

MAURITIUS

INITIAL MARKET ACCESS OFFER OF MAURITIUS TO AfCFTA MEMBER STATES

Mauritius submits its initial market access offer on Trade in Services in the context of the African Continental Free Trade Area (AfCFTA) Negotiations.

Mauritius reserves the right to modify, expand, amend or withdraw this initial offer in toto or in parts at any time prior to the conclusion of the negotiation.

This offer is subject to existing legislations /regulations prevailing in Mauritius.

Modes of supply:				
	1) Cross-border	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or Subsector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
HORIZONTAL COMMITMENTS				
ALL SECTORS INCLUDED IN THIS SCHEDULE	Foreign service suppliers 3) Foreign service suppliers need to be incorporated or registered in Mauritius		At least one (1) director needs to be ordinarily resident in Mauritius.	
	4) Unbound, except for measures affecting the entry and temporary stay of natural persons in the following categories: (a) Business Visitors: Persons who visit Mauritius temporarily for the purposes specified in (i) – (iv) below: i. For the sale of services or entering into agreements for such sales for that services supplier (Service Seller) and/or		4) Unbound, except for measures concerning the entry and temporary stay of natural persons referred to in the market access column.	

	<p>ii. Employees of a juridical person for the purpose of setting up a commercial presence of that juridical person in Mauritius</p> <p>iii. Persons participating in business meetings</p> <p>iv. Persons engaged in installing machinery or providing after-sale services of machinery under the conditions of the purchase of the machinery.</p> <p>Access is subject to the condition that representatives of such services suppliers or employees of such juridical persons:</p> <ul style="list-style-type: none"> • will not be engaged in making direct sales to the general public or in supplying services themselves, and • will not receive any remuneration from a source located within Mauritius. <p>Business visitors will be granted a Business Visa at a cumulative rate of 120 days in a calendar year and provided that the stay during each trip should not exceed 90 days consecutively.</p>		
	<p>(b) Intra-Corporate Transferees:</p> <p>Category of employees, including those listed below who are hired temporarily by a service supplier with a commercial presence in Mauritius in the context of provision of a service in Mauritius:</p> <p>(i) Managers: Persons who direct a branch office or one or more departments as their head, or supervise or control the work of other supervisory, professional or managerial personnel and have the authority to appoint or remove the personnel and powers to exercise discretionary authority over day-to-day</p>	<p>For intra-corporate transferees, the employer may be required to appoint a suitable Mauritian counterpart to be trained by the foreign natural person during the posting in Mauritius.</p>	

	operations.		
	<p>(ii) Executives: Persons who are in senior positions within a juridical person or a branch, and who primarily direct the management, have wide decision-making powers and are either members of the board of directors or receive directions from the board or the general body of shareholders</p>		
	<p>(iii) Specialists: Persons who possess high qualifications and knowledge at an advanced level relevant to the organization's activities or of the organization's research, equipment, techniques or management and may include persons who are members of accredited professional bodies</p>		
	<p>(c) Contractual Service Supplier/Short Term Service Supplier: natural persons employed by a juridical person who:</p> <p>(i) travel to Mauritius temporarily for short periods of stay in order to perform a service pursuant to a contract between their employer and a client(s) located in Mauritius where the employer does not have an affiliate office and where remuneration must be paid solely to the employer.</p> <p>(ii) travel to Mauritius temporarily for short periods in order to fulfil qualification and licensing requirements where presence in Mauritius is an essential condition for the fulfilment of these requirements.</p> <p>Access shall be available under this category only in the specific service sector in which contract has been entered into and employees should have appropriate educational and professional qualifications relevant to the</p>		

