



SADC TRADE IN SERVICES

BUSINESS GUIDE 2020



SADC SECRETARIAT

Things are about to get
REALLY exciting for SADC
service providers hey



Are you a service provider intending
to trade in the SADC region?



Do you know your rights and
obligations under the SADC Protocol
on Trade in Services?



What are the trade opportunities
from the first round of SADC services
negotiations?

WHY? WHERE? HOW?
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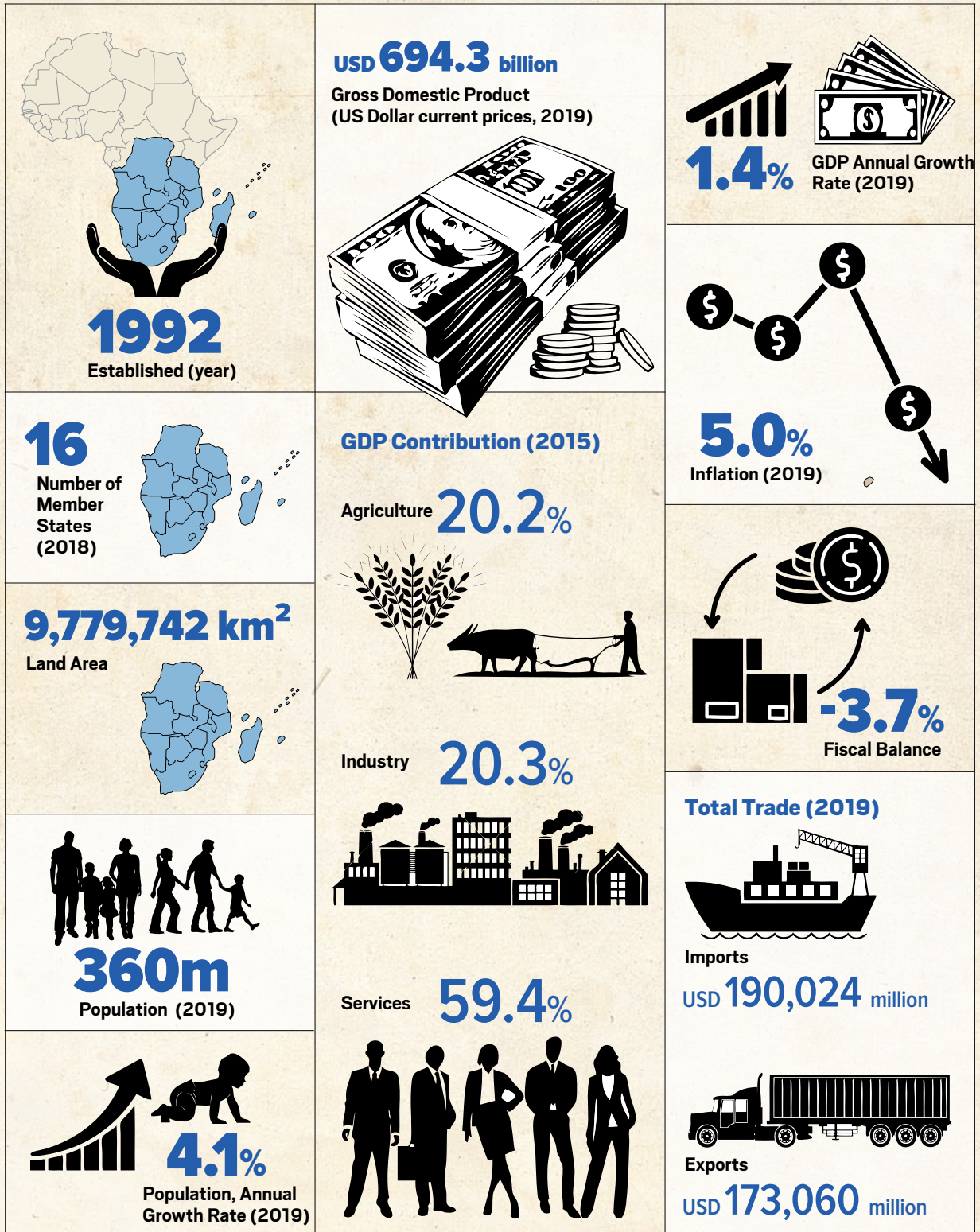
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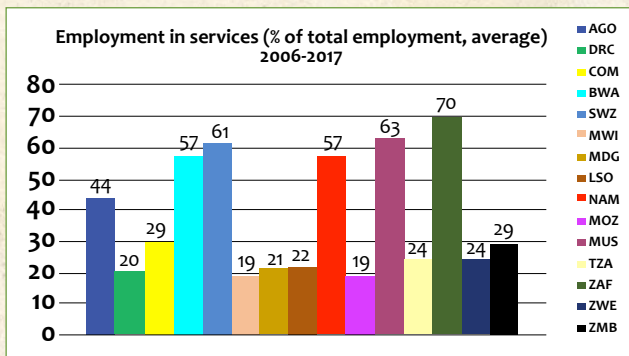
FACTS & FIGURES

SADC at a glance

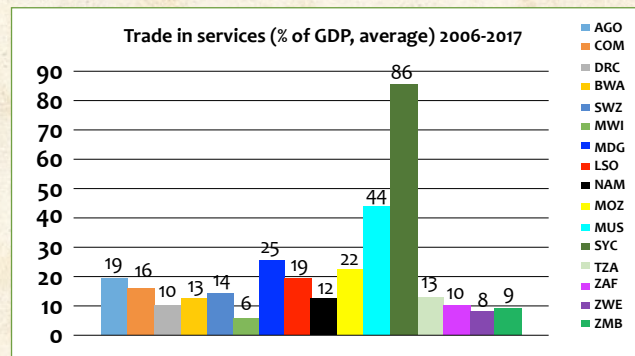


Source: SADC Secretariat 2019

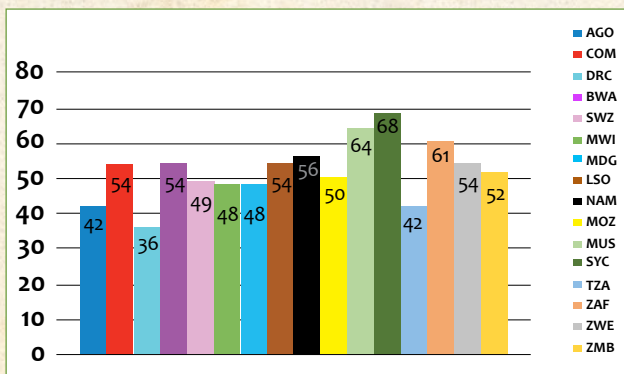
Role of Trade in Services in SADC



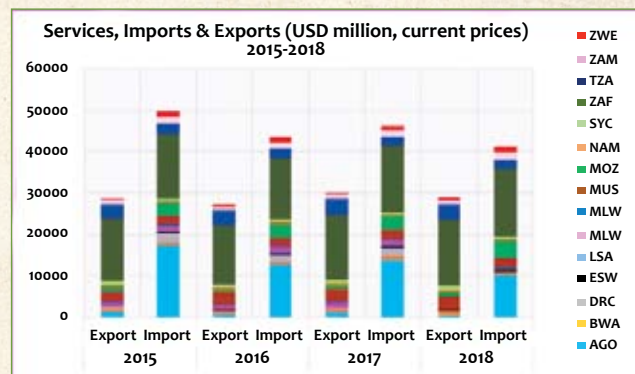
Source: World Development Indicators (WDI) database



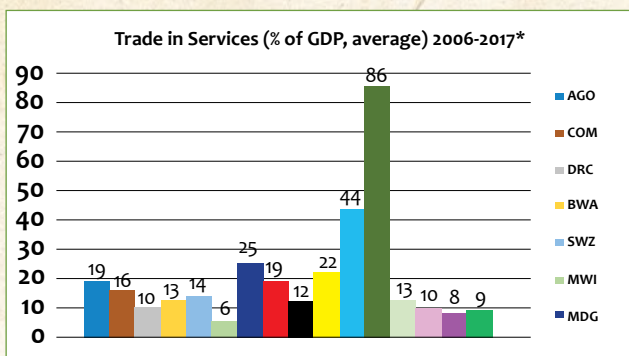
Source: WDI database



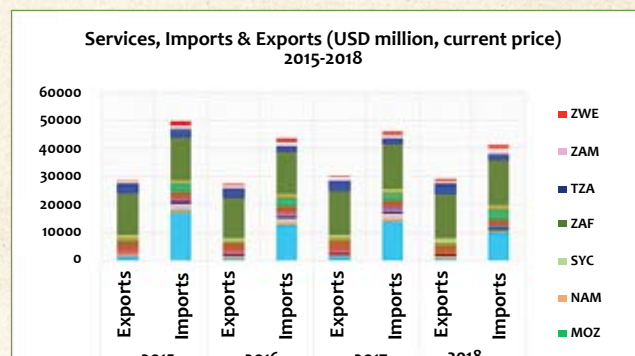
Source: WDI database



Source: UNCTADStats database



Source: World Bank Development Indicators database



Source: UNCTADStats



FOREWORD

The main focus of the Southern African Development Community (SADC) is regional economic integration, unlike its forerunner, SADCC, which largely focused on the political and economic liberation of southern African countries. The SADC Treaty 1992 (amended in 2001, 2008, 2009 and 2011, consolidated in 2015) considers regional integration as a means to achieve sustainable and equitable economic growth and socio-economic development among the people of southern Africa. Article 5(2)(d) of the Treaty provides for progressive elimination of the obstacles to the free movement of capital and labour, goods and services, and people between SADC Member States and across the region. The areas of cooperation listed in Article 21 of the Treaty are namely: food security, land and agriculture; infrastructure and services; trade, industry, finance, investment and mining; social and human development, and special programmes, science and technology; natural resources and environment; social welfare, information and culture; and politics, diplomacy, international relations, peace and security. Article 22 provides for the conclusion of protocols, as may be necessary, in each of the cooperation areas spelling out the objectives and scope of cooperation and integration, as well as the institutional mechanism to achieve this.

In this regard, SADC Member States adopted the Protocol on Trade in Services in 2012. In simple terms, the Protocol aims at the gradual removal of restrictions which presently curtail professionals and companies alike from engaging in the provision of services across any of the Member States (as long as a state has adopted the Protocol). This gradual removal of restrictions is to be achieved in successful rounds through negotiated specific commitments by each of the Member States. The agreed lists of commitments shall be annexed to the Protocol upon their adoption by the Committee of Ministers of Trade (CMT).

The purpose of this guide is to explain, primarily to the business community and other non-governmental stakeholders, the results of the first round of negotiations and what they may mean in terms of the opportunities for increasing trade in services within the SADC region.

The first phase of negotiations on removal of

restrictions were launched in April 2012 and concluded in July 2019 with the adoption of agreed lists of commitments in six broad sectors, as follows:

- Communication services: including telecommunication services; postal and courier services; and audio-visual services;
- Construction services: including related professional services (architectural, engineering, urban planning and landscaping services);
- Energy-related services: mainly support services related to the energy sector;
- Financial services: including insurance, banking and other financial services;
- Tourism services: including hotel and restaurant services; travel agency and tour operator services; and tourist guide services;
- Transport services: including passenger and freight transport services in all modes of transport; and support services such as cargo-handling; storage and warehousing; and freight forwarding services.

The Member States have agreed to undertake specific commitments to open their services markets by indicating which types of services can be supplied into a territory of one Member State by a supplier from another SADC Member State. In its specific commitments a Member State sets out the conditions under which such services and services suppliers may enter each other's markets (known as "market access") and how such services will be treated compared to domestic services and service suppliers ("national treatment"). They have also agreed to a number of sectoral regulatory principles common to all SADC Member States that are aimed at underpinning the market access and national treatment commitments by individual Member States.

The results of the negotiations are country-specific – that is, the commitments are different in each Member State. This guide explains these differences and how businesses in the SADC Member States can exploit the opportunities arising from the results of the negotiations in the six sectors.

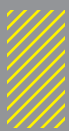
TRADE IN SERVICES

Key concepts

WHAT DOES TRADE IN SERVICES MEAN FOR BUSINESS?

Suppose you are an entrepreneur wishing to open a textile factory in the SADC region. You will need to engage a wide range of services to enable you to set up your business. For example, you may need to take out a bank loan (banking services), relocate some managers or key employees to the host country (temporary movement of people), hire an architect to design the factory (architectural services), a delivery company to transport materials (transport services), an engineer to install machines (engineering services, maintenance and repair services), an advertising firm to market its designs (advertising services), utilities supplies to supply electricity and water

services, install telephones, Internet and post-boxes to communicate with clients and suppliers (communication services); take out insurance cover against fire and theft (insurance services), and a cleaning and waste management company (environmental services). Should any such services be sourced outside the country where you wish to locate your factory, their supply would qualify as trade in services. Therefore, Trade in Services refers to the sale and purchase of products which you cannot necessarily touch and happening between residents and non-residents of a particular country.



Trade in Services refers to the sale and purchase of products which you cannot necessarily touch and happening between residents and non-residents of a particular country.



The World Trade Organisation (WTO) lists services into 12 broad sectors¹, each of which is further divided into several sub-sectors, as shown in Figure 3, for example, the financial services sector comprises insurance, banking and other financial services. A detailed explanation for each sub-sector is in most cases drawn by reference to the United Nations (UN) Central Product Classification (CPC) (provisional version).

