

WORLD TRADE  
ORGANIZATION

GATS/SC/109  
30 August 1995

(95-2630)

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Trade in Services

Original: English

COMMUNICATION FROM BOTSWANA

Schedule of Specific Commitments under the  
General Agreement on Trade in Services

The attached communication is circulated at the request of the government of Botswana.



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Trade in Services

**BOTSWANA**

**Schedule of Specific Commitments**

(This is authentic in English only)

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**BOTSWANA - SCHEDULE OF SPECIFIC COMMITMENTS**

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

| Sector or sub-sector                  | Limitations on market access  | Limitations on national treatment  | Additional commitments |
|---------------------------------------|---|--|------------------------|
| <b>I.HORIZONTAL COMMITMENTS</b>       |   |  |                        |
| ALL SECTORS INCLUDED IN THIS SCHEDULE | <p>1), 2) None</p> <p>3)All juridical persons must be registered with the Registrar of Companies.</p> <p>All juridical persons are required to have a licence issued by the relevant authorities.</p> | <p>1), 2) Capital remittances and transfer of funds require approval of the Bank of Botswana (Central Bank).</p> <p>Fees payable the Bank of Botswana (Central Bank).</p> <p>Fees payable to non-resident service supplier are subject to approval of the Bank of Botswana.</p> <p>3)The Government does not have a fixed ratio of equity between foreign and local companies. But foreign investors are encouraged to enter into joint ventures with local investors.</p> <p>Juridical persons who specialize in providing services should be registered in their countries of origin.</p> <p>The Ministry of Commerce and Industry should be notified of all sale of business interests, mergers and take-overs.</p> <p>When foreign investors sell their interests in resident companies, locals should be given priority to purchase such interests.</p> |                        |

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|  | <p>4)Entry and residence in Botswana of foreign natural persons is subject to immigration laws, regulations, guidelines and procedures.</p> <p>Employment in Botswana of foreign natural persons is subject to labour laws, regulations and procedures. For a foreign natural person to work in Botswana a residence and work permit is required.</p> <p>Foreign natural persons shall be employed by companies that provide services within Botswana only as managers, executives, special technicians and highly qualified professionals.</p> <p>Investors are required to conform to the requirements of the localization policy. Investors are required to train citizens in order to enable them to assume senior management positions over time.</p> <p>Professionals are required to register with the appropriate professional body.</p> | <p>4)Professional foreign natural persons should be recognized as such and they should have rights to practise in their countries of origin.</p> <p>Professional natural persons should be recognized and be registered by the appropriate committee or council.</p> |  |
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**BOTSWANA (continued)**

| <b>II. SECTOR-SPECIFIC COMMITMENTS</b>  |  |   |  |
|---|--|---|--|
| <p>1.BUSINESS SERVICES</p> <p>A.<u>Professional services</u></p> <p>d)Architectural services<br/>(CPC 8671)</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The foreign company should be a registered institution and allowed to practise in its country of origin.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The qualifications of foreign professional employed by the company should be recognized by the appropriate legislation Council and in its absence the Architects Association of Botswana.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> |  |

## BOTSWANA (continued)

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| e)Engineering services<br>(CPC 8672)            | <p>1)Unbound</p> <p>2)None</p> <p>3)The foreign company should be a registered institution and allowed to practise in its country of origin.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The qualifications of foreign professional employed by the company should be recognized by the appropriate legislation Council and in its absence the Botswana Institute of Engineers.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> |  |
| f)Integrated engineering services<br>(CPC 8673) | <p>1)Unbound</p> <p>2)None</p> <p>3)The foreign company should be a registered institution and allowed to practise in its country of origin.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The qualifications of foreign professional employed by the company should be recognized by the appropriate legislation Council and in its absence the Botswana Institute of Engineers.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> |  |

**BOTSWANA (continued)**

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| <p>h)Medical and dental services<br/>(CPC 9312)</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)Foreign-owned hospitals or clinics are encouraged to enter into joint ventures with local hospitals and clinics.</p> <p>The service should only be supplied by natural persons.</p> <p>4)Unbound</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The hospitals and clinics should employ Botswana nationals as doctors, medical personnel and supporting staff.</p> <p>The qualifications of foreign natural persons employed by the hospitals or clinics should be recognized by the Botswana Medical Council in the Ministry of Health.</p> <p>4)All medical and dental practioners should be registered with the Botswana Medical Council.</p> |  |
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## BOTSWANA (continued)

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| i)Veterinary services<br>(CPC 932)  | <p>1)Unbound</p> <p>2)None</p> <p>3)The services should only be supplied by natural persons.</p> <p>4)Unbound</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The service supplier must meet all residency requirements.</p> <p>The qualifications of the service suppliers should be recognized by the Ministry of Agriculture.</p> <p>4)Unbound</p> |  |
| j)Services provided by mid-wives, nurses, physio-therapists and para-medical personnel<br>(CPC 93191) | <p>1)Unbound</p> <p>2)None</p> <p>3)The services should only be supplied by natural persons.</p> <p>4)Unbound</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The qualifications of the service suppliers should be recognized by either the Botswana Nursing Council or the Botswana Medical Council</p> <p>4)Unbound</p>                            |  |