	services to be provided.		
	<p>(d) Independent Professional</p> <p>Natural persons who travel to Mauritius temporarily for short periods of stay to perform a service pursuant to a contract(s) between them and a client(s) located in Mauritius for which he or she possesses the necessary academic credentials and qualifications and has obtained, wherever necessary, registration with the professional body and remuneration is to be paid solely to the natural person.</p> <p>Access shall be available under this category only in the specific service sector in which contract has been entered into.</p>		
	<p><u>Note:</u></p> <p>Occupation Permits as defined in the Immigration Act of Mauritius (subject to conditions) are applicable as follows:</p> <ul style="list-style-type: none"> - Short Term Occupation Permit (STOP), granted for a period of 3 months and up to 9 months, and renewable only once for a period of 3 months. - Occupation Permit (OP), granted for an initial period of 3 years and may be renewed for further terms of 3 years. <p>Visitors requiring Visa prior to travel should apply for Business Visa prior to travel. Bona Fide Business Persons, however, on application may also be granted Multiple Entry Visa for a period of two (2) years for a maximum of 120 days, provided during each trip the stay does not exceed 90 days consecutively.</p>		

II. SECTOR SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. PROFESSIONAL SERVICES			
Accounting, auditing and book-keeping services (CPC 862)	<ol style="list-style-type: none"> 1) Unbound 2) Need to be licensed 3) Only in the form of joint ventures permitted 4) Unbound, except as indicated in the horizontal commitments 	<ol style="list-style-type: none"> 1) Unbound 2) Need to be licensed 3) Only in the form of joint ventures permitted 4) Unbound, except as indicated in the horizontal commitments 	
Engineering services (CPC 8672)	<ol style="list-style-type: none"> 1) Registration with CIDB required 2) Registration with CIDB required 3) None 4) Unbound, except as indicated in the horizontal commitments 	<ol style="list-style-type: none"> 1) Registration with CIDB required 2) Registration with CIDB required 3) Foreign engineering firms should obtain a provisional registration with Construction Industry Development Board to be eligible to bid for a project in Mauritius and if awarded the engineering firm should obtain a temporary registration against payment of a fee on a project basis 4) Unbound, except as indicated in the horizontal commitments 	
Integrated Engineering Services (CPC 8673)	<ol style="list-style-type: none"> 1) Registration with CIDB required 2) Registration with CIDB required 3) None ¹ 4) Unbound, except as indicated in the horizontal commitments 	<ol style="list-style-type: none"> 1) Registration with CIDB required 2) Registration with CIDB required 3) Foreign engineering firms should obtain a provisional registration with Construction Industry Development Board to be eligible to bid for a project in Mauritius and if awarded the engineering firm should obtain a temporary registration against payment of a fee on a project basis 4) Unbound, except as indicated in the horizontal commitments 	

¹ Requirements on a case by case basis to have the presence in Mauritius of a designated local engineer during the period of the works

Veterinary Services (CPC 932)	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
B. COMPUTER AND RELATED SERVICES			
(a) Consultancy Services related to the installation of Computer Hardware (CPC 841)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal commitments.	1) None 2) None 3) None 4) 4) Unbound, except as indicated in the horizontal commitments	
(b) Software implementation services (CPC 8421, CPC 8422, CPC 8423, CPC 8424)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
(c) Software Implementation Services (CPC 8425)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal commitments.	1) None 2) None 3) None 4) Unbound except as indicated in horizontal commitments	
(d) Data processing services (CPC 843)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as in horizontal commitments	
(e) Database services (CPC 844)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal s commitments	1) None 2) None 3) None 4) Unbound except as indicated in horizontal commitments	

(f) Maintenance and repair services of office machinery and equipment including computers (CPC 845)	1) None 2) None 3) Unbound 4) Unbound except as indicated in horizontal commitments	1) None 2) None 3) Unbound 4) Unbound except as indicated in horizontal commitments	
C. RESEARCH AND DEVELOPMENT SERVICES			
R&D services on natural sciences and engineering (CPC 851) (except CPC 85104 and CPC 85105)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
R&D services on social sciences and humanities (CPC 852)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
Inter-disciplinary R&D services (CPC 853)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
F. Other Business Services			
Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	