Services sectors: What they are



1. BUSINESS SERVICES

- A. Professional (e.g. accounting, legal, etc)
- B. Computer and computer related
- C. Research & Development
- D. Real estate
- E. Rental and leasing
- F. Other business services



2. COMMUNICATION

- A. Postal
- B. Courier services
- C. Telecommunication services
- D. Audio-Visual services
- E. Others



3. CONSTRUCTION & related engineering services

- A. General construction works for building
- B. General construction works for civil engineering
- C. Installation & assembly works
- D. Building completion and finishing works
- E. Others (site preparation, leasing of equipment, etc)



4. DISTRIBUTION

- A. Comissioned agents' services
- B. Wholesale trade services
- C. Retail trade services
- D. Franchising services
- E. Others



5. EDUCATION SERVICES

- A. Primary education services
- B. Secondary education services
- C. Higher education services
- D. Adult education
- E. Other education services



6. ENVIRONMENT

- A. Sewage services
- B. Refuse disposal services
- C. Sanitation and similar services
- D. Others



7. FINANCIAL SERVICES

- A. All insurance and insurance-related services
- B. Banking and other financial services
- C. Others



8. HEALTH & related social services

- A. Hospital services
- B. Other human health services
- C. Social services
- D. Others



9. TOURISM & TRAVEL

- A. Hotels and restaurants (including catering)
- B. Travel agencies and other tour operator services
- C. Tourist guide services
- D. Others



10. RECREATION & cultural & sporting services (other than audio-visual)

- A. Entertainment services (including theatre, live bands and circus services)
- B. News agency services
- C. Libraries, archives, museums and other cultural services
- D. Sporting and other recreational services
- E. Others



11. TRANSPORT

- A. Maritime transport services
- B. Internal waterways transport
- C. Air transport
- D. Space transport
- E. Rail transport
- F. Road transport
- G. Pipeline transportation
- H. Services auxiliary to all modes of transport
- I. Other transport services



12. OTHER SERVICES

Other services not elsewhere included

¹ See document MTN.GNS/W/120

THE 4 MODES OF TRADING SERVICES

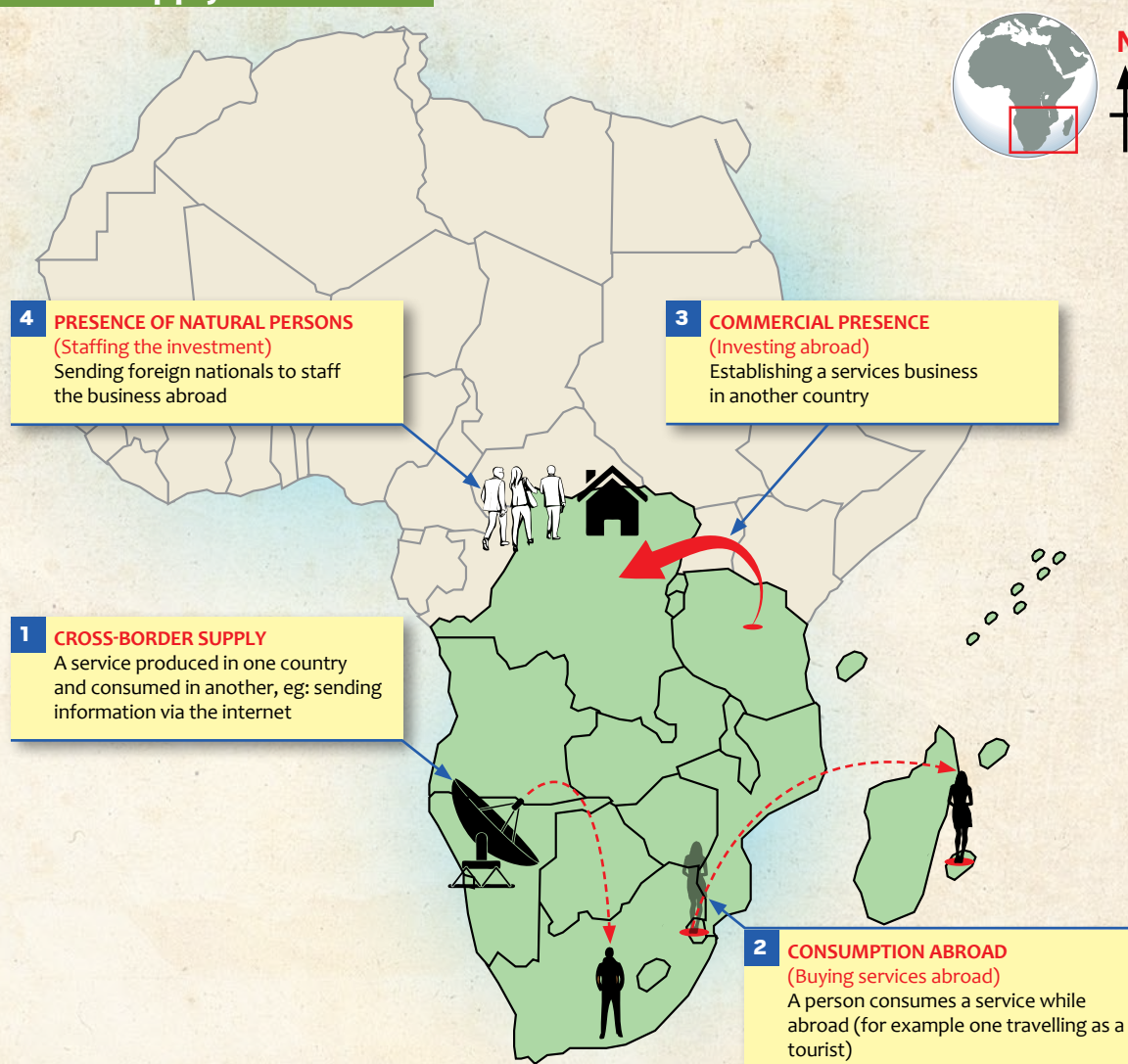
Mode 1 - “cross-border” - where a service provider in one SADC Member State provides services to a consumer in another SADC Member State without the need to be physically present there. Services under Mode 1 are provided by means of telephone, fax, internet etc. for example, a medical doctor in South Africa can provide medical advice to a patient in Zambia through the Internet i.e. tele-medicine.

Mode 2 - “consumption abroad: where a consumer in a SADC Member State goes to another SADC Member State to consume a service, for example a tourist from Eswatini travels to Mauritius to consume tourism services.

Mode 3 “commercial presence” – takes a form of direct investment i.e. physical establishment of a business into the territory of a SADC Member State by a services provider of another Member State. For example, an investor from Tanzania can set up a bank or hotel in the Democratic Republic of Congo.

Mode 4 - presence of a natural person which involves temporary movement of a person from one SADC Member State to another SADC Member State specifically to provide a service, for example, a medical doctor, lawyer, teacher, engineer, consultant etc. Member States set out in their commitments the entry conditions and periods of stay in order to provide these services.

Modes of supply illustrated



WHAT IS A SPECIFIC COMMITMENT?

A specific commitment in a Member State's list of commitments is an undertaking by that country to limit certain levels of market access and ensure same treatment for foreign and local service providers alike, based on the specified terms and conditions for the service activity, and how that service will be provided, in the sectors covered by the Protocol.

For each sector a Member State has the flexibility to choose the subsectors/type of activities it undertakes not to impose any new measures that would restrict market entry or the operation of the service i.e. whether it would maintain any limitations.

- **Market access** restrictions may take the form of; (a) number of services suppliers, (b) total value of transactions or assets, (c) total number of services operations or services output, (d) number of foreign employees, (e) requirement for a specific type of legal entity or joint venture, and (f) foreign capital participation or a requirement for an economic needs test (ENT).
- **National treatment** limitations refer to whether a Member State intends to discriminate a supplier from another SADC Member State against their own domestic services or services supplier. There is no exhaustive list of national treatment limitations but they include, measures relating to access to land, government subsidies or procurement, requirements for skills or technology transfer, nationality/residency etc.

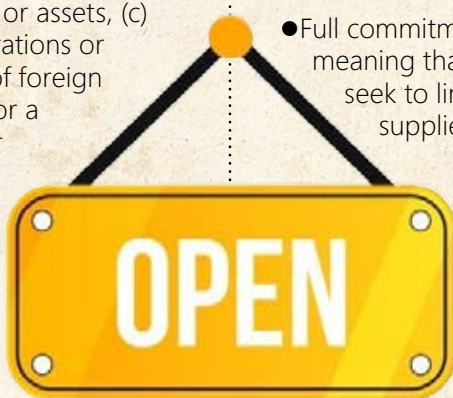
The list of commitments is divided into two sections i.e. horizontal and sector-specific. **The horizontal section** focuses on the limitations that are cross-cutting and apply to all services sectors included in the list of commitments in addition to sector-specific limitations. It is used to avoid repetition in the sector-specific section.

The sector-specific section comprises a list of sectors and subsectors/type of services for which a Member State undertakes to guarantee the specified

level of market access and ensure same treatment for foreign service providers as it extends to local service providers (subject to any limitations that are indicated).

The entries in the schedule indicate the extent to which a Member State has agreed to open its market and for which different kinds of service providers, expressed as follows:

- Full commitment – “None” (i.e. no limitations), meaning that a Member State does not seek to limit market entry or discriminate suppliers from another Member State.
- Commitment with limitation(s) or partial commitment – indicates a “limitation” or measures which do not necessarily follow the guidelines on market access or guarantees of equal treatment for foreign service providers.
- Partial commitment – “Unbound, except ...” meaning no commitment except as stated, and a Member State remains free to maintain or introduce a measure which does not necessarily follow the guidelines as long as this is in other areas than those stated.
- No commitment – “Unbound” meaning that a Member State remains free to maintain or introduce a measure which does not necessarily follow guidelines on market access and equal treatment for foreign and local entities alike; or “unbound*” indicating no commitment due to lack of technical feasibility to supply a service under question by a given kind of supplier (normally a cross-border supplier, although this is changing as services may increasingly be supplied digitally).





Overview.

The SADC Protocol aims at the gradual removal of restrictions in order to create a single integrated market for trade in services for the Member States which have approved it.

SADC PROTOCOL ON TRADE IN SERVICES

The Protocol on Trade in Services was signed by all SADC Member States, except Comoros which joined SADC in 2018. It has not yet entered into force as this requires at least two-thirds (i.e. 11) of the Member States to formally sanction it (ratification). By 2020 nine countries, namely, Botswana, Eswatini, Lesotho, Mauritius, Mozambique, Namibia, Seychelles, South Africa and Zambia had deposited their instruments of ratification with the SADC Secretariat. The Member States yet to do so have been urged to fast-track their ratification processes to bring the Protocol into force.

SADC Protocol on Trade in Services: An Overview

The Protocol aims at the gradual removal of restrictions in order to create a single integrated market for trade in services for the Member States which have approved it. The Protocol consists of the framework agreement, eight Annexes and Member States' lists of commitments (in the six priority sectors).

Protocol on Trade in Services

General concepts, principles and rules on measures affecting trade in services

Annex 1: Settlement of Disputes

Annex 2: Substantial Business Operations

Annex 3: Movement of Natural Persons (Mode 4)

Annex 4: Interim Arrangements Relating to the Commitments on Subsidies

Annex 5: Financial Services

Annex 6: Telecommunication Services

Annex 7: Tourism Services

Annex 8: Postal and Courier Services

List of Commitments (horizontal section, communication, construction, energy-related, financial, tourism and transport services)

WHAT DOES THE PROTOCOL SAY?

The framework agreement provides for the obligations and rights, and sets the key trade rules or principles similar to those adopted under the WTO General Agreement on Trade in Services (GATS), including, among others, the following:

Most favoured nation treatment (MFN) – means that if a Member State grants market access and removes all forms of discrimination of suppliers for a particular Member State, the same terms should be extended to the “like” services and services suppliers of all other Member States. Subject to negotiations however, a Member State may exempt certain measures from the application of the MFN principle, the agreed exemptions being annexed to its list of commitments.

National treatment – a Member State is obliged to ensure that a supplier from a different SADC member country receives the same treatment offered to suppliers of the host country dealing in like services, unless otherwise stated in its schedule.

Transparency – each Member State must ensure transparent regulation and that necessary information relating to trade in the various sectors is made available to the public (whether in electronic or print format) including licensing requirements and procedures.

Mutual recognition – a Member State shall, either unilaterally or through agreement, mutually recognise the requirements, qualifications, licences

and other regulations met or issued by another Member State for authorising, licensing or certifying service provision.

Competition – each Member State is to put in place necessary measures (i.e. legal and institution framework) that promote fair trade in the services sectors and prevent anti-competitive business practices including abuses of market position by exclusive or monopoly suppliers.

Financial transfers – in the case of serious balance of payment difficulties, a Member State may restrict the right of free transfers into and out of its territory, including of initial plus any additional capital, returns, payments under contract, royalties and fees, proceeds from the sale or liquidation of all or any part of an investment, with regard to transactions covered by commitments under the Protocol.

Progressive liberalisation – Member States are to remove substantially all existing barriers and NOT to introduce any new barriers, and in successive rounds negotiate lists of commitments. Upon adoption by the Committee of Ministers responsible for trade (CMT), the final agreed lists are to be annexed to the Protocol.

WHO IS A SADC SERVICES SUPPLIER?

The Protocol defines a “SADC services supplier” as either (a) a natural person or (b) a juridical person of that supplies a service. A “natural person” refers to a human being and includes, for example, a nurse or teacher who is licensed, registered and/ or qualified in a Member State which has adopted

the Protocol. A “juridical person” refers to a legal entity, for example engineering firm, bank, school or retail store, set up according to the laws of a Member State, and engaged in “substantial business operations” in the territory of that or any Member State which has adopted the Protocol.





Benefits.

The benefits of the Protocol apply **ONLY** to services and suppliers of a “State Party” i.e. a SADC Member State that has formally approved the Protocol.

DO ALL BUSINESSES OPERATING IN SADC MEMBER STATES QUALIFY FOR THE BENEFITS OF THE PROTOCOL?

No. The benefits of the Protocol, including the liberalisation commitments, apply **ONLY** to services and suppliers of a “State Party” i.e. a SADC Member State that has ratified or acceded to the Protocol. In addition, Article 22 of the Protocol grants a State Party the right to deny benefits to a supplier of another State Party where the first State Party establishes that a service is being provided by an enterprise that does not have “substantial business operations” in a State Party,

“Substantial business operations” – means, among others, operations carried out by an entity incorporated in and licensed by a State Party to provide services. Furthermore, a legal entity of a non-State Party will be considered not to have substantial business operations if it does not possess a real and continuous link to the economy of a State Party or maintains negligible or no business operations in that State Party.

GUARANTEES ON MOVEMENT OF PERSONS



Annex 3 on Movement of Natural Persons (Mode 4) provides basic interpretation of the various categories, which apply to all Member States which have approved the Protocol unless a state includes a different meaning. A state may choose the category/categories it wishes to open and specify the applicable periods of entry and stay for each category. The categories included in Annex 3 and their meanings are as follows:



Business visitors (BV)

– persons visiting another Member State for short term business activities e.g. attend meetings, seminars, marketing, exhibition, etc.



Contractual services suppliers (CSS)

– persons contracted to represent a SADC business/firm to provide a service to a client in another Member State, e.g. a lawyer appointed to represent FNB Bank (South Africa) in a court case against its branch in Namibia.



Intra-corporate transferees (ICT)

– employees of a SADC business/firm temporarily transferred to its representative office, branch or subsidiary in another Member State, to work as executives, managers, specialists, technicians or professionals.



Independent services suppliers (ISS)

– self-employed persons moving temporarily to another Member State to deliver a service on their own behalf to a client/customer resident in another Member State. In some cases, Member States may only admit ICT and CSS on condition that their skills are unavailable in the local market. Others may require an ICT to have worked with the firm for a given period immediately prior to the transfer.



