

**GENERAL AGREEMENT  
ON TRADE IN SERVICES**

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GATS/SC/78  
15 April 1994  
(94-1075)

**SOUTH AFRICA**

**Schedule of Specific Commitments**

(This is authentic in English only)

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## SOUTH AFRICA - SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>4) Unbound, except for the 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 natural persons providing services:</p> <p><b>A. Services Salespersons</b> - natural persons not based in South Africa and acquiring no remuneration from a source located within South Africa, who are engaged in activities related to representing a services provider for the purpose of negotiating for the sale of the services of that provider, without engaging in making direct sales to the general public or supplying services. Temporary presence for Services Salespersons is limited to a ninety-day period.</p>	<p>3) Local borrowing by South African registered companies with a non-resident shareholding of 25 per cent or more is limited</p> <p>4) Unbound, except for measures concerning the categories of natural persons referred to in the market access column</p>	

**SOUTH AFRICA (continued)**

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>	
	<p><b>B. Intra-corporate Transferees</b> - natural persons of the following categories who have been employed by a juridical person that provides services within South Africa through a branch, subsidiary, or affiliate established in South Africa and who have been in the prior employ of the juridical person outside South Africa for a period of not less than one year immediately preceding the date of application for admission:</p> <p><b>Executives</b> - natural persons within the organization who primarily direct the management of the organization or establish goals and policies for the organization or a major component or function of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders of the business.</p>			

**SOUTH AFRICA** (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><b>Managers</b> - natural persons within an organization who primarily direct the organization, or a department or subdivision of the organization, supervise and control the work of other supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><b>Specialists</b> - natural persons within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's product, service, research equipment, techniques, or management.</p> <p><b>Professionals</b> - natural persons who are engaged, as part of a services contract negotiated by a juridical person of another Member in the activity at a professional level in a profession set out in Part II, provided such persons possess the necessary academic credentials and professional qualifications, which have been duly recognised, where appropriate, by the professional association in South Africa.</p>		

**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>		<b>Additional commitments</b>	
	<p><b>C. Personnel Engaged in Establishment</b> - natural persons who have been employed by a juridical person for a period of longer than one year immediately preceding the date of application for admission and who occupy a managerial or executive position and are entering South Africa for the purpose of establishing a commercial presence on behalf of the juridical person.</p>				

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments		
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>					
1. BUSINESS SERVICES					
A. <u>Professional Services</u>					
a) Legal services (advisory services in foreign and international law only) (CPC 861 + )	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>			
Legal services (domestic law only) (CPC 861 + )	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) An advocate is not allowed to form a partnership/company</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>			
b) Auditing (CPC 862 + )	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>	<ul style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) Citizenship requirement for accreditation</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>			
c) Taxation services (excluding legal services) (CPC 863)	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ul>			

**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
d) Architectural services (CPC 8671)	<ol style="list-style-type: none"> <li>1) For building plans of 500 m<sup>2</sup> and over the services of a locally registered architect have to be utilised</li> <li>2) For building plans of 500 m<sup>2</sup> and over the services of a locally registered architect have to be utilised</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			
e) Engineering services (CPC 8672)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			
f) Integrated engineering services (CPC 8673)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			
g) (i) Urban planning services (CPC 8674)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			



**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>			<b>Limitations on national treatment</b>	<b>Additional commitments</b>
(ii) Landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
h) Medical and dental services (CPC 9312)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
i) Veterinary services (CPC 932)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
j) Services provided by: (i) Midwives and nurses (CPC 93191)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	
(ii) Physiotherapists and paramedical personnel	1) Unbound* 2) Unbound* 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) Unbound* 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) Unbound* 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) Unbound* 3) None 4) Unbound except as indicated in the horizontal section	

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>				<b>Additional commitments</b>
B. <u>Computer and Related Services</u>					
a) Consultancy services related to the installation of computer hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
b) Software implementation services (CPC 842)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
c) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
d) Data base services (CPC 844)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	

**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
e) Maintenance and repair services of office machinery and equipment including computers (CPC 8450)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
D. <u>Real Estate Services</u>					
a) Involving own or leased property (CPC 821)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
b) On a fee or contracting basis (CPC 822)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
E. <u>Rental/Leasing Services without Operators</u>					
a) Relating to ships (CPC 83103)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			

