

# WORLD TRADE ORGANIZATION

RESTRICTED

**GATS/SC/78/Suppl.1**

28 July 1995

(95-2780)

---

**Trade in Services**

## **SOUTH AFRICA**

### **Schedule of Specific Commitments**

#### **Supplement 1**

(This is authentic in English only)

---

This text replaces the Financial Services section contained in pages 18 to 21 of document GATS/SC/78.



## 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
7. FINANCIAL SERVICES					
A. <u>All Insurance and Insurance Related Services</u>					
a)	Direct life insurance (CPC 8121 + )	1) Unbound, except for reinsurance contracted abroad		1) Unbound, except for reinsurance contracted abroad	
b)	Direct non-life insurance (CPC 8129 + )	2) Unbound		2) Unbound	
c)	Reinsurance (CPC 81299 + )	3) To transact business in South Africa, insurers (foreign and domestically controlled) must be incorporated as a foreign public company or registered as a foreign public company in terms of the Companies Act, and also registered in terms of the Insurance Act		3) None	
d)	Insurance intermediation and auxiliary services (CPC 8140)	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			

**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>B. <u>Banking and Other Financial Services</u></b> (Excluding Insurance)</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>	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section, and that the executive chairman, public officer and majority of directors must be resident in South Africa		
	1) Unbound	1) Unbound		
	2) Unbound, except for provision and transfer of financial information and financial data processing	2) Unbound, except for provision and transfer of financial information and financial data processing		
	3) Corporate membership of financial exchanges is unrestricted, except in the case of the Johannesburg Stock Exchange. Foreign non-bank organizations wishing to obtain a controlling interest in a local bank are required to establish a domestic public company	3) Branches of non-resident banks in South Africa must maintain a minimum balance of R 1 million on the deposit accounts of natural persons		

**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
d) All payments and money transmission services, including credit, charge and debit cards, travellers cheques and bank drafts (CPC 81339 + )  e) Guarantees and commitments (CPC 81199 + )  f) Trading for own account or for account of customers the following:		4) Unbound except as indicated in the horizontal section, and that membership of the Johannesburg Stock Exchange is, in the case of natural persons, restricted to South African citizens		4) Unbound except as indicated in the horizontal section	
(i) money market instruments (CPC 81339 + ) (ii) foreign exchange (CPC 81333) (iii) derivative products (CPC 81339 + ) (iv) exchange rate and interest rate instruments (CPC 81339 + )					

**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) transferable securities (CPC 81321+ ) (vi) other negotiable instruments (CPC 81339 + )					
g) Participation in issues of all kinds of securities, including underwriting and placement as agent and placement as agent (CPC 8132 + )					
h) Money broking (CPC 81339 + )					
i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services (CPC 8119 + and 81323 + )					

## 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	
k) Advisory and other auxiliary financial services on all the activities listed in Articles IB of MTN.TNC/W/150 (CPC 8131 + and 8133 + )					
l) Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131 + )					

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