BUSINESS OPPORTUNITIES

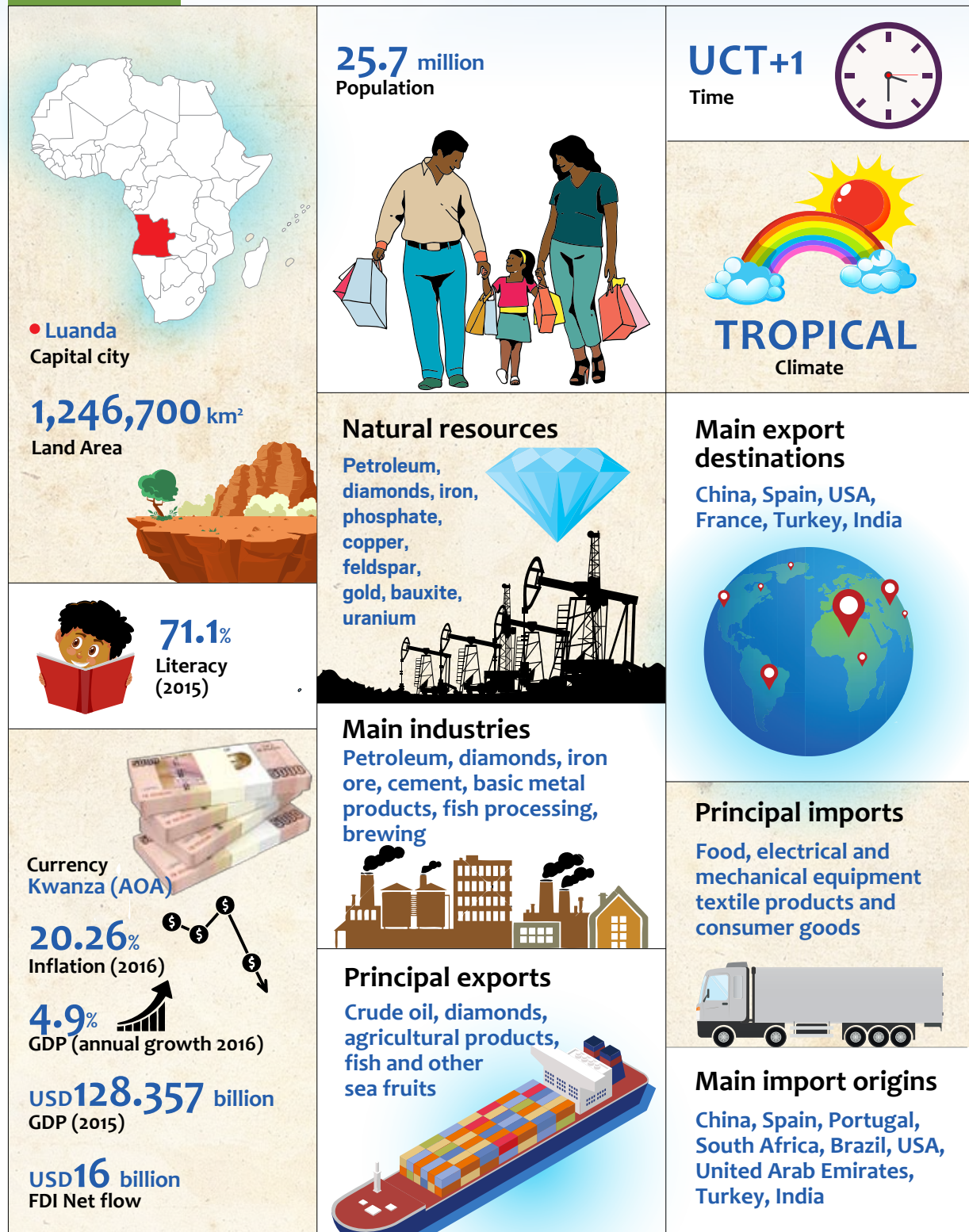
ARISING FROM FIRST ROUND NEGOTIATIONS

Wondering what's in it for you at the level of individual SADC Member States? This section provides relevant socio-economic information to indicate possible business opportunities in the services sector for each of the SADC Member States as well as details on the commitments undertaken by the respective states in each of the six priority sectors covered under the first round of negotiations.



ANGOLA

KEY DATA



Source: SADC Investment Guide



Angola has not yet submitted an offer in any of the six priority sectors covered under the SADC first round of services negotiations. Given that all the SADC Member States belong to WTO except Comoros, SADC businesses are entitled to access the Angolan market on the bases of the GATS commitments. In this regard, Angola's GATS commitments cover only two of the six priority sectors namely, financial services and tourism/travel-related services.



WHAT CAN YOU DO IN ANGOLA?

FINANCIAL SERVICES

Banking and other financial services excluding insurance

– the commitments cover the following:

- | | |
|--|--|
| | ● Acceptance of deposits and other repayable funds from public with no limitation on cross-border supply or establishment of a branch. |
| | ● Temporary movement of workers is allowed provided at least half of foreign financial institutions are nationals. |
| | ● It is possible to establish a branch of a foreign institution provided the condition above is met. |



- Residents in the country may obtain a loan from abroad but only after receiving authorisation from National Bank of Angola.

TOURISM & TRAVEL RELATED SERVICES

Hotel and restaurant services (including self-catering)



- Supply tourism services from another SADC Member State to clients in Angola and set up business operations (e.g. a tourist facility) in Angola.



- Temporarily move workers of certain categories into Angola (Angola will only allow such as directors, senior managers and specialists with essential knowledge for the provision of the service).

FOR INQUIRIES

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xxxxxxxxxxxxx xxxxxxxxxxxxxx xxxxxxxxxxxxxx

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Telephone: Tyxxxxxxxx xxxxxxxx xxxxxxxx





BOTSWANA

KEY DATA

 <p>Gaborone Capital city</p>	<p>2.025 million Population</p> 	<p>UCT+2 Time</p> 
<p>581,730 km² Land Area</p> 	<p>Natural resources Diamonds, copper, nickel, salt, soda ash, potash, coal, iron ore, silver</p> 	<p>SEMI-ARID Climate</p> 
 <p>84.5% Literacy</p>	<p>Main export destinations European Union</p> 	
<p>Currency Pula (BWP)</p> <p>2.8% Inflation (2016)</p> 	<p>Main industries Diamonds, tourism, financial services, subsistence farming and livestock (cattle)</p> 	<p>Principal imports Machinery & electrical equipment, fuel, food, beverages and tobacco</p> 
<p>USD15.8 billion GDP (2014)</p> <p>4.4% GDP (annual growth 2014)</p>  <p>P150,931 billion FDI Net flow</p>	<p>Principal exports Diamonds, copper, nickel</p> 	<p>Main import origins South Africa</p>

Source: SADC Investment Guide
Source: UNCTADStats database



Botswana has undertaken to permit entry and stay of the following categories of temporary workers who wish to provide services:



- **Intra-corporate transferees** such as executive, manager, special technicians and highly qualified professional positions shall have a guaranteed entry and stay of up to 5 years, in which case investors are required to train citizen employees in order to enable them to assume senior management positions over time;



- **Business visitors** for entry and stay of a period of up to 90 days in any 365 days which may be extended upon presentation of a valid reason;



- **Contractual services suppliers:** entry and stay shall be subject to non-availability of skills in the local market, and the period of stay shall be aligned to the period of contract; and



- **Independent services suppliers** - entry and stay shall be tied to the contract period.



WHAT CAN YOU DO IN BOTSWANA?

COMMUNICATION SERVICES

Courier services



- Courier services such as those rendered by operators other than by the public postal operator have no limitations on cross-border supply, consumption of services abroad or establishment of a commercial presence (e.g. branch).

Telecommunication services



- There are no limitations on supplying basic and value-added services (including internet access and internet backbone services) from across borders.

CONSTRUCTION SERVICES

Energy-related services



- Engage in cross-border supply of services incidental to exploration (i.e. geological and geophysical consultancy, mineral exploration and evaluation, test drilling; oil and gas extraction as well as mining, map making, composition and purity testing), chemical product manufacturing (coal refining services i.e. washing, gasifying and liquefying services).



- As a SADC firm, establish commercial presence in Botswana.



- Cross-border supply/wholesale trade in crude petroleum and natural product, rental and leasing of distribution depots and storage facilities allowed on a fee or contract basis.

Professional services



- Architectural, engineering, integrated engineering and quantity surveying services in-country and establish a commercial presence in the country.

Construction services



- Botswana has provided guarantees for SADC firms which may want to establish commercial presence in the country.

FINANCIAL SERVICES

Financial services



- You are allowed to obtain insurance services from a provider in another SADC Member State.
- A SADC insurance firm may establish a branch of in Botswana.

TOURISM AND TRAVEL RELATED SERVICES

Tourism & travel related services



- Services suppliers allowed to engage in cross-border supply of services or establish commercial presence for a hotel and restaurant (including catering), and tourist guide services.



- **As a travel agency business or tour operator** – you can obtain/make use of services from another SADC Member State and also establish a commercial presence in Botswana as a SADC firm.




TRANSPORT SERVICES

Air transport services

-  Provide maintenance and repair of aircraft services: from across borders.
-  Selling and marketing of air transport services, and computer reservation systems from across borders, obtaining these services from another SADC Member State, and setting up a branch or business operations of a SADC firm in Botswana.
-  A firm can establish a local operation provided its foreign capital equity does not exceed 49% of shares, and the principal office and the principal officer are resident in Botswana.

Rail transport

-  Rail transport such as maintenance and repair services are services which Botswana has guaranteed can be obtained from across borders in addition to allowing SADC firms to set up business operations in Botswana.

Road transport

-  Engaging in maintenance and repair of road transport equipment; and freight transport for bulk liquids and gases service, obtaining services in another SADC Member State and establishing a commercial presence by a SADC firm are the guarantees provided by Botswana.

FOR INQUIRIES

Organisation: Tyxxxxxxxx xxxxxxxx xxxxxxxx
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COMOROS

The Union of Comoros joined SADC in August 2018 and has yet to become a party to the Protocol on Trade in Services. According to Article 22 of the SADC Treaty, each Protocol remains open for signature by a Member State that has acceded to the Treaty or where a Protocol has entered into force, a Member State becomes a party through accession.

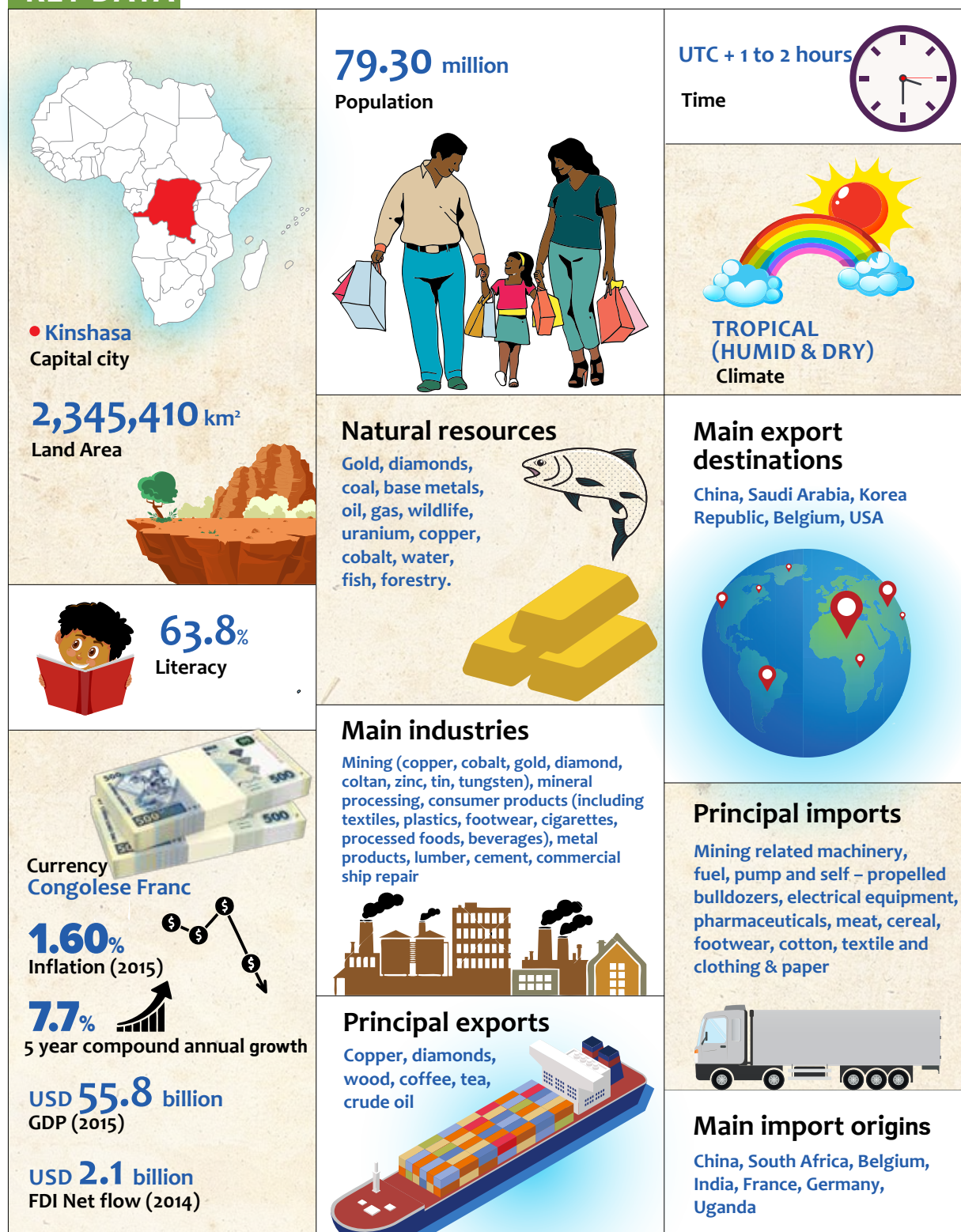
KEY DATA

 <p>Moroni Capital city</p> <p>00000000 km² Land Area</p>  <p>00%</p>	<p>0000 million Population</p> 	<p>0000 Time</p>  <p>0000000 Climate</p> 
 <p>00%</p>	<p>Natural resources</p> <p>Tyxxxxx xxxxx xxxxxxxx xxxx xxxxxx xxxx xxxxxxxx</p> 	<p>Main export destinations</p> <p>tyxxxxxxxxxxxxx</p> 
<p>Currency Tyxxxxxxx</p> <p>00% Inflation (2016)</p>  	<p>Main industries</p> <p>Tyxxxxxxxxxxxxxxxxxxxxx xxxx xxxxxxxxxxxxxxxxxxxxx xxx xxxxxxxxxxxxxxxxxxxxx</p> 	<p>Principal imports</p> <p>Tyxxxxxxxx xxxxxxxxx xxxxxxxxxxxxxxxxxxxxxx xxxxxxxxxxxxxxxxxxxxxx</p> 
<p>USD000 billion GDP (2014)</p> <p>00%  GDP (annual growth 2014)</p> <p>P0000 billion FDI Net flow</p>	<p>Principal exports</p> <p>Tyxxxxxxxx xxxxx xxxxxxx xxxxxxxxxx xxxxxxxxxx</p> 	<p>Main import origins</p> <p>Tyxxxxxxxxxxxxxxxxxx xxxxxxxxxxxxx xxxxxx xxxxxxxxxxxxx</p>



DEMOCRATIC REPUBLIC OF CONGO

KEY DATA



Source: SADC Investment Guide



The Democratic Republic of Congo has undertaken to allow entry and stay of the following categories of persons seeking to supply services into its market:

Business visitors; intra-corporate transferees to occupy *executive, manager and specialist positions; contractual and independent services suppliers* for a period of up to 2 years. Same treatment as nationals is only applicable to the mentioned categories.