**BOTSWANA (continued)**

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| <p>k)Other</p> <p>Specialized medical services including forensic medicine, neuro-surgery, cardio-thoracic surgery, micro-vascular surgery, plastic surgery, geriatrics, traumatology, anaesthesiology, clinical immunology and oncology, child psychiatry, physical medicine and intensive care specialist (CPC 93122)</p> <p><u>B. Computer and related services</u></p> <p>a)Consultancy services related to the installation of computer hardware (CPC 841)</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)Only natural persons can supply specialized medical services.</p> <p>4)Unbound</p> <p>1)Unbound</p> <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> | <p>1)Unbound</p> <p>2)None</p> <p>3)The qualifications of suppliers of specialized medical services should be recognized by the Botswana Medical Council.</p> <p>4)Unbound</p> <p>1)Unbound</p> <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> |  |
| <p>b)Software implementation services (CPC 842)</p> <p>c)Data-processing services</p>   | <p>1)Unbound</p> <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> <p>1)Unbound</p>   | <p>1)Unbound</p> <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> <p>1)Unbound</p>   |  |

## BOTSWANA (continued)

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| <p>(CPC 843)</p> <p>d)Data-base services<br/>(CPC 844)</p>   | <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> <p>1)Unbound</p> <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p>   | <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> <p>1)Unbound</p> <p>2)None</p> <p>3)None</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p>   |  |
| <p>e)Other</p> <p>Maintenance and repair services of office machinery and equipment including computers<br/>(CPC 845)</p> <p><u>C.Research and development services</u></p> <p>b)Research and experimental development services of social sciences and humanities, including law</p> | <p>1)The service should be supplied through commercial presence.</p> <p>2)None</p> <p>3)The service should be supplied through commercial presence.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> <p>1)Unbound</p> <p>2)None</p> | <p>1)The service supplier should meet all residency requirements.</p> <p>2)None</p> <p>3)The service supplier should meet all residency requirements.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> <p>1)Unbound</p> <p>2)None</p> |  |

**BOTSWANA (continued)**

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| <p>and economics<br/>(CPC 852)</p>   | <p>3)Unbound<br/>4)Unbound except as indicated in the Horizontal Commitments.</p>   | <p>3)Unbound<br/>4)Unbound except as indicated in the Horizontal Commitments.</p>   |  |
| <p><u>D.Real estate services</u><br/><br/>a)Involving own or leased property<br/>(CPC 821)<br/><br/><br/><br/><br/><br/><br/><br/><br/><br/>b)Real estate on a fee or contract basis<br/>(CPC 822)</p> | <p>1)The service should be supplied through commercial presence.<br/>2)None<br/>3)Unbound<br/>4)Unbound except as indicated in the Horizontal Commitments.<br/><br/>1)The service should be supplied through commercial presence.<br/>2)None<br/>3)Unbound<br/>4)Unbound except as indicated in the Horizontal Commitments.</p> | <p>1)The service supplier should meet all residency requirements.<br/>2)None<br/>3)Unbound<br/>4)Unbound except as indicated in the Horizontal Commitments.<br/><br/>1)The service supplier should meet all residency requirements.<br/>2)None<br/>3)Unbound<br/>4)Unbound except as indicated in the Horizontal Commitments.</p> |  |

**BOTSWANA (continued)**

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| <p><u>F. Other business services</u></p>   |  |   |  |
| <p>n) Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment)<br/>(CPC 633, 8861-8866)</p> | <p>1) The service should be supplied through commercial presence.<br/>2) None<br/>3) The service should be supplied through commercial presence.<br/>4) Unbound except as indicated in the Horizontal Commitments.</p> | <p>1) None<br/>2) None<br/>3) The service supplier should meet all residency requirements.<br/>4) Unbound except as indicated in the Horizontal Commitments.</p>    |  |
| <p>t) Other</p>  |  |   |  |
| <p>Translation and interpretation services<br/>(CPC 87905)</p>   | <p>1) Unbound<br/>2) None<br/>3) The service should be supplied through commercial presence.<br/>4) Unbound except as indicated in the Horizontal Commitments.</p>   | <p>1) Unbound<br/>2) None<br/>3) The service supplier should meet all residency requirements.<br/>4) Unbound except as indicated in the Horizontal Commitments.</p> |  |

**BOTSWANA (continued)**

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| <p>2.COMMUNICATION SERVICES</p> <p><u>BCourier services</u></p> <p>Commercial courier services, including by public transport of self-owned transport (CPC 75121)</p> | <p>1)None</p> <p>2)None</p> <p>3)The service should be supplied through commercial presence.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> | <p>1)None</p> <p>2)None</p> <p>3)The service supplier should meet all residency requirements.</p> <p>4)Unbound except as indicated in the Horizontal Commitments.</p> |  |
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## BOTSWANA (continued)

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| 9. TOURISM AND TRAVEL-RELATED SERVICES                              |   |   |  |
| A. <u>Hotel and restaurants including catering</u><br>(CPC 641-643) | <p>1) None</p> <p>2) The amount of local and foreign currency entitled to permanent residents is limited for each trip and for the whole year by the Bank of Botswana.</p> <p>3) The service should be supplied through commercial presence.</p> <p>4) Unbound except as indicated in the Horizontal Commitments.</p> | <p>1) None</p> <p>2) Unbound</p> <p>3) The service supplier should meet all residency requirements.</p> <p>4) Unbound except as indicated in the Horizontal Commitments.</p>  |  |
| B. <u>Travel agencies and tour operators</u>                        | <p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments.</p>   | <p>1) Permanent residents should not purchase tickets to enable non-residents to visit Botswana and accept payment outside Botswana.</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in the Horizontal Commitments.</p> |  |