

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED

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Group of Negotiations on Services

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COMMUNICATION FROM SENEGAL

Conditional Offer of Senegal Concerning
Initial Commitments

Revision

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

By submitting this revised and significantly improved offer, the Government of the Republic of Senegal wishes to highlight its interest in the Uruguay Round and at the same time demonstrate its desire to make an active contribution to a rapid conclusion of the negotiations.

This offer remains subject to a satisfactory outcome of the negotiations aimed at establishing a General Agreement on Trade in Services and the obtention of balanced global results in the Uruguay Round negotiations.

For Senegal, this implies the adoption of an agreement on trade in services, including sectoral measures, in the context of a package of balanced results catering to the interests of all developing countries while also giving Senegal good possibilities for exporting services and benefiting from an inflow of investment and a real transfer of technology.

In submitting this revised and improved offer, Senegal reaffirms its attachment to the principle of progressive liberalization of trade in services, taking due account of the level of development of each participant, and particularly of the developing countries and of the least developed countries, above all, having regard to the principle of special and differential treatment.

This offer by Senegal is naturally subordinated to the national legislation and regulations in force in the sectors concerned.

This revised and improved offer remains, of course, conditional and may be revised once again, modified or withdrawn in whole or in part at any time until the end of the negotiations as the situation develops.

HORIZONTAL MEASURES

For information, the following are the main laws containing horizontal measures:

- Law No. 65-51 of 19 July 1965 establishing the Code of Obligations of the Administration;
- Law No. 65-25 of 4 March 1965 on prices and infringements of legislation on economic matters, as amended;
- Law No. 85-40 enacting the fourth part of the Code of Civil and Commercial Obligations (Commercial Companies);
- Law No. 69-34 of 15 June 1951 establishing a Labour Code;
- Law No. 64-46 of 17 June 1964 concerning the National Domain;
- Law No. 61-10 of 7 March 1961 governing Senegalese nationality.

<u>SECTORAL MEASURES</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
<u>Sectoral measures</u>		
	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
1. A <u>Professional services</u>		
d. Architectural services (CPC: 8671)	(1) Not bound (2) No limitation (3) Not bound (4) Not bound	No limitation, without prejudice to measures contained in the Town Planning Code.
h. Medical and dental services (CPC: 9312)	(1) Not bound (2) No limitation (3) Authorization required (4) Not bound	No limitation, without prejudice to the measures establishing the Code of Medical Ethics.

Sectoral measures

Limitations on market access

- 1 - Cross-border supply
- 2 - Movement of consumers
- 3 - Commercial presence
- 4 - Movement of personnel

Limitations on national treatment

- 1 - Gross-border supply
- 2 - Movement of consumers
- 3 - Commercial presence
- 4 - Movement of personnel

1. E Rental/leasing services without operators

a. Rental/leasing services relating to ships
(CPC: 83103)

Limitations on national treatment

- 1 - Cross-border supply
- 2 - Movement of consumers
- 3 - Commercial presence
- 4 - Movement of personnel

Limitations on market access

- 1 - Cross-border supply
 - (1) No limitation
 - (2) No limitation
 - (3) Approval required, and conditional upon OCP-E being a shareholder
 - (4) Not bound
- 2. Communication services
 - A. Postal services (CPC: 7511)
 - (1) No limitation
 - (2) No limitation
 - (3) Approval required, and conditional upon OCP-E being a shareholder
 - (4) Not bound
 - B. Courier services (CPC: 7512)
 - (1) No limitation
 - (2) No limitation
 - (3) Approval required, and conditional upon OCP-E being a shareholder
 - (4) Not bound

<u>Sectoral measures</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
C. Telecommunication services		Authorization required
Circuit-switched voice telephone services (CPC: 7521)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Leased-line voice telephone services (including by satellite) (CPC: 7522, 7523)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Mobile radio telephone services	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Circuit-switched data transmission services (CPC: 7523)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Leased-line data transmission services (including by satellite) (CPC: 7523)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required

<u>Sectoral measures</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
		1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
Circuit-switched telex (CPC: 7523)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Telegraph services (CPC: 7522)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Coastal links	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Two-way earth station (CPC: 7521, 7522, 7523)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required

<u>Sectoral measures</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
		1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
One-way earth station (other than FVR0) (CPC: 7521, 7522, 7523)	(1) Not bound (2) Not bound (3) Only public network licensee (4) Not bound	Authorization required
Electronic mail (CPC: 7523)	(1) By public network leased line (2) No limitation (3) Establishment required (4) Not bound	Prior Government approval: limit on operators; access fees to be paid to the public network licensee
Electronic mail with automatic translation (CPC: 7523)	(1) By public network leased line (2) No limitation (3) Establishment required (4) Not bound	Prior Government approval: limit on operators; access fees to be paid to the public network licensee
One-way paging system services (CPC: 7523)	(1) Not bound (2) Not bound (3) Establishment required (4) Not bound	Licence required: limit on operators; no commitment on national treatment
Protocol conversion	(1) No limitation (2) No limitation (3) No limitation (4) Not bound	No limitation