WHAT CAN YOU DO IN DRC?

COMMUNICATION SERVICES

Postal and courier services



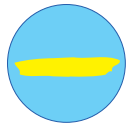
- The market is open for SADC suppliers except in areas where the SCPT has exclusive rights, otherwise same treatment as nationals is guaranteed.

Telecommunication services



- Telecommunication services and other communications services has market access and same treatment as nationals guaranteed provided foreign capital participation does not exceed 49%.

Audio-visual services



- Private operators have an obligation to broadcast at least 50% local programs.

CONSTRUCTION AND RELATED ENGINEERING

DRC guarantees same treatment as nationals and an open market for the supply of:

Professional services



- Professional services such as architectural, engineering, integrated engineering, and urban planning and landscape architectural services.



Construction works



- Construction works for building, civil engineering, assembling and installation, building completion and finishing, and other construction services i.e. site preparation, special trade construction service and rental services related to equipment for the construction or demolition of buildings or civil engineering works, with operator.

ENERGY-RELATED SERVICES

DRC guarantees an open market and same treatment as nationals for a wide range of energy-related services as follows:

Other business services



- Other business services such as technical testing and analysis services - composition and purity testing and analysis; services incidental to mining (gas and oil extraction, and other mining); maintenance, repair and installation of electrical machinery and apparatus not elsewhere classified; services incidental to electricity transmission and distribution; scientific and other technical testing (geology and geophysical consultancy, surface surveying, map making and environmental consultancy); and maintenance and repair services of commercial and industrial machinery;

Distribution services



- Wholesale contract and commission trade services of solid, liquid and gaseous fuels and related products; and retail trade services, fixed and contract, of solid, liquid and gaseous fuels and related products and electricity;

Environmental services



- Site clean-up and remediation services, surface water; and containment, monitoring, surveillance and other remediation services of sites not elsewhere classified; and

Transport services



- Oil, natural gas and other goods pipeline transportation; and ancillary transport services of - bulk liquid or gas storage services and other support transportation services, not elsewhere classified.

FINANCIAL SERVICES

Insurance, banking & other services



- The entire financial services market is fully liberalised. DRC has removed market access limitations and guarantees same treatment as that accorded to nationals for SADC services and services suppliers.

Tourism & travel-related services



- Hotels and restaurant including catering, travel agency and tour operator, and tourist guide services - guarantee is full market access and same treatment as nationals.

TRANSPORT SERVICES

DRC guarantees an open market and same treatment as nationals for a wide range of transport services as follows:

Air transport



- Maintenance and repair of aircraft, selling and marketing of air transport, and computer reservation services.



Maritime and internal waterways



- All type of services such passenger and freight transportation, rental of vessels with crew, maintenance and repair of vessels, pushing and towing, and supporting services for maritime and internal waterway transport.

Rail transport



- Passenger and freight transportation, rental of vessels with crew, maintenance and repair of vessels, pushing and towing, and supporting services for rail transport.

Road transport



- Guarantee for open market with no limitations.



- Take advantage of an open market for guaranteed rental of commercial vehicle with crew, maintenance and repair of road transport equipment, and supporting services for road transport.

Space transport



- There are no limitations on market access and same treatment as nationals is guaranteed.

Pipeline transport



- Pipeline transportation of goods and other products – guarantees no limitations on market access and same treatment as nationals.

Auxiliary Services



- Services auxiliary to all modes of transport – i.e. cargo handling, storage and warehousing and freight transport agency services: no limitations on market access and same treatment as nationals is guaranteed.

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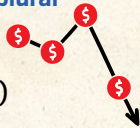


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ESWATINI

KEY DATA

 <p>● Mbabane Capital city</p> <p>17,363 km² Land Area</p> 	<p>1.269 million Population (2015)</p> 	<p>UCT+2 Time (2014)</p>  <p>TROPICAL TO NEAR TEMPERATE Climate</p> 
<p>90% Literacy</p> 	<p>Natural resources Minerals {asbestos, coal, clay, cassiterite, small gold and diamond deposits, quarry stone, talc}, hydropower, forests & picturesque landscape</p> 	<p>Main export destinations South Africa, EU, USA, SADC, COMESA</p> 
<p>Currency Lilangeni (SZL) – singular; Emalangeni – plural</p> 	<p>Main industries Sugar, forestry and mining; manufacturing (textile and sugar products)</p> 	<p>Principal imports Motor vehicles, machinery, transport equipment, foodstuffs, petroleum products, chemicals</p> 
<p>5.7% Inflation (2015)</p>  <p>USD 4.413 billion GDP (2014)</p> <p>2% GDP (annual growth 2015)</p>  <p>USD 86.61 million FDI Net flow (2015)</p>	<p>Principal exports Soft drink concentrates, sugar, wood pulp, cotton yarn, refrigerators, citrus and canned fruit</p> 	<p>Main import origins South Africa, China, SADC, USA</p>

Source: SADC Investment Guide



Eswatini guarantees entry and stay of the following categories of temporary workers for the purposes of supplying services:



- **Intra-corporate transferees** such as executive, specialists are guaranteed stay of up to 2 years and the maximum number of foreign employees for executive and manager positions (who must have at least 2 years' experience prior entry in their home country) is limited to 2 years; and



- **Business visitors** for a period of 90 days in every 365 days;



- **Contractual services suppliers** shall be granted 30 days, renewable for up to 90 days in every 365 days.

While all the guaranteed categories of persons enjoy same treatment as nationals, foreign subsidiaries employing foreigners for executive, manager or specialist positions are required to train one (1) liSwati citizen per foreign employee over the period of the foreign employee posting in Eswatini.



WHAT CAN YOU DO IN ESWATINI?

COMMUNICATION SERVICES

Courier services



- Full market access and same treatment as nationals is guaranteed for audio-visual services such as motion picture projection services (excluding television broadcasting services) for cross-border supply of services and establishment of commercial presence by a SADC firm in Eswatini.

CONSTRUCTION & RELATED ENGINEERING

Professional services



- Engineering and integrated engineering services - no limitations on market access and same treatment as nationals for SADC firms establishing a commercial presence in the country.



Construction services



- The scope or value of liberalised construction services is as follows: work for building - a value above E120 million; civil engineering work - a value above E200 million; and Installation and Assembly Work – a value above E60 million. There are no limitations on cross-border supply of services. Establishment of commercial presence for the liberalised construction services is subject to a joint venture with a liSwati contractor with foreign ownership of up to 40% and the registration fees for foreign may be higher than local contractors. Additionally, foreign contractors are required to transfer technical skills to a national (whether person or local company).

ENERGY-RELATED SERVICES

General construction of power plants, and geological and geophysical consultancy



- This includes such services as; general construction of power plants, and geological and geophysical consultancy services. A SADC firm may set up commercial presence in Eswatini provides it enters a joint venture with a liSwati contractor and the foreign ownership does not exceed 40%. Also note that the registration fee for foreign contractors is higher than that for local contractors and a foreign contractor will also be required to transfer technical skills to a national (whether person or local company).

FINANCIAL SERVICES

Eswatini is part of the Common Monetary Area (CMA), which also includes Lesotho, Namibia and South Africa. All members enjoy preferential access to the Eswatini capital and money markets, and the transfer of funds to or from any these countries is exempt from exchange controls.

Insurance services



- The guarantee covers only supplementary services (including broking and agency services. There is no limitation however for one obtaining/ consuming services from another SADC Member State.

Banking & other financial services



- Local incorporation is required for the supply of any type of banking and other financial services. At least 50% of board of directors of enterprises involved in acceptance of deposits and other payable funds from the public must be emaSwati. A SADC services provider may only own up to 35% shares in a foreign exchange bureau if they wish to operate in Eswatini.

TOURISM AND TRAVEL-RELATED SERVICES

Restaurant and hotel, travel agent and tour operator, and tourist guide services



- No limitations on market access and same treatment as nationals is guaranteed, although there is no market access commitment for cross-border supply.



TRANSPORT SERVICES

Road transport



- Cross-border supply of passenger and road transport services is not guaranteed except for countries that have signed bilateral road transport agreements with Eswatini or a company is locally established in Eswatini. Foreign equity participation is limited to 80% for participation in road freight industry. There are no limitations for rental of commercial vehicles with operators, and maintenance and repair of road transport equipment.

Air transport



- Foreign equity participation of up to 49% in supply of maintenance and repair of aircrafts, and selling and marketing of air transport services in Eswatini is allowed.

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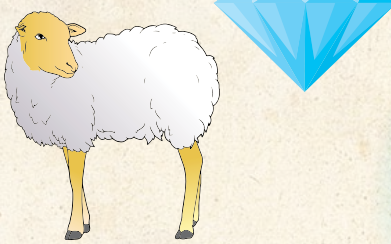





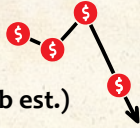


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LESOTHO

KEY DATA

 <p>• Maseru Capital city</p>	<p>2.097 million Population</p> 	<p>UCT+2 Time</p> 
<p>30,335 km² Land Area</p> 	<p>Natural resources Water, diamonds, wool and Mohair</p> 	<p>Main export destinations SACU, Europe, North America</p> 
 <p>85% Literacy</p>	<p>Main industries Manufacturing (food, beverages, textile & apparel), construction & mining</p> 	<p>Principal imports Fuel, machinery & building materials & food</p> 
 <p>Currency Loti, plural Maloti; at par with South African Rand (ZAR)</p> <p>3.9% Inflation (2015b est.)</p>  <p>USD 2.181 billion GDP (2014)</p> <p>4.40%  5% GDP (annual growth 2014, 2015)</p> <p>USD 1,237 million FDI Net flow</p>	<p>Principal exports Manufactured goods (garments, electronics & footwear), crude materials (diamonds, wool and mohair) and water</p> 	<p>Main import origins SACU (South Africa), Asia</p>

Source: SADC Investment Guide

Lesotho requires all foreign enterprises including joint ventures intending to provide services to register or incorporate their operations in Lesotho. A minimum capital outlay of US\$ 200,000 is required for a wholly foreign owned company and US\$ 50,000 for a joint venture. A further guarantee is given for admission of up to four (4) expatriates consisting of senior executives, *managers and specialized skill* personnel who shall be granted work permits for a period of up to two (2) years. However, employment of foreigners is subject to non-availability of the skills in Lesotho. Except for the minimum capital outlay, service providers can expect to enjoy same treatment as nationals.



WHAT CAN YOU DO IN LESOTHO?

COMMUNICATION

Courier services



- There are no limitations.

Telecommunication services



- The total number of licenses to be issued for voice telephony services will be determined by economic needs test.

Audio-visual services



- Local incorporation is required for provision of motion picture projection, radio and television and radio and television transmission.

CONSTRUCTION & RELATED ENGINEERING

Professional services



- Cross-border supply of architectural services of building plans of 500 square metres and above require involvement of locally registered architect, otherwise same treatment as nationals is guaranteed. Also, there are no limitations on market access and same treatment as nationals is guaranteed for the supply of engineering, integrated engineering and urban planning and landscape architectural services.



Construction services



- No limitations exist except for general construction works for building, civil engineering, installation and assembling, building completion and finishing.

ENERGY-RELATED SERVICES

Business services



- Guarantee of open market access and same treatment as nationals for business services such as management consultancy, technical testing and analysis, services incidental to mining, general construction services of power plants, as well as composition and purity testing and analysis service.

FINANCIAL SERVICES

Insurance services



- Local incorporation is required for establishment of commercial presence.

Banking & other financial services



- Same treatment as nationals is guaranteed for firms establishing commercial presence in all subsectors excluding providers of financial services such as asset management, settlement and clearing for financial assets, advisory and other ancillary financial services and provision and transfer, data processing and related software).

TOURISM AND TRAVEL RELATED SERVICES

Restaurant and hotel services



- Restaurant and hotel such as hotel lodging services of 3 stars and above, and beverage serving services for consumption on the premises): no limitations on market access and same treatment as nationals.

Travel agent & tour operator services



- Only cross-border supply is guaranteed with no limitations on market access and same treatment as nationals

Tourist guide services



- No limitations on establishment of commercial presence by a SADC firm but no market access for cross-border supply.



TRANSPORT SERVICES

Road transport



- No limitations for the supply of passenger and freight road transport services through establishment of commercial presence locally. Also, there are no limitations for maintenance and repair of road transport equipment services.

Air transport



- No limitations on market access and same treatment as nationals for the supply of maintenance and repair of aircraft services.

Auxiliary services



- No limitations on market access and same treatment as nationals for the supply of cargo handling services. While cross-border supply of freight transport agency services is guaranteed, there is no commitment on market access conditions for firms establishing commercial presence but same treatment as nationals is guaranteed.

FOR INQUIRIES

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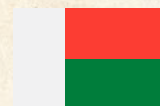


MADAGASCAR

KEY DATA

 <p>• Antananarivo Capital city</p> <p>587,295 km² Land Area</p> 	<p>23.81 million Population (June 2015 est.)</p> 	<p>UTC +3 Time</p>   <p>TROPICAL ALONG COAST, TEMPERATE INLAND, ARID IN SOUTH Climate</p>
 <p>64.7% Literacy</p>	<p>Natural resources Nickel, cobalt, ilmenite, graphite, chromite, coal, bauxite, rare earth elements, salt, quartz, tar sand, semiprecious stones, mica, fish, hydropower</p>  	<p>Main export destinations France, US, Netherlands, China, Germany, India, Japan, Korea Republic, Belgium, South Africa</p> 
<p>Currency Malagasy Ariary (MGA)</p>  <p>6.7% Inflation (2015 est.)</p>  <p>USD 35.49 billion GDP (2015 est.)</p> <p>3.2% GDP (annual growth, 2015 est.)</p>  <p>USD 290 million FDI Net flow (2014)</p>	<p>Main industries Agroindustry, fishery, aquaculture, ICT, infrastructure, energy, mining, real estate, textile and garments, tourism</p>  <p>Principal exports Nickel, beverages, spices, textile and garments, fish, essential oils and perfumes, edible fruits and vegetables, sugar etc</p> 	<p>Principal imports Petroleum, machinery, electrical and electronic equipment, minerals, vehicles, cereal, plastics, pharmaceutical products, cotton, iron and steel, paper, edible oils, textile, etc.</p>  <p>Main import origins China, Bahrain, United Emirates, India, France, South Africa, US, Pakistan, Mauritius, Germany, Qatar</p>

Source: SADC Investment Guide



Madagascar stipulates that at least one (1) corporate officer must be resident within 3 months of registration and no foreign person shall have direct access to land but they may take “emphyteutic” lease for up to 99 years. The commitment covers entry and stay of only one category of persons i.e. intra-corporate transferees occupying executive and managerial positions, whose entry and stay shall be for period of up to one (1) year and they shall enjoy national treatment.

