

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED
MTN.GNS/W/200
13 December 1993
Special Distribution
(UR-93-0219)

Group of Negotiations on Services

Original: English

COMMUNICATION FROM ST. VINCENT AND THE GRENADINES

Conditional Offer of St. Vincent and the Grenadines
Concerning Initial Commitments on Trade in Services

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

St. Vincent presents below its preliminary offer concerning initial commitments on Trade in Services.

This offer is conditioned upon a satisfactory conclusion of the Uruguay Round negotiations, providing in particular, adequate special and differential treatment for developing countries including St. Vincent, 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. Vincent'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, 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. Vincent 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. Vincent from the territory of another party.
2. Consumption abroad. A service is delivered outside St. Vincent in the territory of another Member, to a consumer from St. Vincent.
3. Presence of juridical persons. The service is delivered within St. Vincent, through the commercial presence of the service supplier.
4. Presence of natural persons. The service is supplied within St. Vincent, 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. Vincent 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. Vincent 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. Vincent's Commercial Code, and where so required, be subject to relevant Acts pertaining to property acquisition lease and rental and any operating conditions that may be the subject of existing laws and regulations. Some of these are as follows:
 1. The Exchange Control Act which requires St. Vincent's Ministry of Finance to regulate all Foreign Exchange Transactions.
 2. Withholding Tax Foreign Investment enterprises in St. Vincent are subject to the Withholding Tax Provision of the Income Tax Ordinance.
 3. Registration of Juridical Presence. St. Vincent's commercial code requires that all companies be registered.
 4. Insurance Act. Only corporate entities are allowed to conduct insurance business in St. Vincent. All such entities must first be registered by the Registrar of Insurance.
 5. Aliens Landholding. The Alien Land Holding Act requires foreign companies and individual wishing to hold property in St. Vincent to first obtain a licence in order to do so within which conditions of purchases are detailed.

Presence of Natural Persons

The entry of all foreign natural persons to St. Vincent and their residence in St. Vincent is regulated by St. Vincent'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. Vincent.

Professionals in certain disciplines may be required to register with the appropriate professionals 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. Vincent.

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

Sector or Sub-Sector	Limitations of Market Access	Limitations on National Treatment	Additional Commitments
HEALTH RELATED SERVICES			
Hospital Services	<ul style="list-style-type: none"> (1) No limitations (2) No limitations (3) Subject to Commercial Code, Exchange Controls Act, Alien Land holding laws (4) Subject to Work Permit Laws 	<ul style="list-style-type: none"> (1) No limitations (2) No limitations (3) No limitations (4) No limitations 	
TOURISM			
Hotel and Resort Development	<ul style="list-style-type: none"> (1) No limitations (2) No limitations (3) Subject to Commercial Code, Exchange Controls Act, Hotels Proprietor Act (4) Limited to managerial and specialist levels, subject to Work Permit and Immigration Regulations. 	<ul style="list-style-type: none"> (1) No limitations (2) No limitations (3) Subject to withholding tax (4) No limitations 	

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

Sector or Sub-Sector	Limitations of Market Access	Limitations on National Treatment	Additional Commitments
RECREATIONAL, CULTURAL AND SPORTING SERVICES			
Entertainment Services	<ul style="list-style-type: none"> (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 Regulation 	<ul style="list-style-type: none"> (1) No limitations (2) No limitations (3) Subject to Withholding Tax (4) No limitations 	
Sporting Services	<ul style="list-style-type: none"> (1) No limitations (2) No limitations (3) Not applicable (4) Subject to Work Permit and Immigration Regulations 	<ul style="list-style-type: none"> (1) No limitations (2) No limitations (3) Not applicable (4) No limitations 	

Sector or Sub-Sector	Limitations of Market Access	Limitations on National Treatment	Additional Commitments
MARITIME TRANSPORT SERVICES			
International Passenger & Freight Transportation Services	(1) No limitations (2) No limitations (3) Subject to Exchange Control Act, Commercial Code (4) Subject to Work Permit & Immigration Regulations	(1) No limitations (2) No limitations (3) Withholding Tax (4) No limitations	
SERVICES AUXILIARY TO ALL MODES OF TRANSPORT			
Transshipment Services	(1) No limitations (2) No limitations (3) Subject to Commercial Codes and Exchange Control 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 Codes and Exchange Control Act (4) Subject to Work Permit and Immigration Regulations	(1) No limitations (2) No limitations (3) Withholding Tax (4) No limitations	

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

Sector or Sub-Sector	Limitations of Market Access	Limitations on National Treatment	Additional Commitments
FINANCIAL SERVICES			
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	