<u>Sectoral measures</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
Speed conversion	(1) No limitation (2) No limitation (3) No limitation (4) Not bound	No limitation
Video-conferencing services	(1) Use of the transmission media public franchise holder (2) No limitation (3) Establishment required (4) Not bound	Authorization required
Audiographic tele-conferencing services (CPC: 7523)	(1) Use of the transmission media public franchise holder (2) No limitation (3) Establishment required (4) Not bound	Authorization required
Telephone centres ("teleboutique") (CPC: 7521, 7522, 7523)	(1) Exclusively through the switched public network (2) No limitation (3) Establishment required (4) Not bound	Authorization required; security required

<u>Sectoral measures</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
Telex traffic switching (CPC: 7523)	(1) Through the telex switched public network (2) No limitation (3) Establishment required (4) Not bound	Authorization required
Sale of terminals	(1) Approved terminals (2) No limitation (3) No limitation (4) Not bound	Terminals must be approved
Communication system engineering services (CPC: 8672)	(1) No limitation (2) No limitation (3) No limitation (4) Not bound	No limitation
TVRO Antennas	(1) No limitation (2) No limitation (3) No limitation (4) Not bound	Authorization of public licensee required

<u>Sectoral measures</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
4. <u>Distribution services</u>		
B. Wholesale trade services (CPC: 622)	(1) No limitation (2) No limitation (3) No limitation (4) Not bound	No limitation, without prejudice to the laws and regulations under horizontal measures
C. Retailing services (CPC: 621, 632)	(1) No limitation (2) No limitation (3) Not bound (4) Not bound	No limitation, without prejudice to the laws and regulations under horizontal measures

Limitations on national treatment

- 1 - Cross-border supply
 2 - Movement of consumers
 3 - Commercial presence
 4 - Movement of personnel

- 1 - Cross-border supply
 2 - Movement of consumers
 3 - Commercial presence
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Limitations on market access

- 1 - Cross-border supply
 2 - Movement of consumers
 3 - Commercial presence
 4 - Movement of personnel

- 1 - Cross-border supply
 2 - Movement of consumers
 3 - Commercial presence
 4 - Movement of personnel

Sectoral measures9. Tourism and travel-related services

A. Hotels, camping sites and other commercial accommodation
 (CPC: 641)

- (1) No limitation
 (2) No limitation
 (3) Licence required
 (4) Not bound

Restaurants, bars and canteens
 (CPC: 643)

- (1) No limitation
 (2) No limitation
 (3) Licence required
 (4) Not bound

B. Travel agencies, tour operators and guides
 (CPC: 7471)

- (1) No limitation
 (2) No limitation
 (3) Licence required
 (4) Not bound

- No limitation, without prejudice to the laws and regulations governing the activities of travel tourism agencies.

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<u>Sectoral measures</u>	<u>Limitations on market access</u>	<u>Limitations on national treatment</u>
	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel	1 - Cross-border supply 2 - Movement of consumers 3 - Commercial presence 4 - Movement of personnel
10. Recreational, cultural and sporting services		
D. Recreational fishing (CPC: ex 964)	(1) Not bound (2) No limitation (3) Licence required (4) Not bound	No limitation, without prejudice to the laws and regulations governing the activities of travel tourism agencies.
E. Other services		
Gambling and betting services	(1) Not bound (2) No limitation (3) "Lonase" exclusive franchise holder (4) Not bound	No limitation, without prejudice to the laws and regulations governing gambling and betting establishments and the national lottery.

Limitations on national treatment

- | | |
|---------------------------|---------------------------|
| 1 - Cross-border supply | 1 - Cross-border supply |
| 2 - Movement of consumers | 2 - Movement of consumers |
| 3 - Commercial presence | 3 - Commercial presence |
| 4 - Movement of personnel | 4 - Movement of personnel |

Limitations on market access

- 1 - Cross-border supply
- 2 - Movement of consumers
- 3 - Commercial presence
- 4 - Movement of personnel

Sectoral measures11.A. Supporting services for maritime transport

Supporting services for maritime transport
(CPC: 745)

- consignment services
 - handling
 - forwarding services
 - shiphandlers' services

No limitation, without prejudice to the laws and regulations specifically under the Merchant Marine Code and the Agreement for the Establishment of the Autonomous Port of Dakar.

- (1) Not bound
- (2) No limitation
- (3) No limitation
- (4) Not bound