**SOUTH AFRICA** (continued)

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<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
b) Relating to aircraft (CPC 83104)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
c) Relating to other transport equipment (CPC 83101 + ) (CPC 83102 + ) (CPC 83105)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
d) Relating to other machinery and equipment (CPC 83106) (CPC 83107) (CPC 83108) (CPC 83109)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
F. <u>Other Business Services</u>					
b) Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			

**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>			<b>Limitations on national treatment</b>	<b>Additional commitments</b>
c) Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
d) Services related to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
e) Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
f) Services incidental to agriculture, hunting and forestry (CPC 881)	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	
g) Services incidental to fishing (CPC 882)	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
h) Services incidental to mining (CPC 883) (CPC 5115)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			
i) Services incidental to manufacturing (CPC 884) (CPC 885)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			
k) Placement and supply services of personnel (CPC 872)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			
l) Investigation and security (CPC 873)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			
m) Engineering related scientific and technical consulting services (CPC 8675)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) None</li> <li>4) Unbound except as indicated in the horizontal section</li> </ol>			

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
n) Maintenance and repair of equipment (CPC 633)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
o) Building-cleaning services (CPC 874)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section			
p) Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
s) Convention services (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
2. COMMUNICATION SERVICES					
B. <u>Courier Services</u> (CPC 7512)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>		<b>Limitations on national treatment</b>		<b>Additional commitments</b>
<p>C. <u>Telecommunication Services</u></p> <p>h) Electronic mail (CPC 7523)</p> <p>i) Voice mail (CPC 7523)</p> <p>j) On-line information and data base retrieval (CPC 7523)</p> <p>k) Electronic data interchange (EDI) (CPC 7523)</p> <p>l) Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523)</p> <p>m) Code and protocol conversion</p> <p>n) On-line information and/or data processing (including transaction processing) (CPC 843)</p>	<p>1) to 3) General limitations: There are limitations on the bypass of South African facilities for routing of domestic and international traffic. Telkom is currently acting as a <u>de facto</u> regulator by means of agreements entered into with VANS providers in South Africa.</p> <p>VANS providers can only provide international services with the consent of Telkom SA Ltd. Legislation is currently being proposed to introduce a Regulator who might take over the licensing function. No formal policy exists and applications from international VANS are dealt with on an informal <u>ad hoc</u> basis. This situation may be addressed with the anticipated introduction of a new regulatory regime.</p> <p>4) Unbound except as indicated in the horizontal section</p>		<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>		



**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>			<b>Limitations on national treatment</b>	<b>Additional commitments</b>
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES					
A. <u>General Construction Work for Buildings</u> (CPC 512)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	2) Consumption abroad	3) Commercial presence 4) Unbound except as indicated in the horizontal section		
B. <u>General Construction Work for Civil Engineering</u> (CPC 513)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section		3) Commercial presence 4) Unbound except as indicated in the horizontal section		
C. <u>Installation and Assembly Work</u> (CPC 514 + ) (CPC 516)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section		3) Commercial presence 4) Unbound except as indicated in the horizontal section		
D. <u>Building Completion and Finishing Work</u> (CPC 517)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section		3) Commercial presence 4) Unbound except as indicated in the horizontal section		

**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>			<b>Limitations on national treatment</b>	<b>Additional commitments</b>
4. DISTRIBUTION SERVICES					
B. <u>Wholesale Trade Services</u> (CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
C. <u>Retailing Services</u> (CPC 631) (CPC 632) (CPC 6111) (CPC 6113) (CPC 6121)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
D. <u>Franchising</u> (CPC 8929)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments		
6. ENVIRONMENTAL SERVICES (All entries in this sector are restricted to consultancy services only)					
A. <u>Sewage Services</u> (CPC 9401)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
B. <u>Refuse Disposal Services</u> (CPC 9402)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
C. <u>Sanitation and Similar Services</u> (CPC 9403)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
D. <u>Other</u> (Cleaning services of exhaust gases, noise abatement services and landscape protection services)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
<p>7. <b>FINANCIAL SERVICES</b></p> <p>A. <u>All Insurance and Insurance Related Services</u></p> <p>a) Direct life insurance (CPC 8121 + )</p> <p>b) Direct non-life insurance (CPC 8129 + )</p> <p>c) Reinsurance (CPC 81299 + )</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) To transact business in South Africa, insurers (foreign and domestically controlled) must be incorporated as a public company in terms of the Companies Act</p> <p>To ensure that competition is not impaired, the acquisition of shares or any other interest (by a resident or non-resident) in a registered insurer resulting in the holding of 25 per cent or more of the value of all the shares or other interest in that business, requires the written approval of the Registrar of Insurance</p> <p>4) Unbound except as indicated in the horizontal section, and that the chairman, public officer and majority of directors must be resident in South Africa</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>			