WHAT CAN YOU DO IN MADAGASCAR?

COMMUNICATION SERVICES

Telecommunication services



- Telecommunication services covering both basic and value-added services; for which same treatment as nationals is guaranteed, although some market access limitations are listed as follows: call back services or any other system designed to reverse the establishment or routing of telephone, telex, fax and data transmissions is not permitted; while number of licences may be limited, an applicant must prove that it operates at least in 10 countries totalling at least 100 million lines.

FINANCIAL SERVICES

Insurance services



- Companies offering direct insurance must be incorporated as a public limited or mutual insurance company and the chief representative of a foreign company must be resident or domiciled in Madagascar for at least 12 months.



- Reinsurance and retrocession services: cross-border supply is guaranteed with no limitations.



- There are no limitations on market access and same treatment as nationals is guaranteed for the supply of actuarial services.

Banking & other financial services



- A credit institution must be constituted as a legal entity and must have at least two of the principal directors resident in Madagascar. Cross-border supply of services in another SADC Member State is limited to movement of funds arising from sale of shares, stocks, business assets, liquidation bonus shares, and expropriation of allowances for foreign investors.

TOURISM AND TRAVEL RELATED SERVICES

Hotels & restaurants



- Hotels and restaurants rated 3 stars (***) or above - no limitations on market access and same treatment as nationals for a firm establishing commercial presence.

Travel agency & tour operator services



- Cross-border supply of a service is guaranteed only when it is done in collaboration with a company based in Madagascar.

TRANSPORT SERVICES

Maritime transport

- Cross-border supply of passenger and freight services (excluding cabotage), is not subject to any limitations on market access and same treatment as nationals is also guaranteed.

- Market access for firms establishing commercial operations locally is guaranteed only for subsidiary foreign ship-owners flying foreign flags.



- Establishment of commercial operations for pushing and towing services is subject to authorisation which may take a form of public service concession for up to 30 years if the concession provides for construction by the concessionaire of heavy infrastructures such as jetties, moles, quays, etc.

Services auxiliary to maritime

- Services auxiliary to maritime transport such as cargo handling, storage and warehousing, and pilotage and berthing services: establishment of commercial presence by a



- SADC firm is subject to authorisation which may take a form of public service concession for up to 30 years where it provides for construction by the concessionaire of heavy infrastructures such as jetties, moles, quays, etc, otherwise it shall not exceed fifteen (15) years.







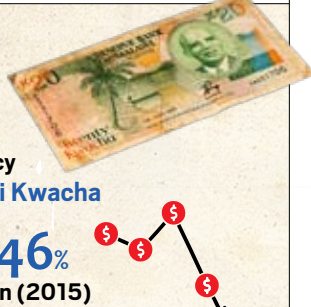



Air transport

- Cross-border supply of maintenance and repair of aircraft is not guaranteed while repair and maintenance abroad of all aircrafts registered in Madagascar must be done in a repair and maintenance workshop approved by the service provider and authorised by Madagascar's civil aviation authority, upon review and audit of the file for regulatory compliance.
- Market access for foreign establishment in aircraft repair and maintenance services shall be based on an economic needs test.



MALAWI

KEY DATA

 <p>Lilongwe Capital city</p> <p>118,484 km² Land Area</p> 	<p>16.7 million Population (2014, World Bank)</p> 	<p>UCT+2 Time</p>  <p>TROPICAL Climate</p> <p>Malawi's climate is hot in the low-lying area in the south of the country and temperate in the northern highlands</p>
<p>65.8% Literacy</p>	<p>Natural resources Arable land, water, and hydropower, mineral deposits of uranium, limestone, coal, bauxite, gemstones, and niobium</p> 	<p>Main export destinations Belgium, Luxembourg, Germany, Canada, South Africa, Mozambique</p> 
<p>Currency Malawi Kwacha</p> <p>20.46% Inflation (2015)</p> 	<p>Main industries Tobacco, tea and sugar processing, sawmill products, cement and consumer goods</p> 	<p>Principal imports Refined petroleum, packaged medicaments, nitrogenous fertilizer, wheat and mixed mineral or chemical fertilisers</p> 
<p>USD 4.257 billion GDP (2014, World Bank)</p> <p>5.4% GDP (annual growth 2015, EPD)</p> <p>USD 694,160,000 FDI Net flow (2014, Reserve Bank of Malawi)</p> 	<p>Principal exports Tobacco, tea, radioactive chemicals, dried legumes, cotton, coffee and sugar</p>	<p>Main import origins South Africa, India, Mozambique, China, United Arab Emirates</p>

Source: SADC Investment Guide



Malawi requires each company to have at least three (3) local (national) directors of whom one (1) shall be designated chairperson and at least three (3) or more directors (including the chairman) must be resident.⁴

The following are the permitted categories of temporary workers:



- **Business visitors** are guaranteed entry and stay for up to 90 days in a calendar year and may be granted a permit for up to 2 years



- **Contractual services suppliers and intra-corporate transferees** (executive, managers and specialists) who should have worked for the same company for at least 2 years; and



- **Independent services suppliers** for a period of up to 5 years.

Same treatment as nationals guaranteed for these categories of temporary workers.

WHAT CAN YOU DO IN MALAWI?

COMMUNICATION SERVICES

Courier services



- Malawi grants open access for mailing of items weighing more than 350g. Mailing of items weighing less than 350g is reserved for Malawi Post.



- Foreign shareholding in the case of radio and television transmission services is allowed provided it does not exceed 40%.

Telecommunication services



- Telecommunication services (both basic and value added) - foreign shareholding in a firm with a local branch is limited to 80% and there are no limitations for cross-border supply from another SADC Member State.

Audio-visual



- Audio-visual services such as motion picture and video tape production and distribution, motion picture projection, radio and television services; and radio and television transmission services enjoy no limitations.

CONSTRUCTION & RELATED ENGINEERING

Construction services

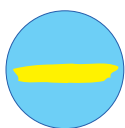


- Malawi guarantees no limitations on market access and same treatment as nationals with regard to supply of general construction works for building and civil engineering, installation and assembling works, building completion and finishing, and other services i.e. pre-erection at construction site, special trade and renting service for construction equipment with operator.

⁴ This requirement does not apply to suppliers of services such as accountancy, medical & dental, those by midwives, nurses, physiotherapists & paramedics, technical testing and analysis, incidental to mining, construction & related engineering, banking, hospital, other human health, tourism and travel services.



Professional services



- Professional services such as architectural, engineering, integrated engineering and urban planning and landscape architectural services: market access through setting up of commercial operations in the country is subject to a requirement of joint venture or partnership of at least 51% Malawian ownership.

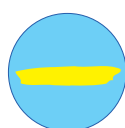
ENERGY-RELATED SERVICES



- Open market with no limitations for any kind of service provider supplying a wide range of services comprising of management consulting, technical testing and analysis; services incidental to mining and distribution of gaseous fuel; wholesale trade services on a fee or contract basis, of solid, liquid and gaseous fuels and related products; gas distribution services through mains (on a fee or contract basis; and site remediation and clean-up services.

FINANCIAL SERVICES

insurance services



- Setting up of a branch permitted, but it requires local incorporation and at least 5% of reinsurance business must be placed with African Reinsurance Corporation.

Banking & other financial services



- There are no limitations on market access and same treatment as nationals is guaranteed for acceptance of deposits and other repayable funds from the public services. Otherwise, local incorporation is mandatory for a service provider to set up a branch for all other types of banking and other financial services.

TOURISM AND TRAVEL RELATED SERVICES



- Operate hotel and restaurant, travel agency and tour operator, tourist guide and other tourism and related services as Malawi has no limitations on market access and guarantees same treatment as nationals for the supply of any type of tourism and travel related services.

TRANSPORT SERVICES

Internal waterways, rail & road services



- Services such as passenger and freight transportation, rental of vessels or equipment with crew, maintenance and repair, pushing and towing, and supporting services: Malawi guarantees no limitations on market access and same treatment as nationals for the supply of transport services in these subsectors.

Pipeline transportation



- Services for transportation of fuel and other goods: no limitations on market access and same treatment as nationals guaranteed.
- There is also no limitation on market access and same treatment as nationals is guaranteed for auxiliary (supplementary) services to all modes of transport such as cargo handling, storage and warehousing, and freight transport agency.

FOR INQUIRIES

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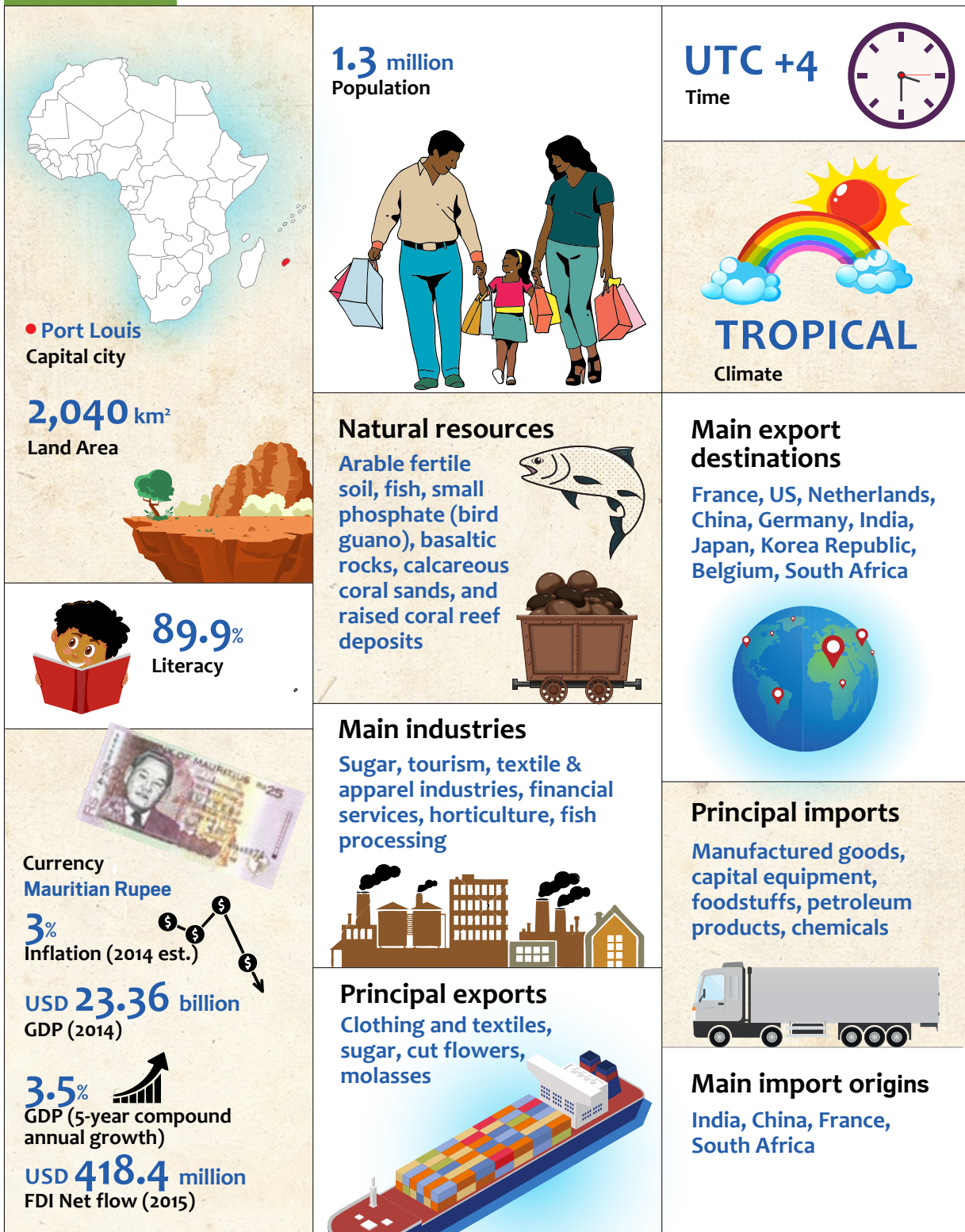
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MAURITIUS

KEY DATA



Source: SADC Investment Guide



Mauritius requires foreign service suppliers intending to establish in Mauritius to incorporate or register their business under the Company Act. For movement of temporary workers, the guaranteed period of stay is up to 90 days in any 365 days for *business visitors*. *Contractual and independent services suppliers* who travel to Mauritius may stay for a period of up to one (1) year while intra-corporate transferees (i.e. managers, executives and specialists) may apply for an Occupational Permit to work for a period of up to 3 years or a Work and Residence Permit for up to 5 years, renewable. Same treatment as nationals is guaranteed for the specified categories of persons.



WHAT CAN YOU DO IN MAURITIUS?

COMMUNICATION SERVICES

Courier services



- Mauritius has no limitations on market access and guarantees same treatment as nationals for cross-border supply of services, accessing services in another Member State or establishing commercial presence in Mauritius.

Telecommunication services



- Cover both basic and value added services – no limitations on cross-border supply of services.
- Establishing commercial presence allowed except for voice telephony which is subject to an economic needs test.



CONSTRUCTION & RELATED ENGINEERING

Construction services



- Under construction services such as building, civil engineering, installation and assembling, building completion and finishing, and other construction services) there are no market access limitations but there is a higher processing or registration fee for foreign contractors or consultancy firms on a project basis.

Professional services



- Accessing architectural services in another SADC Member State is permitted
- Establishment of commercial presence by a SADC service provider requires a joint venture partnership with up to 49% foreign participation.
- For establishment of commercial presence or temporary movement of worker, a partnership with a locally registered architect is required.
- No limitations exist for engineering and integrated engineering services but foreign firms are required to obtain a provisional registration with Construction Industry Development Board (CIDB) and urban planning services
- A SADC service provider with foreign majority ownership can establish commercial presence but a joint venture is required.

ENERGY-RELATED SERVICES



- In addition to the commitments under construction services, Mauritius included a wide range of energy-related services for which no limitations are listed except for higher processing or registration fee for foreign contractor or consultancy firms on a project basis; such as management consultancy, project management services other than for construction, technical testing and analysis, services incidental to mining, engineering related scientific and technical consulting, maintenance and repair of equipment; commissioned agents and wholesale trade services. Mauritius indicated open market access and same treatment as nationals except for higher processing/ registration fees for foreign contractors/consultancy firms on a project basis.