Technical testing and analysis (CPC 8676)	1) None 2) None, 3) None, except for regulated products 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the commitments	
Related scientific and technical consulting services (CPC 8675)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
Services incidental to fishing (CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
Services incidental to mining (CPC 883+5115)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
Services incidental to Manufacturing (CPC 884+885) Except for 884442	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
2. COMMUNICATION SERVICES			
B. Courier Services (CPC 7512)			
Courier services refers to individualized and time sensitive services of accepting, conveying and distributing documents and goods on a door to door basis	1) None 2) None 3) “None, except for a Reserve Area of up to 2 kg for private and multi-national Courier companies”. 4) Unbound except as indicated in horizontal	1) None 2) None 3) “None, except for a Reserve Area of up to 2 kg for private and multi-national Courier companies”. 4) Unbound except as indicated in	

	commitments	horizontal commitments	
C. TELECOMMUNICATION SERVICES			
a. Voice telephone services (CPC 7521)	1) None 2) None 3) License for a new mobile (including satellite based) and fixed line service supplier based on an economic needs test ² . 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in horizontal commitments	
b. Packet switched data transmission services (CPC 7523) c. Circuit switched data transmission services (CPC 7523) d. Telex services (CPC 7523) e. Telegraph services (CPC 7523) f. Private leased circuit services (CPC 7522+7523) g. Facsimile Services (CPC 7521+ 7529) h. Others (i)Paging (ii) Private Mobile Radio (iii) Equipment rental Services (iv) Equipment sales services (v) Equipment maintenance services (vi) Mobile services (satellite-based)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	

² Criteria for ENT: New supplier should demonstrate qualitatively and quantitatively the innovations it is bringing in the mobile landscape in Mauritius, value added activities, new business models, unique branding, significant transfer of technology, FDI inflows and significant job creation in the sector.

7. FINANCIAL SERVICES

Headnote:

1. The commitments on financial services are made in accordance with the General Agreement on Trade in Services (GATS) and the Annex on Financial Services. All the commitments in this Schedule are subject to domestic laws, guidelines, rules and regulations, terms and conditions of the relevant authorities in Mauritius, consistent with Article VI of the GATS and paragraph 2 of the Annex on Financial Services.
2. The admission to the market of new financial services or products may be subject to the existence of, and consistency with, a regulatory framework aimed at achieving the objectives indicated in Paragraph 2(a) of the Annex on Financial Services.
3. For Banking services a foreign bank must have operated for at least 5 years in the jurisdiction of its head office for it to obtain a license to operate as a branch or a subsidiary in Mauritius. No banking license will be issued to a financial institution which has no physical presence in the country in which it is incorporated and licensed, and which is unaffiliated with a regulated financial group which is subject to effective consolidated supervision. For the Banking Sector, the grant of a licence may also depend on the convenience and needs of the community or market to be served.
4. For Insurance Services, the Financial Services Commission shall not grant an application for a license except where it is satisfied that in the case of a foreign company, it is registered under the Companies Act and has a satisfactory record of at least 3 years' experience in handling the category and class of insurance business, in respect of which the application is made, in the country under whose laws it is organised.
5. The commitments indicated below are subject to an economic needs test.

A. Insurance and in Insurance-related Services

a) Direct life insurance (CPC 81211)	<ol style="list-style-type: none"> 1) Companies must be incorporated/registered and licensed in Mauritius for long term insurance business. 2) None 3) None. 4) Unbound, except as indicated in the horizontal commitments. 	<ol style="list-style-type: none"> 1) None 2) None 3) None ,except that experience of three years required for foreign firms 4) Unbound, except as indicated in the horizontal commitments. 	
b) Direct non- life insurance (CPC 8129)	<ol style="list-style-type: none"> 1) Companies must be incorporated/registered and licensed in Mauritius for general insurance business 2) Insurance of assets situated in Mauritius and insurances which are compulsory in Mauritius including compulsory Third Party Insurance, cannot be placed outside Mauritius. 3) None 	<ol style="list-style-type: none"> 1) None 2) None 3) None, except that experience of three years required for foreign firms 	

