

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

**RESTRICTED**  
**MTN.GNS/W/204**  
10 December 1993  
Special Distribution  
(UR-93-0207)

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Group of Negotiations on Services

Original: English

**COMMUNICATION FROM ST. LUCIA**

**Conditional Offer of St. Lucia Concerning  
Initial Commitments on Trade in Services**

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

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This offer is conditional upon a satisfactory conclusion of the Uruguay Round Negotiations, providing in particular, adequate special and differential treatment for developing countries including St. Lucia, and in this context the adoption of a General Agreement on Trade in Services (GATS) and its Annexes.

The submission of this offer reflects St. Lucia's Commitment to contribute to the objectives of the Uruguay Round to the fullest extent consistent with its development and financial and trade needs.

The commitments shall be subject to all laws and regulations of general application affecting trade in services including those relating to the incorporation and operation of companies, immigration, conditions of work, work permits, exchange regulations, foreign investment and acquisition of land, public health and hygiene, social welfare and public order.

The offer applies solely to the services mentioned and to the extent specified in each case.

It is understood that this offer is purely conditional and is subject to revision, modification, refinement and withdrawal.

**Explanatory Notes**

In all modes of delivery the supply of services shall be governed by the respective laws of St. Lucia and regulations and measures in existence at the national level.

For the purpose of this offer the modes of supply included in the offer are defined as follows:

1. Cross-border supply

A service is supplied within St. Lucia, from the territory of another party.

2. Consumption abroad

A service is delivered outside St. Lucia, in the territory of another Member, to a consumer from St. Lucia.

3. Presence of juridical persons

The service is delivered within St. Lucia, through the commercial presence of the service supplier.

4. Presence of natural persons

The service is supplied within St. Lucia, through the presence of natural persons as the service supplier.

Explanatory Notes for Terms Used

**No Limitations**

This means that no limitations, conditions, or qualifications other than those mentioned under horizontal measures will be imposed with respect to Market Treatment.

**Not Applicable**

This means that St. Lucia does not recognise a specific mode of delivery for the particular service.

Horizontal Limitations on Market Access and National Treatment

1. Cross-border supply

Services which may negatively affect St. Lucia may be subject to restrictions for reasons such as security, health, environment or other regulatory purposes.

2. Presence of juridical persons

Commercial presence requires that foreign service providers incorporate or establish the business locally in accordance with the requirements of St. Lucia's Commercial Code, and where so required, be subject to relevant Acts pertaining to property acquisition, lease and rental and any operating condition that may be the subject of existing laws and regulations. Some of these are as follows:

1. The Exchange Control Act which requires St. Lucia's Ministry of Finance to regulate all Foreign Exchange Transactions.
2. Withholding Tax. Foreign Investment enterprises in St. Lucia are subject to the Withholding Tax Provisions of the Income Tax Ordinance.

3. Registration of Juridical Presence. St. Lucia's commercial code requires that all companies be registered.
4. Insurance Act. Only corporate entities are allowed to conduct insurance business in St. Lucia. All such entities must first be registered by the Registrar of Insurance.
5. Aliens Landholding. The Alien Landholding Act requires foreign companies and individuals wishing to hold property in St. Lucia to first obtain a licence in order to do so, within which conditions of purchase are detailed.

St. Lucia reserves a number of small business service opportunities for nationals. The room limitation on Hotel and Resort Development is within the context of this policy.

#### Presence of Natural Persons

The entry of all foreign natural persons to St. Lucia and their residence in St. Lucia is regulated by St. Lucia's immigration laws.

The employment of foreign natural persons is subject to Work Permit regulations. Issue of permits is normally confined to people with managerial and technical skills which are in short supply or not available in St. Lucia.

Professionals in certain disciplines may be required to register with the appropriate professional or governmental body. For example all medical practitioners must be registered under the Medical Registration Act in order to be permitted to legally practice in St. Lucia.

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

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>Health Related Services</b> Hospital Services	(1) No limitations (2) No limitations (3) Subject to Commercial Code, Exchange Controls Act, Alien Land holding laws. (4) Subject to Work Permit Laws, Immigration Regulations, Medical Registration and Certification, Medical Officers Ordinance.	(1) No limitations (2) No limitations (3) No limitations  (4) No limitations	

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Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>Tourism</b>			
Hotel and Resort Development	(1) Limited to development in excess of 100 rooms (2) No limitations (3) Subject to Commercial Code, Exchange Controls Act, Hotel Proprietors Act. (4) Limited to managerial and specialist levels, subject to Work Permit and Immigration Regulations.	(1) No limitations (2) No limitations (3) Subject to withholding tax  (4) No limitations	
<b>Recreational, Cultural and Sporting Services</b>			
Entertainment Services	(1) Limited by laws dealing with moral matters (2) No limitations (3) Subject to Commercial Code, Exchange Controls Act, Aliens Landholding Act (4) Subject to Work Permit and Immigration Regulations	(1) No limitations (2) No limitations (3) Subject to withholding tax  (4) No limitations.	

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Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Sporting Services	(1) No limitations (2) No limitations (3) Not applicable (4) Subject to Work Permit and Immigration Regulations	(1) No limitations (2) No limitations (3) Not applicable (4) No limitations	
<b>Maritime Transport Services</b>			
International Passenger and Freight Transportation Services	(1) No limitations (2) No limitations (3) Subject to Exchange Control Act, Commercial Code. (4) Subject to Work Permit and Immigration Regulations.	(1) No limitations (2) No limitations (3) Withholding Tax (4) No limitations	

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Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>Services Auxiliary to all Modes of Transport</b>			
Trans-shipment Services	(1) No limitations (2) No limitation (3) Subject to Commercial Code, Exchange Control Act, Aliens Landholding Act (4) Subject to Work Permit and Immigration Regulations	(1) No limitations (2) No limitations (3) Withholding Tax  (4) No limitations	
Free Zone Operations	(1) No limitations (2) No limitations (3) Subject to Commercial Code and Exchange Control Act (4) Subject to Work Permit and Immigration Regulations	(1) No limitations (2) No limitations (3) Withholding Tax  (4) No limitations	
<b>Financial Services</b>			
Reinsurance	(1) No limitations (2) No limitations (3) Subject to Insurance and Insurance Premium Acts, Commercial Code, Exchange Control Act (4) Subject to Work Permits and Immigration Regulations	(1) No limitations (2) No limitations (3) Withholding Tax  (4) No limitations	