FINANCIAL SERVICES

Banking & other financial services



- No limitations on market access and same treatment as nationals guaranteed for the supply of banking and other financial services (excluding insurance)



Insurance services



- Cross-border supply of direct life insurance requires registration in Mauritius. There are no limitations however on taking this insurance in Mauritius and establishment of commercial presence by a SADC firm/ service provider is permitted.

- For reinsurance and retrocession 5% must be placed with African-Re for cross-border supply or for establishment of commercial presence by a SADC provider to be allowed.

Insurance intermediation comprising;

- (i) **Agents** – *cross-border supply: incorporation/ registration is required. Service obtained abroad: insurance cannot be placed outside Mauritius. Establishment of commercial presence: insurance agents can act only for local insurance. can act only for local insurance.*

- (ii) **Brokers:** Cross-border supply requires incorporation/registration in Mauritius. For services supplied abroad insurance cannot be placed outside Mauritius.

TOURISM & TRAVEL RELATED SERVICES

Hotel and restaurant services



- No limitations for hotel services and foreign restaurants setting up in Mauritius as long as they are staffed predominantly by Mauritians. Furthermore, if the investment is more than ten million Rupees (RS 10 million) it shall be accorded same treatment as nationals.

Travel agency & tour operator services



- Travel agency and tour operator services - no limitations on market access and same treatment as nationals.

Tourist guide services



- Foreign tourist guides are allowed only in areas of language scarcity and foreign capital participation in tourist duty-free shops is limited to 30%.

Other tourism services



- Other tourism services such as car rentals, circus, amusement parks and similar attractions, and recreational parks services attract no limitations.

TRANSPORT SERVICES

Maritime transport services



- There are no limitations for passenger and freight transportation (except for foreign transporters) as well as for maintenance and repair of maritime vessels.

Air transport services



- There are no limitations on market access and same treatment as nationals is guaranteed for air transport services such as computer reservation systems, and maintenance and repair of aircrafts, while selling and marketing of air transport services must be through an agent.

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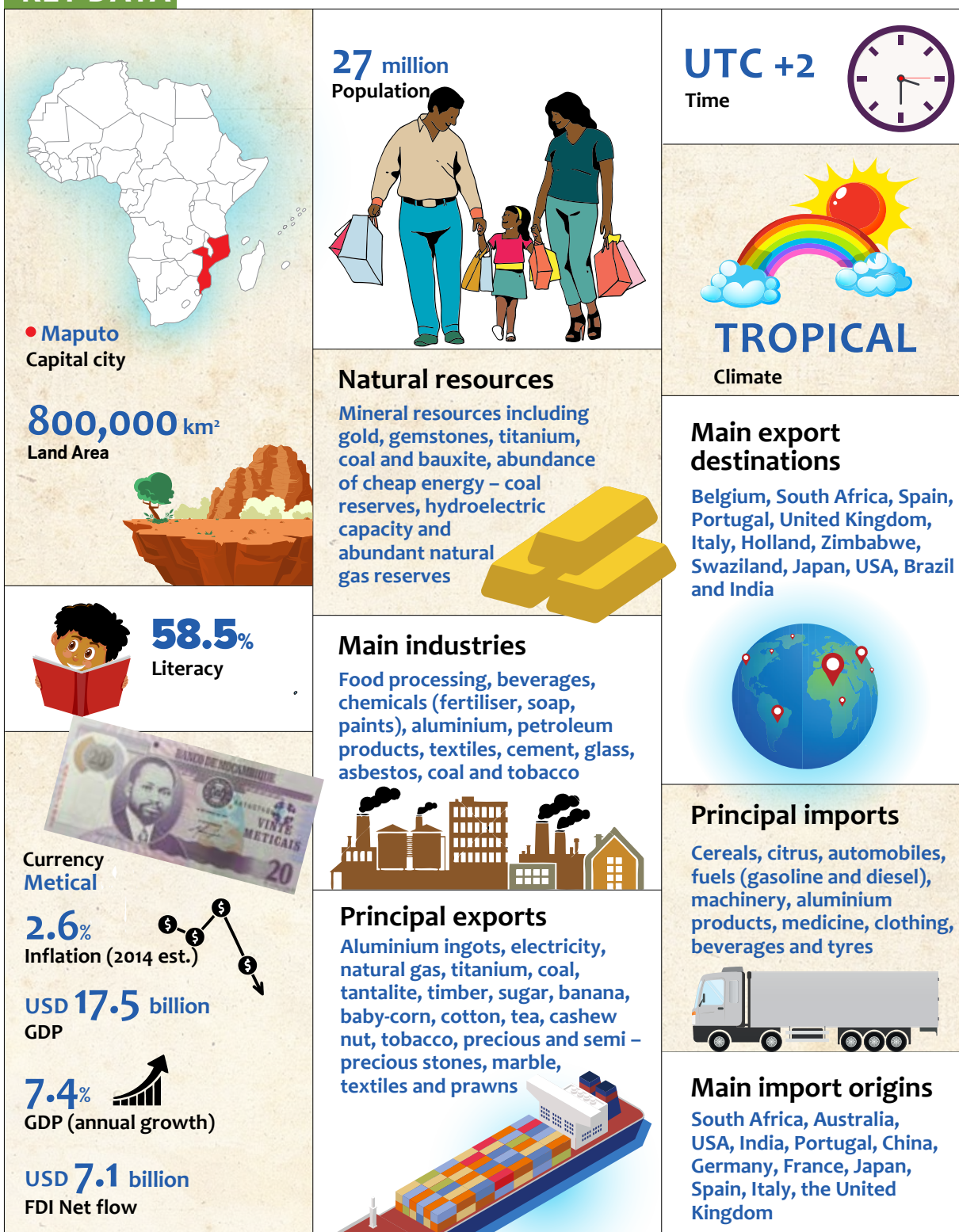
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MOZAMBIQUE

KEY DATA



Source: SADC Investment Guide



Foreign services and service suppliers have no guaranteed access to government subsidies in Mozambique except for those in the banking and other financial services (excluding insurance). Mozambique undertakes to permit varied periods of entry and stay of temporary workers as follows:



- **Business visitors, independent⁵ and contractual services suppliers** shall be granted 30 days, renewable for up to 90 days;



- **Intra-corporate transferees** (executives, managers and experts) who must have at least 2 years prior employment in SADC. A supplier shall have a permitted stay for a period aligned to their work contract period.
- Same treatment as nationals guaranteed for the listed categories.



WHAT CAN YOU DO IN MOZAMBIQUE?

COMMUNICATION SERVICES

Telecommunication services



- There are no limitations to market access and same treatment as nationals is guaranteed for both basic and value-added services.

CONSTRUCTION & RELATED ENGINEERING

Mozambique guarantees no limitations on market access and same treatment as nationals for the supply of the following services:

Construction services



- services such as general construction works for building and civil engineering works, installation and assembling work, building completion and finishing works, and other construction services i.e. pre-erection services at construction site, special trade and rental services relating to construction equipment with operator;

⁵ Independent services suppliers are permitted only for banking and other financial services, tour operators, hotel and restaurants services only.



Professional services



- Professional services i.e. architectural, engineering, integrated engineering and urban planning and landscape architectural services; and (iii) other business services such as road infrastructure services.

ENERGY-RELATED SERVICES

Mozambique has indicated that she is yet to submit her offer in energy-related services however the following apply:



- The country's open offer in construction services also applies to construction services in the energy sector



- Mozambique guarantees open market access and same treatment as nationals for some energy-related services under other business services such as management consultancy and related services with respect to energy and mining sector.

FINANCIAL SERVICES

Insurance services



- Foreign insurance companies need to be incorporated but foreign branches may only be authorised on individual request whereby the authorisation criteria shall be accreditation in the home country by a financial supervisory authority.

TOURISM & TRAVEL RELATED SERVICES

Hotel and restaurant services



- Establishment of commercial presence is guaranteed only for establishments of 3*** (stars) or above.

Travel agency & tour operator services



- While same treatment as nationals is guaranteed, foreign capital participation is limited to 49% in case of establishment of commercial presence by a SADC service provider.

TRANSPORT SERVICES

Maritime transport services



- No limitation on market access and same treatment as nationals is guaranteed for any type of maritime transport services.

FOR INQUIRIES

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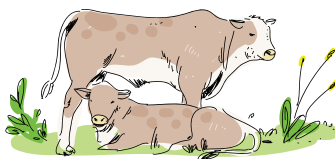

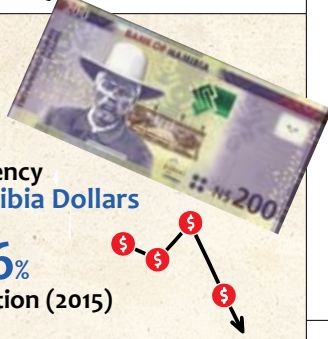


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NAMIBIA

KEY DATA

 <p>● Windhoek Capital city</p>	<p>2.4 million Population (2016)</p> 	<p>Time UCT+1 in summer (Sept. to April) +2h</p>  <p>HOT Climate varies from hyper-arid and semi-arid to subtropical</p> 
<p>824,292 km² Land Area</p> 	<p>Natural resources Diamonds, copper, gold, uranium, lead, tin, zinc, salt, vanadium, fisheries and wildlife</p> 	<p>Main export destinations Botswana (24.0%), South Africa (20.9%), Switzerland (16.4%), Eurozone (14.5%), Angola (4.8%), Zambia (4.3%), China (3.7%), Democratic Republic of Congo (2.9%), United States of America (2.0%), Canada (1.8%), Rest of the world (4.7%)</p> 
<p>65% Literacy</p> 	<p>Main industries Meat processing, fish processing, agro processing, dairy products and mining</p> 	<p>Principal imports Foodstuffs; petroleum products and fuel, machinery and equipment, chemicals</p> 
<p>Currency Namibia Dollars</p> <p>6.6% Inflation (2015)</p>  <p>USD 13 billion GDP (2015)</p> <p>5.7% GDP (2015)</p> <p>N\$13.8 billion FDI Net flow (2015)</p> 	<p>Principal exports Diamonds, copper, gold, zinc, lead, uranium, cattle, white fish and molluscs</p> 	<p>Main import origins South Africa (63.9%), China (6.5%), Eurozone (4.6%), Switzerland (2.5%), Botswana (2.4%), Bahamas (2.2%), Zambia (2.2%), India (1.9%), Democratic Republic of Congo (1.9%), Peru (1.1%), Rest of the world (10.8%)</p>

Source: SADC Investment Guide



Namibia requires all foreign service providers to register or incorporate their businesses locally and transfer managerial and technological skills to local employees. Access to government subsidies is not guaranteed for foreign service suppliers. The guaranteed categories for temporary workers are as follows:



- **Business visitors**, - up to 90 days in any consecutive 12 months



- **Contractual and independent services suppliers** as well as **intra-corporate transferees** (management and expert jobs) whose entry is subject to labour market test – up to 2 years. Same treatment as nationals is guaranteed for these categories.



WHAT CAN YOU DO IN NAMIBIA?

COMMUNICATION SERVICES

Telecommunication services



- Services covering both basic and value added services: foreign capital participation for establishment of commercial presence is limited to 49% unless approved by the Minister of Communications.

CONSTRUCTION & RELATED ENGINEERING

Professional services



- No limitations to market access and same treatment as nationals for professional services such as engineering and integrated engineering.

⁶ The requirement for skills transfer is not applicable business services related to scientific and technical consulting services: offshore oil and gas exploration; hotel and restaurant services, and travel agencies and tour operator services.



Construction services



- For renting services related to equipment for construction and demolition of building and civil engineering works without operator: Cross-border supply is guaranteed and market access for establishment of commercial presence is allowed subject to joint venture partnership of up to 49% foreign ownership.

ENERGY-RELATED SERVICES

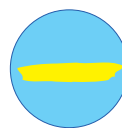
Namibia's list of commitments covers a full guarantee with no limitations on market access and same treatment as nationals for the supply of energy-related services but limited to the following other business services:



- Management consulting related to energy and mining sector, services related to management consulting for the energy sector, technical testing and analysis, related scientific and technical consulting services; off-shore oil and gas exploration; services incidental to mining and energy distribution; and related scientific and technical consulting services (i.e. geological and geophysical consultancy, surveying and map making; and environmental consultancy services).

FINANCIAL SERVICES

Insurance services



- There are no limitations on market access and same treatment as nationals is guaranteed under establishment of commercial presence to supply services of a supplementary nature to insurance including broking and agency services. However, for those seeking to offer life, accident, health insurance and non-life insurance, reinsurance and retrocession services the requirements are: a) the acquisition of shares or any other interest (by a resident or non-resident) resulting in to holding of 25% must be approved by regulator; b) every registered insurance and reinsurer must cede to the national reinsurance corporation - 20% of the value of each reinsurance contract placed inside or outside of Namibia and 18% of the value of each insurance policy issued or renewed in Namibia.

Banking & other financial services



- Foreign establishment in the banking sector may establish only direct branch or representative office if the institution is registered in a SADC Member State which has signed up to this Protocol.



TOURISM & TRAVEL-RELATED SERVICES

There are no limitations to market access and same treatment as nationals is guaranteed for **hotel and restaurants, and travel agency and tour operator** services.

TRANSPORT SERVICES

Air transport services



- As a SADC services supplier you are guaranteed of open market access and national treatment for the supply, maintenance and repair of aircraft and road transport equipment, cargo handling and freight transport agency services in Namibia.

Road transport services



- There are no limitations on freight transport agency services.

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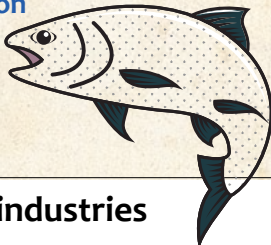




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SEYCHELLES

KEY DATA

 <p>• Victoria Capital city</p>	<p>91,400 Population (2014)</p> 	<p>UCT+4 Time</p>  <p>SHADE TEMPERATURE Climate</p> <p>Seychelles lies outside the cyclone belt and enjoys a stable weather system. Shade temperature of around 25 to 31 degrees Celsius all year round</p>
<p>455 km² Land Area</p> 	<p>Natural resources Fish, copra, cinnamon trees</p> 	<p>Main export destinations France, UK, Japan, Italy</p> 
<p>96% Literacy</p>	<p>Main industries Tourism, processing of coconuts and vanilla, coir (coconut fibre) rope, boat building, printing, furniture, beverages, fisheries, real-estate, non-banking financial services</p> 	<p>Principal imports Machinery & equipment, foodstuffs, petroleum products, chemicals, other manufactured goods</p> 
<p>Currency Seychelles Rupees</p> <p>2.6% Inflation (2015)</p> <p>USD 2.404 billion GDP</p> <p>4.3% GDP (annual growth)</p> <p>USD 114 million FDI Net flow</p>	<p>Principal exports Canned tuna, frozen fish, cinnamon bark, copra, petroleum products (re-exports)</p> 	<p>Main import origins Saudi Arabia, Spain, France</p>

Source: SADC Investment Guide



Leasing of land to a foreign enterprise and the renewal thereof, in the Seychelles requires government approval but there is no guarantee for acquisition of land or access to subsidies by foreigners.