	4) Unbound, except as indicated in the horizontal commitments	4) Unbound, except as indicated in the horizontal commitments	
(c) Reinsurance and retrocession (CPC 81299)	<p>1) At least 5% of reinsurance must be placed with African Reinsurance Corporation</p> <p>2) None</p> <p>3) At least 5% of reinsurance must be placed with African Reinsurance Corporation</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	<p>1) None</p> <p>2) None</p> <p>3) None ,except that experience of three years required for foreign firms</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	
(d) Insurance intermediation comprising (i) Agents	<p>1) Companies must be incorporated/ registered prior to being licensed in Mauritius and individuals must be licensed as insurance agents. Insurance agents must have a commercial presence and act only for insurers licensed in Mauritius.</p> <p>2). Insurance of assets situated in Mauritius and insurances which are compulsory in Mauritius including compulsory Third Party Insurance, cannot be placed outside Mauritius.</p> <p>3) Insurance agents must act only for insurers licensed in Mauritius</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	<p>1) None</p> <p>2) None</p> <p>3) None, except that experience of three years required for foreign firms</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	
(ii) Brokers	<p>1) Unbound</p> <p>2) None, except for insurance of assets situated in Mauritius and insurances which are compulsory in Mauritius including compulsory Third Party Insurance.</p> <p>3) Insurance brokers may arrange insurance business with insurers licensed in Mauritius, and reinsurance business where brokers may also arrange business with a foreign reinsurer.</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

	4) Unbound, except as indicated in the horizontal commitments	4) Unbound, except as indicated in the horizontal commitments	
(e) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None, except that experience of three years required for foreign firms 4) Unbound, except as indicated in the horizontal commitments	
B. Banking and other Financial Services			
(a) Acceptance of deposits (CPC 81116-81119)	1) Unbound 2) None 3) Only institutions holding a banking license or a deposit taking business licence issued by the Bank of Mauritius can accept deposits 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(b) Lending of all types (excluding factoring and specialized and structured products) (CPC 8113)	1) None 2) None 3) None, except with regard to credit exposure of branches of foreign banks where the capital of the head office is not to be taken into account 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(c) All payment and money transmission services, including credit, charge and debit cards, traveler's cheques and banker's draft. (CPC 81339)	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(d) Guarantees and commitments (CPC 81199**))	1) None 2) None 3) None 4) Unbound, except as indicated in the	1) None 2) None 3) None 4) Unbound, except as indicated in the	

	horizontal commitments	horizontal commitments	
(e) Trading for own account or for account of customers in the following only: -money market instruments (including cheques, bills, certificates of deposits) (CPC 81339**)) - transferable securities (CPC 81321*) - foreign exchange (CPC 81333)	1) None 2) None 3) None, except that trading for own account by commercial banks in shares is subject to prior approval of the Central bank, i.e, Bank of Mauritius. Trading in listed securities can only be carried out by licensed investment dealers 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(f) Participation in issues of all kinds of securities ³ , including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	1) None 2) None 3) None, except that participation by commercial banks in share issues requires the approval of the Bank of Mauritius 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(g) Settlement and clearing services for the following: (i) inter-bank transactions (ii) securities	1) Unbound, except for the provision of settlement and clearing services for financial assets which are listed on overseas exchanges only 2) None 3) None, except that inter-bank transactions are to be cleared through the Bank of Mauritius and clearing and settlement of securities may be conducted only through the statutory clearing system. 4) Unbound, except as indicated in the horizontal commitments	1) Unbound 2) None 3) None 4) Unbound, except as indicated in the horizontal commitments	
(h) Provision and transfer of financial information, and financial data processing and related software by	1) None 2) None 3) None, except for services provided by	1) None 2) None 3) None	