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	
<b>Sector or subsector</b>		<b>Limitations on market access</b>			<b>Additional commitments</b>	
<p><b>B. <u>Banking and Other Financial Services</u> (Excluding Insurance)</b></p> <p>a) Acceptance of deposits and other repayable funds from the public (CPC 81115 to 81119)</p> <p>b) Lending of all types, including, <u>inter alia</u>, consumer credit, mortgage credit, factoring and financing of commercial transactions (CPC 8113)</p> <p>c) Financial leasing (CPC 8112)</p>		<p><b>Limitations on market access</b></p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) Corporate membership of financial exchanges is unrestricted, except in the case of the Johannesburg Stock Exchange</p> <p>No bank or controlling company (domestically or foreign controlled) may allot or issue any of its shares to a person to the extent that the total nominal value of such shares exceeds in total 49 per cent of the total nominal value of all the issued vote-bearing shares in the bank or the controlling company</p>			<p><b>Limitations on national treatment</b></p> <p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p>	

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>			<b>Additional commitments</b>
<p>d) All payments and money transmission services, including credit, charge and debit cards, travellers cheques and bank drafts (CPC 81339 + )</p> <p>e) Guarantees and commitments (CPC 81199 + )</p> <p>f) Trading for own account or for account of customers the following:</p> <p>(i) money market instruments</p> <p>(ii) foreign exchange derivative products</p> <p>(iv) exchange rate and interest rate instruments</p>	<p>The Minister of Finance may, however, grant permission to a bank or controlling company to issue more than 49 per cent of its shares to such a person, provided that competition is not impaired. This restriction does not apply to the allotment or issuing of shares in a bank or a controlling company registered in respect of that bank, or another bank or an institution which has been approved by the Registrar and which conducts business of a bank in a country other than South Africa.</p> <p>Foreign banks wishing to obtain a controlling interest in a local bank are required to establish a domestic public company.</p> <p>No person (domestic or foreign) shall conduct the business of a bank unless such person is a public company, and is registered in terms of the Banks Act.</p>				

**SOUTH AFRICA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
(v) other negotiable instruments, but <u>excluding</u> transferable securities (CPC 81339 + )	4) Unbound except as indicated in the horizontal section, and that membership of the financial exchanges is, in the case of natural persons, restricted to South African citizens	4) Unbound except as indicated in the horizontal section			
h) Money broking (CPC 81339 + )	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section			
9. TOURISM AND TRAVEL RELATED SERVICES					
A. <u>Hotels and Restaurants</u> (including catering) (CPC 641)	1) Unbound except for catering: None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			
B. <u>Travel Agencies and Tour Operators Services</u> (CPC 7471)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section			

**SOUTH AFRICA** (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
<b>Sector or subsector</b>	<b>Limitations on market access</b>	<b>Limitations on national treatment</b>	<b>Additional commitments</b>		
C. <u>Tourist Guide Services</u> (CPC 7472)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section			
11. TRANSPORT SERVICES					
F. <u>Road Transport Services</u>					
a) Passenger transportation (CPC 7121) (CPC 7122)	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section			
b) Freight transportation (CPC 7123)	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section			
d) Maintenance and repair of road transport equipment (CPC 6112)	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal section			



**SOUTH AFRICA** (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>12. OTHER SERVICES NOT INCLUDED ELSEWHERE</p> <p>Washing, cleaning and dyeing services (CPC 9701)</p> <p>Hairdressing and other services (CPC 9702)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p> <p>1) Unbound*</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	

Coding: Numbers indicated in each sectoral commitment are references to the Services Sectoral Classification List (MTN.GNS/W/120) - W 120, and the UN Provisional Central Product Classification of 1991 - CPC.

+ Part of item

\* Unbound due to lack of technical feasibility