius reserves the right to modify, extend, amend or withdraw this offer at any time prior to the conclusion of the General Agreement on Trade in Services. The schedule of commitments under horizontal measures and sectoral measures are as shown below.

A. Horizontal Measures

1. Cross-border supply

In this mode of delivery the relevant provisions of Customs, Post and Telecommunications will be applied.

2. Movement of consumers

Mauritius does not impose restrictions on its nationals to travel abroad for the consumption of services. The traveller's allowances have been liberalised.

3. Commercial presence

Foreign companies or entities who intend to establish business in Mauritius must comply with the relevant provisions of Mauritian laws and regulations viz. Companies Act (1984).

Ownership of assets is governed by the Non-Citizens Property Restrictions Act (1975).

Foreign investment is subject to authorization being obtained from the Prime Minister's Office. Financial dealings are governed by policies of the Bank of Mauritius and the Ministry of Finance. In general foreigners are allowed to invest in the country and provide services subject to necessary clearances being obtained from the relevant authorities.

4. Movement of personnel

No foreign natural person is allowed entry into or exit from Mauritius without the necessary travel document such as Passport (Passport Act, 1969). Temporary entry, visa and residence permit are regulated by the Immigration Laws of Mauritius (Immigration Act 1973).

A foreign natural person requires a valid work permit if he will engage in any occupation in Mauritius or if he will be employed in Mauritius (the Non-Citizens [Employment Restriction] Act, 1970).

B. Sectoral Annexes of Specific Commitments in Service Trade

The following terms have been used to indicate the level of commitments in specific sectors and sub-sectors as indicated in the Annex:

- "None" means that Mauritius does not impose any restrictions or conditions or qualifications with respect to market access, or national treatment for a given mode of delivery.
- "Bound" means that Mauritius undertakes a commitment not to become more restrictive or more inconsistent with market access and national treatment provided for in the measures set out in the schedule of offers.
- "Unbound" means that Mauritius is not making any commitment regarding market access or national treatment in respect of a given mode of delivery for a given service/sub-sector.

See attached herewith Annexes on Initial Commitments on Trade in Services by Mauritius in the sectors of:

- I. Tourism
- II. Telecommunications

URUGUAY ROUND OF MULTILATERAL TRADE NEGOTIATIONS

Annex I

INITIAL COMMITMENTS ON TRADE IN SERVICES BY MAURITIUS

- Modes of Delivery:
1. Cross-border supply
 2. Movement of consumers
 3. Commercial presence
 4. Movement of personnel

Sector/Sub-Sector	Mode of Delivery	Limitations on Market Access	Limitations on National Treatment
<u>TOURISM</u> (1) Hotel operators	1.	Bound	Bound
	2.	None	None
	3.	Bound: (i) licence requirement (ii) incentives under Hotel Development Certificate (iii) foreign participation in hotels with more than 100 rooms capacity allowed	Bound (to be staffed predominantly by Mauritians)
	4.	Bound (limited to qualified personnel)	Bound (work permit requirement)
(2) Restaurant Operators	1.	Bound	Bound
	2.	None	None
	3.	Bound (i) licence requirement (ii) the project must not be less than RS 10 million (iii) incentives under Hotel Development Certificate	Bound (to be staffed predominantly by Mauritians)
	4.	Bound (limited to qualified personnel and qualified cooks)	Bound

Modes of Delivery: 1. Cross-border supply
3. Commercial presence
2. Movement of consumers
4. Movement of personnel

Sector/Sub-Sector	Mode of Delivery	Limitations on Market Access	Limitations on National Treatment
(3) Travel Agencies	1.	Bound (travel agencies established outside Mauritius must work through an agency established in Mauritius)	Bound
	2.	None	None
	3.	Bound (requires bank guarantee and licence)	Bound
	4.	Bound (limited to supervisory staff)	Bound
(4) Tour Operators	1.	Bound	Bound
	2.	None	None
	3.	Bound (permit requirement)	Bound
	4.	Bound (limited to specialists)	Bound
(5) Tourist Guide Services	1.	Bound	Bound
	2.	None	None
	3.	Bound	Bound
	4.	Bound	Bound
(6) Tourist Transport Operation (car rental)	1.	Bound	Bound
	2.	None	None
	3.	Bound	Bound (subject to National Transport Authority Regulations)
	4.	Bound	Bound

Modes of Delivery: 1. Cross-border supply 2. Movement of consumers
3. Commercial presence 4. Movement of personnel

Sector/Sub-Sector	Mode of Delivery	Limitations on Market Access	Limitations on National Treatment
(7) Yacht Chartering & Cruising Services	1.	Bound (national security regulations)	Bound
	2.	None	None
	3.	Bound (regulated by the Yacht Chartering Regulations of 1993)	Bound
	4.	Bound	Bound
(8) Tourist Duty-Free Shops	1.	Bound	Bound
	2.	None	None
	3.	Bound: (a) requires an Export Service Certificate (b) foreign participation limited to 30%	Bound: (i) to operate under customs supervision (ii) transaction in foreign currency with tourist customers only
	4.	Bound	Bound

Modes of Delivery: 1. Cross-border supply 2. Movement of consumers
3. Commercial presence 4. Movement of personnel

Sector/Sub-Sector	Mode of Delivery	Limitations on Market Access	Limitations on National Treatment
<u>TELECOMMUNICATIONS</u> (1) Telephone & Facsimile	1.	None	None
	2.	None	None
	3.	Bound (licensing requirements)*	Bound (Non-Citizen Property Restriction Act)
	4.	Bound (in accordance with immigration laws)	Bound (Non-Citizen Employment Restrictions Act)
(2) Telex	1.	None	None
	2.	None	None
	3.	Bound (licensing requirements)*	Bound (Non-Citizen Property Restriction Act)
	4.	Bound (in accordance with immigration laws)	Bound (Non-Citizen Employment Restrictions Act)
(3) Leased-Circuits Data Transmission	1.	None	None
	2.	None	None
	3.	Bound (licensing requirements)*	Bound (Non-Citizen Property Restriction Act)

*The licence is issued by the Mauritius Telecommunications Authority. The Network belongs to Mauritius Telecom (a private company).

Modes of Delivery: 1. Cross-border supply 2. Movement of consumers
3. Commercial presence 4. Movement of personnel

Sector/Sub-Sector	Mode of Delivery	Limitations on Market Access	Limitations on National Treatment
	4.	Bound (in accordance with immigration laws)	Bound (Non-Citizens Employment Restrictions Act)
(4) Packet-Switching Data Transmission	1.	None	None
	2.	None	None
	3.	Bound (licensing requirements)*	Bound (Non-Citizen Property Restrictions Act)
	4.	Bound (in accordance with immigration laws)	Bound (Non-Citizens Employment Restrictions Act)
(5) Telegraphy	1.	None	None
	2.	None	None
	3.	Bound (licensing requirements)*	Bound (Non-Citizen Property Restriction Act)
	4.	Bound (in accordance with immigration laws)	Bound
(6) Radio Maritime	1.	None	None
	2.	None	None
	3.	Bound (licensing requirements)*	Bound (Non-Citizen Property Restriction Act)

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- Modes of Delivery:
- 1. Cross-border supply
 - 2. Movement of consumers
 - 3. Commercial presence
 - 4. Movement of personnel

Sector/Sub-Sector	Mode of Delivery	Limitations on Market Access	Limitations on National Treatment
	4.	Bound (in accordance with immigration laws)	Bound (Non-Citizens Employment Restrictions Act)