

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

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Group of Negotiations on Services

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COMMUNICATION FROM BENIN

**Draft Schedule of Initial Commitments of the Republic of Benin
in the Negotiations on Services**

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

This offer constitutes the contribution of Benin to the negotiations on initial commitments concerning services.

The sectors or sub-sectors mentioned in this schedule are classified according to the criteria in document MTN.GNS/W/120.

Within the context of the restructuring programme aimed at revitalizing the national economy, trade and industry have been liberalized as fully as possible, with due respect for the principle of national treatment.

Thus, since 1990, Benin has been able to offer very liberal trading conditions and an economic environment favourable to investors.

The accompanying offer bears ample witness to this. It is, however, conditional, and Benin reserves the right to supplement, modify or withdraw it entirely or partially, depending on developments in the negotiations on initial commitments and observance of the principle of special and differential treatment of developing countries, as stipulated in Part B of the Punta del Este Ministerial Declaration on the Uruguay Round Negotiations.

HORIZONTAL MEASURES

These commitments are subject to the general laws and regulations concerning trade in services, including those relating to the establishment and operation of enterprises, immigration, working conditions, work permits, exchange controls, direct investment, land purchase, public health and hygiene, social welfare and public order.

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

Sector/sub-sector	Mode of delivery	Limitations on market access	Limitations on national treatment
7. FINANCIAL SERVICES			
B. Banking and other financial services			
(a) Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)	<p>1</p> <p>2</p> <p>3</p> <p>4</p>	<p>Not bound</p> <p>None</p> <p>To engage in banking activities it is necessary to have the approval of the Minister of Finance. Law No. 90-018 of 27 July 1990 on the regulation of banking.</p> <p>In accordance with the labour legislation in force in Benin.</p>	<p>Not bound</p> <p>None</p> <p>None</p> <p>Not bound</p>
(b) Lending of all types (CPC 8113)	1	Residents may take out loans abroad after first obtaining authorization from the Minister of Finance in conformity with the exchange control regulations for loans of more than CFAF 50 million.	Not bound

Sector/sub-sector	Mode of delivery	Limitations on market access	Limitations on national treatment
(b) Lending of all types (cont'd) (CPC 8113)	2	Residents may take out loans abroad after first obtaining authorization from the Minister of Finance in conformity with the exchange control regulations for loans of more than CFAF 50 million.	Not bound
	3	Not bound	Not bound
	4	Not bound	None
(d) All payment and money transmission services (CPC 81339)	1	Not bound	Not bound
	2	Not bound	Not bound
	3	In addition to approval as a bank, approval as an intermediary is also required.	None
	4	In conformity with the exchange control legislation.	Not bound

Sector/sub-sector	Mode of delivery	Limitations on market access	Limitations on national treatment
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and restaurants (CPC 641-643)			
(a) Lodging services			
- Hotels	1	Not bound	Not bound
- Motels	2	None, but manager must have hotel management qualifications.	None
- Holiday villages	3	None	None
- Inns	4	None. Nevertheless must conform to immigration and labour code legislation	None
- Hydrotherapy centres (spas)			
(b) Restaurants			
	1	Not bound	Not bound
	2	None	None
	3	None	None
	4	In accordance with immigration and labour code legislation	None

Sector/sub-sector	Mode of delivery	Limitations on market access	Limitations on national treatment
(c) Travel agencies and tour operators services (CPC 7471)	1	Agencies established outside Benin must work through a Benin agency or a foreign agency established in Benin. The aim of this provision is to guarantee greater co-operation between Benin and foreign agencies while ensuring that customers receive quality service.	None
	2	None	None
	3	Licence granted to promoters satisfying the criteria of probity and professionalism laid down by the regulations in force in Benin.	None
	4	In accordance with the immigration and labour code legislation.	Not bound
(d) Conference centres (CPC 87909)	1	Not bound	Not bound
	2	None	None
	3	None	None
	4	In accordance with the immigration and labour code legislation.	Not bound

Sector/sub-sector	Mode of delivery	Limitations on market access	Limitations on national treatment
11. A. MARITIME TRANSPORT			
(a) Passenger transportation (CPC 7211)	1	None	None
(b) Freight transportation (CPC 7212)		Forty per cent of maritime traffic and 50 per cent of cross-trade, i.e. 10 per cent of maritime trade, or in total 50 per cent of maritime traffic reserved for national shipping companies.	None. In fact, the rates and the quality of the services offered by national shipping companies must conform to the conditions offered by foreign ship owners.
(c) Rental of vessels with crew (CPC 7213)	2	None	None
	3	None	In accordance with the regulations on the practice of the profession of ocean carrier.
	4		In accordance with the immigration legislation.
4. SERVICES AUXILIARY TO MARITIME TRANSPORT			
Cargo-handling services (CPC 741)	1	In accordance with national legislation in force	In accordance with national legislation in force
	2	None	None

Sector/sub-sector	Mode of delivery	Limitations on market access	Limitations on national treatment
Cargo-handling services (cont'd) (CPC 741)	3	In accordance with national legislation in force	In accordance with national legislation in force
	4	In accordance with national immigration legislation	Not bound
Storage and warehouse services (CPC 742)	1	In accordance with national legislation in force	In accordance with national legislation in force
	2	None	None
	3	In accordance with national legislation in force	In accordance with national legislation in force
	4	In accordance with national immigration legislation	Not bound
Customs brokerage services (CPC 749)	1	None	None
	2	None	None
	3	None	None
	4	In accordance with national immigration legislation	Not bound

Sector/sub-sector	Mode of delivery	Limitations on market access	Limitations on national treatment
Container stuffing and destuffing services (CPC 741)	1	In accordance with the national legislation in force	In accordance with the national legislation in force
	2	None	None
	3	In accordance with the national legislation in force	In accordance with the national legislation in force
	4	In accordance with the national immigration legislation	Not bound
Freight transport agency services (CPC 748)	1	None	None
	2	None	None
	3	None	None
	4	In accordance with the national immigration legislation	Not bound
Forwarding agency services (CPC 749)	1	None	None
	2	None	None
	3	None	None
	4	In accordance with the national immigration legislation	Not bound