



AFCFTA Negotiations on Trade in Services

Initial Offer by Zambia

The Republic of Zambia herewith submits its initial offer in the framework of the ongoing services negotiations Africa Continental Free Trade Area. This offer covers Zambia's initial Offer for AFCFTA liberalisation commitments in Business, Communication, Transport, Financial, Tourism and Travel related Services.

The offer has been prepared in accordance with the decision of the 10th Meeting of the African Ministers of Trade (AMOT) meeting held on 14th December, 2019 in Accra Ghana. The offer will build on the applicable WTO GATS commitments and use the following editorial conventions:

- BOLD – New text
- STRIKE OUT – Deleted text
- ITALICS – Where any new or deleted text constitutes merely a technical refinement that does not alter the scope or substance of an existing commitment.

The Republic of Zambia reserves the right to amend, withdraw, or make additional offers during the negotiation process.

Modes of Supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) presence of Natural Person

Sector/Subsector	Market Access Limitations	National Treatment Limitations	Additional commitments
HORIZONTAL COMMITMENTS			
	<p>3) With the exception of construction and tourism services sectors, foreign companies to be registered or incorporated in Zambia and/or be established in Zambia</p>	<p>(3) With the exception of business services (Accountancy CPC 862, Medical and dental services CPC 9212, services provided by midwives, nurses, physiotherapists and para-medical personnel CPC 93191; technical testing CPC 8676, services incidental to mining and exploration CPC 883 +5115); construction and related engineering services; health and related social services (hospital services CPC 9311 and other human health services CPC 9319 other than CPC 93191) and tourism services sectors the following limitations shall apply:</p> <p>All companies are required to have a secretary who is resident in Zambia, if an individual, or is incorporated in Zambia if a body corporate</p> <ul style="list-style-type: none"> - Intra-Corporate Transferees must also provide for training in higher skills for Zambians to enable them to assume specialized roles - For a registered branch, at least one Director shall be resident in Zambia - For companies, at least half of the Directors, should be resident in Zambia <p>Companies are required to designate a Director who is resident in Zambia as the Managing Director</p>	

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	<p>(4) Unbound, except for measures concerning the entry and temporary stay of natural persons employed in management and expert jobs for the implementation of foreign investment as follows:</p> <p>A. Business Visitor- natural person coming to Zambia to transact business during the person's stay in Zambia, such as attending meetings, conferences, arranging of deals and the signing of contracts and includes:</p> <ul style="list-style-type: none"> i) A "foreign natural person", who is paid by an employer abroad, who comes to Zambia, for a short period, to work, install, erect, repair or service foreign-made machinery or equipment; ii) a person who comes to Zambia to advise on the development of new computer systems or information technology; or iii) the provision of any service consisting of advice, training or learning by observation or in a classroom <p>Business Visitors are entitled to a maximum period of stay of 30 days in any given period of 12 months.</p>	<p>(4) Unbound, except for measures concerning the categories of persons referred to in the market access column</p>	

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	<p>B. Intra-corporate Transferee- A sufficiently qualified natural person who is an employee of the AFCFTA juridical person that provide services in Zambia through a commercial presence. These include:</p> <ul style="list-style-type: none"> i) Executive: a natural person working within a juridical person who primarily directs the management and policies of a service supplier, exercises wide decision-making and who receives only general supervision from the board of directors or shareholders. ii) Manager: a natural person working within a juridical person who supervises or controls the work of other employees. iii) Specialist: a natural person working within a juridical person who possesses specialized or technical knowledge essential to the commercial presence's production, research equipment, techniques, processes, procedures or management. <p>Intra-corporate Transferees should apply for Employment Permits which may be issued up to two (2) years and may be extended for periods of two (2) years. They may also be required to possess practicing certificates</p>		

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	<p>from the Zambian National Professional Regulatory bodies where applicable.</p> <p>The employment of such persons shall be agreed upon by the contracting parties and approved by the Government of Zambia</p> <p>C. Contractual Service Supplier - a natural person employed by a corporation which has no commercial presence in Zambia and has concluded a bona fide contract to supply services with a final consumer in Zambia requiring the presence on a temporary basis of its employees in Zambia for the purpose of fulfilling the contract to provide services.</p> <p>Contractual Service Suppliers are entitled to a maximum period of stay of 30 days in any given period of 12 months.</p> <p>D. Independent Professionals -natural persons engaged in the supply of a service and established as self-employed in their Country and have no commercial presence Zambia and who have concluded a bona fide contract to supply services with a final consumer in Zambia, requiring their presence on a temporary basis in Zambia for the purpose of fulfilling the contract to provide services.</p> <p>Independent Professionals are entitled to a maximum period of stay of 30 days in any given period of 12 months.</p>		

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1. BUSINESS SERVICES			
A. Professional Services			
b. Accountancy services (CPC 862)	(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 (CPC9312)	(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 midwives, nurses, physiotherapists and paramedical personnel (CPC 93191)	(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. Other Business Services			
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	
h. Services incidental to mining (CPC 883 + 5115)	(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	

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9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and restaurant (incl. catering) (CPC 641 – 643) B. Travel agencies and tour operator services (CPC 7471) C. Tourist guide services (CPC 7472) D. Other	(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	