Seychelles provides the following guarantees for temporary workers:



- **Business visitors, as well as installers and maintainers** have a guaranteed entry and stay for a period up to 90 days;



- **Intra-corporate transferees** (managers, executives and specialists) who have been in prior employment for at least 1 year – up to 2 years, renewable;



- **Contractual services suppliers**
 - not more than three (3) consecutive contracts of 2 years each, i.e. a maximum of 6 years;
 - and independent professionals
 - not more than 180 days.

Same treatment as nationals is fully guaranteed for the listed categories of movement of temporary workers.

SADC services providers including individuals seeking to supply their services in Seychelles may not be granted same preferences as those granted to traders from countries that have bilateral investment treaties with Seychelles.





WHAT CAN YOU DO IN SEYCHELLES?

COMMUNICATION SERVICES

Postal and courier services



- No limitations on market access and same treatment as nationals guaranteed for postal and courier services such as postal and courier services and express delivery services by commercial operators of all forms of ownership, both private and state. Seychelles also undertook to ensure that same treatment will apply to the Seychelles Post Office and private operators for express delivery services.

Telecommunication services



- Telecommunication services covering both basic and added value services: There are no limitations on market access and same treatment as nationals guaranteed.

Professional services



- Enjoy open market access and same treatment as nationals to supply professional services such as architectural, engineering, integrated engineering, and urban planning and landscape architectural services.

Audio-visual services



- Audio-visual services – The market for audio-visual services is fully liberalised except for television broadcasting.

ENERGY-RELATED SERVICES



- SADC service providers can supply the following energy-related services: research and development for crude oil, natural gas and condensate (analysis of petroleum products, management consulting related to energy and mining, services related to management consulting sector only, services incidental to mining, related scientific and technical consulting services for gas, mining and oil industry; and site preparation work for mining and energy services.

CONSTRUCTION & RELATED ENGINEERING

Construction services



- Enjoy full market access and non-discriminatory treatment in supplying services such as work for building and civil engineering of Class I only as defined, including pipelines and mining; site investigation services and renting services relating to construction equipment with operator.



FINANCIAL SERVICES

Banking & other financial services



- Cross-border supply of banking and other financial services is allowed only for private pension funds. There are no other limitations and service providers can expect open market access and same treatment as nationals.

TOURISM AND TRAVEL RELATED SERVICES

Hotels



- The guarantee is as follows: for hotels, and other lodging services (excluding establishments with less than 15 units) and letting of furnished accommodation for long stays (excluding units and boarding houses and cabins) – establishment of commercial presence should be for more than 15 units; and foreign equity limited to 80% for hotel establishments with 16-24 units (excluding staff quarters) located on Mahe, Praslin, La Digue, Silhouette, Cerf and St Anne islands

Restaurants and motel lodging



- Restaurants (excluding restaurant with less than 21 covers) and motel lodging services (excluding establishments with less than 15 units): no limit to market access and service providers can expect to enjoy same treatment as nationals.

⁸ Means persons carrying on a business of planning, scheduling or organising of tours which include arrangement for Accommodation, sightseeing or other similar services by any mode of transport.

Tour operator services



- Tour operator service⁸ – foreign equity in a business setting up operations in the country is limited to 49%. Other than that there are no other limitations.

TRANSPORT SERVICES

Air transport services



- Full market access and same treatment as nationals for computer reservation system (CRS), and maintenance and repair of aircraft services.

Maritime services



- Full market access and same treatment as nationals is guaranteed with respect to passenger and freight service, foreign equity is limited to 49% for establishments seeking to offer maintenance and repair of vessels (excluding vessels below 60 metres in length) and vessel salvage and re-floating services.

Ancillary services



- There are no limitations to market access and service providers can expect to enjoy same treatment as nationals for all modes of transport such as cargo handling, storage and warehouse, and freight transport agency services.

FOR INQUIRIES

Organisation: Tyxxxxxxxx xxxxxxxx xxxxxxxx
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SOUTH AFRICA

KEY DATA

 <p>• Pretoria Capital city</p> <p>1.22 million km² Land Area</p> 	<p>54 million Population (2015)</p> 	<p>Time</p> <p>UCT+2 in summer (Sept. to April) +2h</p> 
<p>94.3% Literacy</p> 	<p>Natural resources</p> <p>Wide range of minerals, which include: gold, gem diamonds, platinum, manganese, vanadium, gold, chromium, antimony, coal, iron ore, nickel, phosphates, tin, rare earth elements, uranium, copper, salt, natural gas</p> 	<p>Climate</p> <p>South Africa is a subtropical region, moderated by ocean on the two sides of the triangle-shaped country and the altitude of the interior plateau. These account for the warm, temperate conditions so typical of South Africa – and so popular with its foreign visitors</p>
<p>Currency Rand</p> <p>4.8% Inflation (2015)</p>  <p>USD 724 billion GDP (2015)</p> <p>1.4% GDP (annual growth 2015)</p>  <p>USD 5.7 billion FDI Net flow (2014)</p>	<p>Main industries</p> <p>Mining (world's largest producer of platinum, chromium), automobile assembly, metal works, machinery, textile, iron and steel, chemicals, fertilisers, foodstuffs, commercial ship repair</p>  <p>Principal exports</p> <p>Minerals & mineral products, precious metals (gold, diamonds, platinum) & metal products, chemical food products, machinery & equipment</p> 	<p>Main export destinations</p> <p>China, USA, Japan, Botswana, Germany, Namibia & India</p>  <p>Principal imports</p> <p>Machinery & equipment, chemicals, petroleum products, scientific instruments, foodstuffs</p>  <p>Main import origins</p> <p>China, USA, Japan, Germany, UK, India</p>

Source: SADC Investment Guide



Local borrowing by a South African company with a non-resident shareholding of more than 25% is limited. Generally, South Africa guarantees temporary presence for a period of up to three years, unless otherwise specified, without requiring compliance with an economic needs test, of the following categories of temporary workers providing services: intra-corporate transferees (executives, managers, specialists and professionals), and persons engaged in establishment – must be in employment with the same SADC business/firm outside the country for at least 1 year prior the application for admission however the temporary presence of services sales persons is guaranteed for up to 90 days. Same treatment as nationals is fully guaranteed for the listed temporary worker categories.

WHAT CAN YOU DO IN SOUTH AFRICA?

COMMUNICATION SERVICES

Courier services



- There are no limitations on market access and same treatment as nationals is guaranteed.

Telecommunication services



- For facilities based and public-switched telecommunications, and satellite-based, only two licences are available and foreign investment in suppliers is permitted up to a cumulative maximum of 30%.
- For mobile cellular (including data) services: three licenses are available and foreign investment in suppliers is permitted up to a cumulative maximum of 30%.
- There are no limitations for the supply of electronic mail; voice mail; online information and data base retrieval; electronic data interchange (EDI); enhanced value-added facsimile, including store and forward, store and retrieve; code and protocol conversion, and online information and/or data processing (including transaction processing).

CONSTRUCTION & RELATED ENGINEERING

Professional services



- No no limitation for the supply of engineering, integrated engineering, urban planning and landscape architectural services. Also, there are no limitations for supply of architectural services except that a locally registered architect should be involved in case of cross-border supply or where services are obtained in another SADC country.





ENERGY-RELATED SERVICES

- 
 In addition to those covered under construction and the related professional services, South Africa included full guarantees with full market access and same treatment as nationals for the supply of: (i) other business services – management consultancy, services relating to management consultancy, technical testing and analysis, and engineering related scientific and technical consulting (ii) distribution services - wholesale trade services of solid, liquid and gaseous fuels and related products, and retail sales of fuel oil, bottled gas, coal and wood), and (iii) environmental services (only consultancy) - cleaning of exhaust gases. Cross-border supply and acquisition of services incidental to mining and manufacturing but no limitations on establishing commercial presence.

FINANCIAL SERVICES

- 
 South Africa is part of the Common Monetary Area (CMA), which also includes Eswatini, Lesotho and Namibia. All members enjoy preferential access to the South Africa's capital and money markets, and the transfer of funds to or from any these countries is exempt from exchange controls.

Insurance services



- Acquisition of shares or any other interest (by a resident or non-resident) in a registered South African insurer resulting in the holding of 25% or more of all the shares or other interest in that business, is only possible with the written approval of the regulatory authority; plus, the public officer; majority of directors and statutory actuary must be resident in South Africa.
- Cross-border life and non-life insurance services, insurance intermediation and supplementary services; and that all insurers (and insurers on whose behalf policies are sold) offering these services are permitted but need to be incorporated as a public company in South Africa and registered with the supervisory authority to carry on insurance business in the country.
- Cross-border supply of re-insurance is permitted but no guarantee for same treatment as nationals and reinsurers must be locally incorporated.





Banking & other financial services



- SADC firms are only allowed to engage in cross-border supply of asset management, collective investment schemes and advisory services.
- Accessing services in another SADC country is only permitted for asset management, collective investment schemes, advisory services provision and transfer of financial information and financial data processing.
- You are allowed to deal in foreign exchange in South Africa if you are an authorised dealer by the Reserve Bank or a bank registered to operate in South Africa with the required minimum capital base.
- You can supply custodial services for securities and financial instruments (including equities and bonds) but only if incorporated as a public company in South Africa.

TOURISM & TRAVEL RELATED SERVICES



- South Africa guarantees full market access and same treatment as nationals on the supply of **hotels and restaurants** (including catering), **travel agencies and tour operator, and tourist guide** services.

TRANSPORT SERVICES

Air transport services



- Air transport services – Service providers enjoy full market access and non-discriminatory treatment as a provider of air transport services.
- Cross-border supply is guaranteed only for maintenance and repair of aircraft.
- Foreign equity is allowed but limited to 49% for operations in SA and 25% for operations from SA to third parties in the case of establishments dealing with maintenance and repair of aircraft as well as computer reservation services.

Road transport



- South Africa makes exceptions for road transport operators to carry goods and passengers to or from South Africa and between third countries based on existing agreements with certain countries.

FOR INQUIRIES

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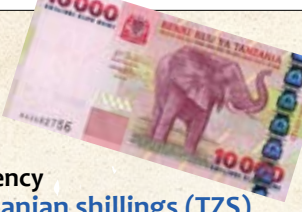





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UNITED REPUBLIC OF TANZANIA

KEY DATA




 <p>Dodoma Capital city</p> <p>947,300 km² Land Area</p> 	<p>51.82 million Population (2014)</p> 	<p>UTC +3 Time</p>  <p>TROPICAL Climate</p> 
 <p>80.3% Literacy</p>	<p>Natural resources Gold, diamonds, nickel, silver, uranium, copper, coal; natural gas and Tanzanite gemstone, which is found nowhere in the world other than Tanzania</p> 	<p>Main export destinations India, South Africa, China, Kenya and Japan</p> 
 <p>Currency Tanzanian shillings (TZS)</p> <p>5.6% Inflation (2015)</p>  <p>USD 138.3 billion GDP (2014)</p> <p>7% GDP (annual growth)</p>  <p>USD 2.04 billion FDI Net flow (2014)</p>	<p>Main industries Textile “light consumer goods”, agriculture, precious metals & gems</p>  <p>Principal exports Tyxxxxxx xxxxxxxxxx xxxxxx xxxxxxxx xxxxxxxxxxx xxx xxxxxxxxxxx</p> 	<p>Principal imports India, China, the United Arab Emirates, Switzerland, Kenya</p>  <p>Main import origins India, China, the United Arab Emirates, Switzerland, Kenya</p>

Source: SADC Investment Guide



Tanzania requires all foreign establishments to be registered and licensed in the country. Government approval is required for acquisition of domestic firms and mergers, and leasing of land by foreigners or foreign companies (at least 51% share is held by foreigner) while in the case of real estate an economic needs test would apply. Foreign services suppliers are required to transfer technology and skills to locals. Lastly, there is no guarantee that foreigners will have access to subsidies.

Tanzania guarantees access of the following categories of temporary workers:

- | | |
|--|---|
|  <ul style="list-style-type: none"> • Business visitors for a period of up to 90 days in every 365 days, without renewal, |  <ul style="list-style-type: none"> • Contractual services suppliers for a period of up to 2 years but only in the specific sectors in which contract has been entered into and employees should have appropriate educational and professional qualifications relevant to the services to be provided and approval by competent authority is required. |
|  <ul style="list-style-type: none"> • Intra-corporate transferees such as executives, managers and specialists: only for short periods of stay up to nine (9) months, and | |

Same treatment as nationals is guaranteed for all the listed temporary worker categories.





WHAT CAN YOU DO IN TANZANIA?

COMMUNICATION SERVICES

Courier services



- Full market access and non-discriminatory treatment for non-nationals.

Telecommunication services



- Both basic and value added – maximum shares by a SADC service supplier, through listing with the stock exchange, should be as 75% of a free float threshold prescribed in the stock exchange rules.

Audio-visual services



- Services such as radio and television services, and radio and television transmission services: no limitations on market access and same treatment as nationals guaranteed on cross-border supply of services, although foreign capital participation is limited to 49% if a SADC supplier of these services chooses to set up in Tanzania.

CONSTRUCTION AND RELATED ENGINEERING

Professional services



- For professional services such as architectural, engineering, integrated engineering, urban planning and landscape architectural, and quantity surveying services, guarantees are given for market access and same treatment as nationals with regard to establishment of local presence.

Construction services



- Enjoy full market access and same treatment as nationals as well as freedom to establish commercial presence for construction services of Class I works only (as defined based on project of any value in the respective type of work) in general construction for building and civil engineering, installation, assembling and erection of pre-fabricated construction, building completion and finishing, and other services i.e. pre-erection work at construction site, and special trade.

ENERGY-RELATED SERVICES



- Full market access and same treatment as nationals as well as freedom to establish commercial presence for the following energy-related services: advisory, for industrial and manufacturing, oil and gas transportation, power and other projects; environmental consultancy, support services to oil and gas extraction and other mining; maintenance and repair services of commercial and industrial machinery; and installation services of electrical machinery and apparatus: the scope of the energy-related services is limited to Class I (as defined based on project of any value in the respective type of work).

FINANCIAL SERVICES

Insurance services



- It is possible to establish commercial presence as long as at least a third of the controlling interest, whether in terms of shares, paid up capital or voting rights is held by citizens of Tanzania, and at least a third of the members of the Board are citizens of Tanzania.