³ As provided by section 2 of the Securities Act 2005 (SA), to be read together with the rules and regulations made under the SA.

suppliers of other financial services	<p>computer software or services firms. Provision of financial data processing services to commercial banks is subject to the approval of the Bank of Mauritius and domestic laws on protection of confidentiality of information of customers of commercial banks.</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	<p>4) Unbound, except as indicated in the horizontal commitments</p>	
9. TOURISM AND TRAVEL RELATED SERVICES			
(1) Hotel Services (CPC 641)	<p>1) None</p> <p>2) None</p> <p>3) Priority to be given to four/five Star categories hotel</p> <p>4) Unbound except as indicated in the horizontal commitments</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	
(2) Restaurant Services (CPC 642+643)	<p>1) None</p> <p>2) None</p> <p>3) None, except that priority will be given to innovative/ novel cuisine⁴ and projects.</p> <p>4) Unbound except as indicated in the horizontal commitments</p>	<p>1) None</p> <p>2) None</p> <p>3) None, except that priority will be given to innovative/ novel cuisine and projects.</p> <p>4) Foreign establishments must be staffed predominantly by Mauritians</p>	
(3) Travel agencies and Tour Operators (CPC 74710)	<p>1) Travel agencies established outside of Mauritius must work through an agency established in Mauritius</p> <p>2) None</p> <p>3) Requires bank guarantee and license.</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal commitments</p>	
(4) Tourist guide services	<p>1) None</p> <p>2) None</p>	<p>1) None</p> <p>2) None</p>	

⁴ Innovative services means any product/service not currently available in Mauritius or that bring added value to the existing spectrum of products/services in line with Government's policy of broadening its products portfolio and enriching the tourism experience.

	3) Unbound 4) Allowed only in linguistic scarcity areas	3) Unbound 4) Unbound, except as indicated in the horizontal commitments	
(5) Tourist Transport Operation (Car Rental) (CPC 83101)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
(6) Yacht chartering & cruising services (CPC 96499)	1) None 2) None 3) New licenses only for innovative services and an investment threshold applies 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) An investment threshold applies 4) Unbound except as indicated in the horizontal commitments	
(7) Tourist duty-free shops	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	

11. TRANSPORT SERVICES

A. Maritime Transport Services

Subsidies limited to nationals only (for Mauritian ships engaged in trade exclusively between Mauritius, Rodrigues and outer islands)

a. Passenger transport (CPC 7211)	1) None	1) None	
b. Freight transport (CPC 7222) (a and b exclude cabotage)	2) None 3) None	2) None 3) None	
c. Maintenance and repair of vessels (CPC 8868**)	4) Unbound except as indicated in the horizontal commitments	4) Unbound except as indicated in the horizontal commitments	
d. Rental of vessels with crew (CPC 7213)			

C. Air Transport Services

a. Computer reservation systems (CRS) as defined in the GATS	1) None 2) None	1) None 2) None	
--	--------------------	--------------------	--

Annex on Air transport services	3) None 4) Unbound except as indicated in the horizontal commitments	3) None 4) Unbound except as indicated in the horizontal commitments	
b. Maintenance and repair aircraft as defined in the Annex on Air Transport Services	1) None 2) None 3) Unbound 4) Unbound, except as indicated in the horizontal commitments	1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal commitments	
c. Selling and marketing of air transport services as defined in the GATS Annex on Air Transport Services	1) None 2) None 3) Service must be provided through an agent 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
H. Services auxiliary to all modes of transport			
Storage and Warehousing Services (CPC 742)-	1) Unbound* 2) None 3) None, except that the activity of any operator must be licensed by Customs and relevant authorities 4) Unbound except as indicated in the horizontal commitments	1) Unbound* 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
Freight Transport Agency Services (CPC 748)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	
Other auxiliary services (CPC 749) Excluding cargo – handling and ground handling services	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal commitments	