TOURISM AND TRAVEL RELATED SERVICES



- Tanzania guarantees full market access and same treatment as nationals in the supply of tourism services such as hotels and restaurant, and tour operator services. However, the scope of the commitment covers **hotels and restaurants** of 3 stars (***) and above but 4 stars (****) and above for islands, national parks and game reserves; and **tour operator services** in Mainland Tanzania only.

TRANSPORT SERVICES



- There are no limitations on market access for **maritime and internal waterways transport** services such as passenger and freight transportation, rental of maritime vessels with crew but service providers will only be accorded same treatment as nationals for SADC firms establishing local presence on condition that the vessel flies a Tanzanian flag and 7 out of 10 executive posts should be held by Tanzanian citizens.
- There are no limitations for a SADC firm establishing commercial presence in Tanzania

Air transport services



- Services such as maintenance and repair of aircraft attract no limitations on market access and same treatment as nationals is guaranteed.

Rail transport services



- Services such as passenger and freight transportation, maintenance and repair of rail transport equipment, and supporting services for rail transport: no limitations on market access and same treatment as nationals guaranteed.

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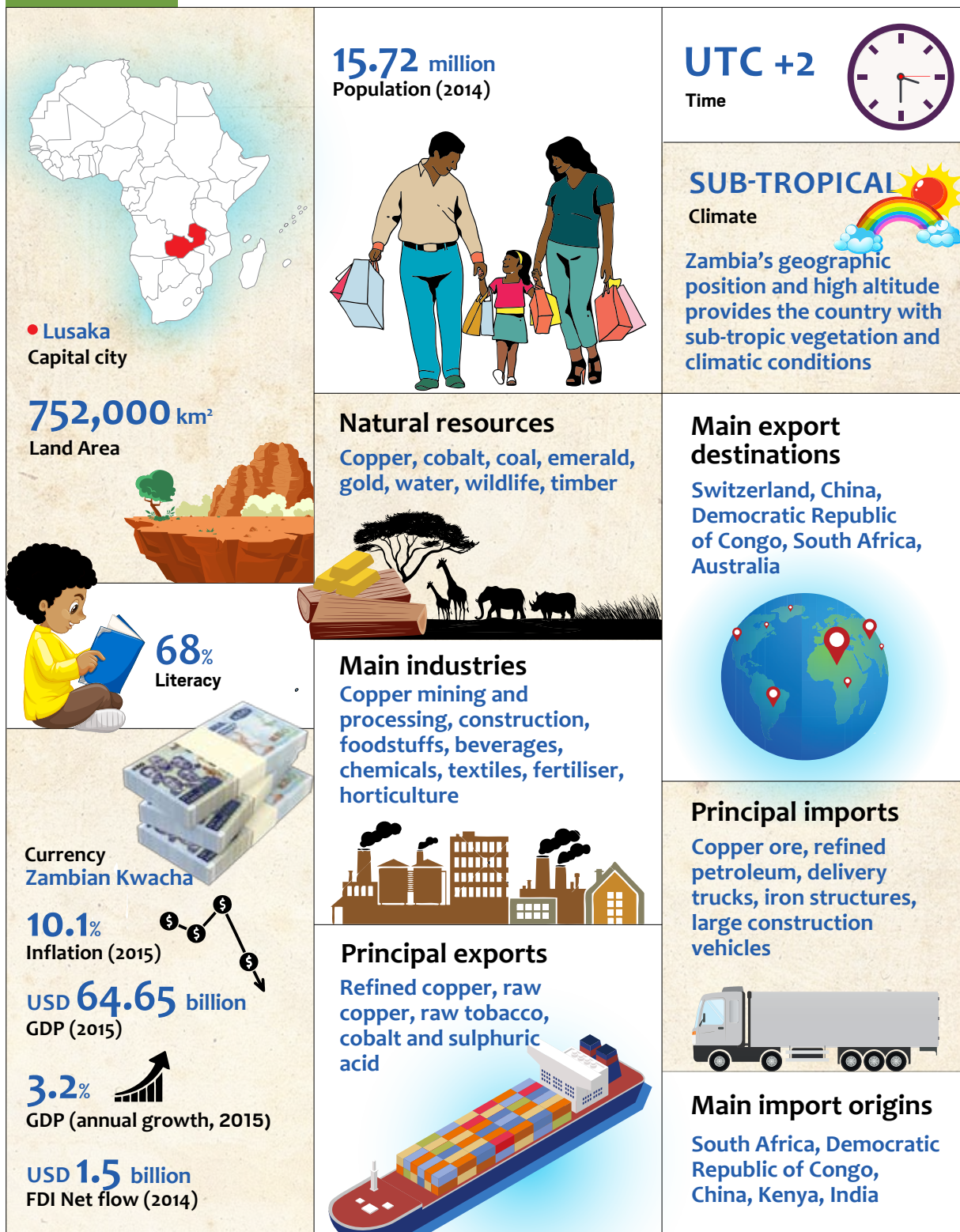
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ZAMBIA

KEY DATA



Source: SADC Investment Guide




Registration and/or incorporation in Zambia is mandatory for foreign companies seeking to operate in all sectors except for construction and tourism sectors, in which case the requirement is optional. For a registered company, the company secretary and half of the directors including the managing director and for branches at least one (1) director must be resident⁹.

Guarantees on entry of temporary workers:



- **Business visitors**, contractual and independent services suppliers – up to 30 days in any 12-month period




- **Intra-corporate transferees** (executives, managers & specialists) – up to 2 years renewable for 2 years.

Same treatment as nationals is fully guaranteed for the listed temporary worker categories except that intra-corporate transferees in higher skills must train Zambians to enable them to assume specialised roles.

WHAT CAN YOU DO IN ZAMBIA?


COMMUNICATION SERVICES

Courier services



- Courier services such as multimodal courier services for remailing of items weighing more than 1kg do not attract any market access restrictions and same treatment as nationals is guaranteed for cross-border supply and establishment of commercial presence.


Telecommunication services



- No market access limitations on telecommunication services covering voice telephony, data transmission leased circuit, value-added services and other services (i.e. paging and teleconferencing) other than the fact that an additional licence for setting up local presence in supply of voice mobile telephony services for public and fixed, mobile and satellite lease is subjected to an economic needs test (ENT)¹⁰.

CONSTRUCTION & RELATED ENGINEERING

Professional services



- Professional services such engineering services enjoy full market access and enjoy same treatment as nationals.
- The scope of architectural services is limited to non-residential building projects of office (above 10,000m²), retail (above 20,000m²), hotels (above 20,000 m²), convention centres (above 30,000 m²), health care (above 40,000 m²) and entertainment, recreational excluding cultural buildings (above 25,000 m²)
- Cross-border supply requires services of a locally registered architect while establishment of commercial presence is subject to a joint venture, on project basis of up to 49% foreign participation.
- Where temporary relocation is involved, a foreign architect is required to partner with a locally registered architect, on a contractual and project specific basis.

⁹ This requirement does not apply to suppliers of services such as accountancy, medical & dental, those by midwives, nurses, physiotherapists & paramedics, technical testing and analysis, incidental to mining, construction & related engineering, banking, hospital, other human health, tourism and travel services

¹⁰ ENT is undertaken periodically and takes into account the following: availability of spectrum; population levels; per capita income; subscriber base; market penetration levels; competition levels; national coverage; and tariff levels.



Construction services



- Enjoy full market access and same treatment as nationals when supplying construction services such as general construction works for building and civil engineering, assembling and installation, building completion and finishing, and other services (site preparation, special trade and rental of construction equipment without operator).

FINANCIAL SERVICES

Banking services



- Banking and other financial services (excluding insurance services) such as acceptance of deposits and other repayable funds from public; lending of all types including consumer credit, mortgage credit, factoring and financing of commercial transaction; financial leasing; guarantees and commitments; trading of own account or for account customers, whether on an exchange, in an over-the-counter market of otherwise; and participation in issues of all kinds of securities including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues is limited to securities broking, issue and registration services; and portfolio management services: legal entities must be registered or incorporated, licensed or designated by the appropriate authority in Zambia; and no person may, without prior approval of the Bank of Zambia, acquire more than 25% voting shares in a bank or financial institution unless that person is listed on a recognised stock exchange. The Bank of Zambia may prescribe a different voting share limit for financial businesses. Those meeting these requirements will be accorded same treatment as nationals.

ENERGY-RELATED SERVICES



- Zambia guarantees full market access and same treatment as nationals for supply of the following energy-related services: technical testing and analysis and services incidental to mining; construction; electricity transmission and distribution (on own account), wholesale trade related to coal and peat goods, and crude petroleum and natural gas; pipeline transportation of petroleum and natural gas; and refined petroleum products manufacturing services.

TOURISM & TRAVEL RELATED SERVICES



- Zambia has guaranteed no limitations for the supply of hotel and restaurants, travel agency and tour operator, tourist guide services; and other tourism services.

TRANSPORT SERVICES



- Maximum foreign shareholding in a firm establishing a branch to supply road transport services (such as freight transportation of build liquid or gas and containerised freight) is limited to 25% and directors must be exclusively Zambian.

FOR INQUIRIES

Organisation: Tyxxxxxxxx xxxxxxxx xxxxxxxx
xxxxxxxxxxxxx xxxxxxxxxxxxxxxx xxxxxxxxxxxxxxxx

Address: Tyxxxxxxxx xxxxxxxx xxxxxxxx






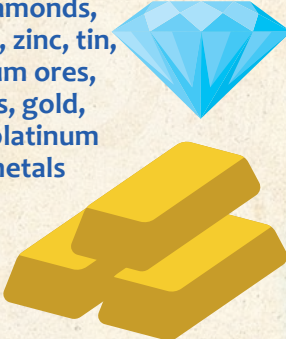






Email: Tyxxxxxxxx xxxxxxxx xxxxxxxx

Telephone: Tyxxxxxxxx xxxxxxxx xxxxxxxx



ZIMBABWE

KEY DATA

 <p>• Harare Capital city</p> <p>390,580 km² Land Area</p>  <p>97% Literacy</p>	<p>14.1 million Population (2015 Est.)</p> 	<p>UCT+2 Time</p>   <p>TROPICAL, MODERATED BY ALTITUDE Climate</p>
<p>97% Literacy</p>	<p>Natural resources Coal, diamonds, iron ore, zinc, tin, chromium ores, asbestos, gold, nickel, platinum group metals</p> 	<p>Main export destinations South Africa, Mozambique, United Arab Emirates, Zambia</p> 
<p>Currency Multi – currency system (USD, Rand, GBP, Euro)</p> <p>1% Inflation (2015)</p> <p>USD 4.1 billion GDP</p> <p>1.5% GDP (annual growth, 2015)</p> <p>USD 535 million FDI Net flow</p>  	<p>Main industries Agriculture, manufacturing, tourism</p>  <p>Principal exports Tobacco, minerals, ores, slag and ash, iron and steel</p> 	<p>Principal imports Machinery, fuel, motor vehicles, cereals</p>  <p>Main import origins South Africa, United Kingdom, United States of America, Argentina, Germany, Japan</p>

Source: SADC Investment Guide



The purchase of shares in companies listed on the stock exchange by foreign investors is limited to 49% per counter of the issued capital, in addition to any foreign existing foreign holding in a company but single investor may not be permitted to buy more than 15% of shares on offer.

The guarantee for the categories of temporary workers is as follows:



- **Business visitors**, for up to 90 days in 365 days but each visit is not to exceed 30 days,



- **Contractual and independent services suppliers** – up to 180 days renewable for another 180 days.



- **Intra-corporate transferees** (executives, managers & specialists) – up to 2 years renewable for 2 years;

Same treatment as nationals is fully guaranteed for business visitors, executives and managers but specialists must train and transfer specialist knowledge and skills to a Zimbabwean.

WHAT CAN YOU DO IN ZIMBABWE?

COMMUNICATION SERVICES

Postal and courier services



- Postal and courier services, including express delivery services: no limitations on market access and same treatment as nationals guaranteed on cross-border supply and establishment of commercial presence.



- Telecommunication services covering both basic and value added services: no limitations on market access and same treatment as nationals guaranteed on cross-border supply and establishment of commercial presence.

Audio-visual services

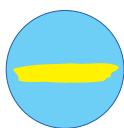


- Cross-border supply of audio-visual services is guaranteed with full market access and same treatment as nationals except for live recording.
- Establishment of commercial presence by a SADC firm is subject to a joint venture partnership requirement with foreign ownership limited to 49%.



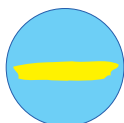
CONSTRUCTION & RELATED ENGINEERING

Professional services



- For supply of professional services, establishment of commercial presence is subject to a maximum of 49% foreign ownership.

Construction works



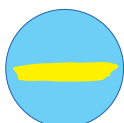
- Establishment of commercial presence is subject to joint venture of up to 49% of foreign ownership.

ENERGY-RELATED SERVICES



- Zimbabwe guarantees full market access and same treatment as nationals for the supply of technical testing and analysis, refined petroleum products manufacturing, support services to electricity transmission and distribution; and management consulting, business consultancy and other management services, except construction project management services.

FINANCIAL SERVICES



- Banking and other financial services (excluding insurance services) such as acceptance of deposits and other repayable funds from public; lending of all types including consumer credit, mortgage credit, factoring and financing of commercial transaction; financial leasing; foreign equity participation in financial institutions should not exceed 60%.

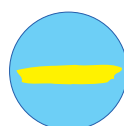
TOURISM SERVICES



- Hotel and restaurant, travel agency and tour operator services, and tourist guide services** do not have limitations on market access and same treatment as nationals is guaranteed on cross-border supply, consumption and establishment of commercial presence.

TRANSPORT SERVICES

Internal waterways services



- For supply of internal waterways services establishment of commercial presence is subject to a joint venture requirement of up to 49% foreign partnership.

Air transport services



- Cross-border supply and freedom to set up in another SADC Member State to supply air transport services such as computer reservation systems (CRS), maintenance and repair of aircraft, and selling and marketing of air transport services.

Rail transport services



- Rail transport services such as passenger and freight transportation, and maintenance and repair of rail equipment are open for cross-border supply of maintenance and repair of rail equipment, as well as passenger and freight transportation.

FOR INQUIRIES

Organisation: Tyxxxxxxxx xxxxxxxx xxxxxxxx
xxxxxxxxxxxxx xxxxxxxxxxxx xxxxxxxxxxxx

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This image shows a single sheet of cream-colored paper with horizontal ruling lines. The paper has a slightly textured appearance with some minor discoloration and small dark spots, characteristic of aged or recycled paper. There are approximately 20 horizontal lines spaced evenly across the page. The edges of the paper are slightly irregular.

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SADC SECRETARIAT




SOUTHERN AFRICAN DEVELOPMENT COMMUNITY TOWARDS A COMMON FUTURE


The Southern African Development Community (SADC) is an inter-governmental organization headquartered in Gaborone, Botswana. Its goal is to further regional socio-economic cooperation and integration as well as political and security cooperation among 16 countries in southern Africa.

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