

**GENERAL AGREEMENT
ON TRADE IN SERVICES**

GATS/SC/65
15 April 1994
(94-1062)

NIGERIA

Schedule of Specific Commitments

(This is authentic in English only)

NIGERIA - SCHEDULE OF SPECIFIC COMMITMENTS

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

Coding	Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS				
	<p align="center">ALL SECTORS INCLUDED IN THIS SCHEDULE</p> <p><u>Commercial Presence</u></p>	<p>3) Commercial Presence requires that foreign service providers incorporate or establish the business locally in accordance with the relevant provisions of Nigerian Laws and, where applicable, regulations particularly with respect to land and building acquisition, lease rental, etc. This requirement operates on a non-discriminatory basis.</p> <p>Foreign enterprises with investment in Nigeria have the same rights and responsibilities as domestic enterprises, and could transfer abroad their profits in accordance with the existing regulations.</p>		

NIGERIA (continued)

Modes of supply:				
	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Coding	Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<u>Presence of Natural Persons</u>	4) Unbound, except for measures concerning entry and temporary stay of personnel employed in senior management and experts jobs for the implementation of foreign investment. Their employment shall be agreed upon by the service providers and approved by the IDCC*.	4) Unbound, except for measures concerning the categories of natural persons referred to in the market access column	

* Detailed guidelines are obtainable from the IDCC secretariat, Federal Ministry of Industry, Federal Secretariat, Abjua, Nigeria.

NIGERIA (continued)

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

Coding	Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS				
7521, 7522, 7523	2. COMMUNICATION SERVICES C. <u>Telecommunication Services</u> ¹ Sale/installation of terminal equipment	1), 2), 3), 4) None	1), 2), 3), 4) None	
7521	Operating pay phones	1), 2) Not applicable 3), 4) None	1), 2) Not applicable 3), 4) None	
7521, 7523	Mobile communications - cellular, paging, etc. (voice and data) ²	1), 2) Unbound 3), 4) None	1), 2) Unbound 3), 4) None	
7523	Value added services ²	1), 2), 3), 4) None	1), 2), 3), 4) None	

1 The National Carrier, NITEL, has monopoly of all public switched and international services; and is charged with the responsibility of network infrastructure expansion. There is a progressive move by Government through the National Communications Commission to introduce some element of privatisation and competition in the areas listed under this offer.

2 The provision of any service across the border (International Services) by passing the network or diverting international traffic from NITEL is not permitted, and such measures can only be done in co-operation with NITEL.

NIGERIA (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Coding	Sector or subsector	Limitations on market access				Limitations on national treatment	Additional commitments
81115-9	7. FINANCIAL SERVICES B. <u>Banking and other Financial Services excluding Securities and Insurance</u>	1) Subject to a maximum of 40 per cent equity participation				1) Composition of the Board should reflect the ownership structure	
8113	a) Acceptance of deposits and other repayable funds from the public b) Lending of all types including mortgage credit, factoring and financing of commercial transactions	1) Unbound with the exception of 'C' "guarantees and commitments" ¹				2) Unbound with the exception of 'C' "guarantees and commitments" ¹	
81199	c) Guarantees and commitments	3) Companies must be incorporated in Nigeria				3) None	
8112	d) Financial leasing	4) Unbound				4) Unbound	
81339	e) All payments and money transmission, services, including credit, payment and similar cards. Travellers cheques and cheques.						

1 Guarantees and Commitments are subject to regulations.

NIGERIA (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Coding	Sector or subsector	Limitations on market access		Limitations on national treatment	Additional commitments
81339	f) Trading for account of Customers: - money market instruments				
81333	- foreign exchange				
81321	- transferable security				
81339	- other negotiable instruments				
81323	g) Asset management				
81339	h) Settlement and clearing services for financial assets (excluding securities)				
8131	i) Provision and transfer of financial information and financial data				
641-643 7471 7472	9. TOURISM AND TRAVEL RELATED SERVICES A.-D.	1), 2), 3), 4) None	1), 2), 3), 4) None	1), 2), 3), 4) None	

NIGERIA (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Coding	Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments	
7212	<p>11. TRANSPORT SERVICES</p> <p>A. <u>Maritime Transport Services</u></p> <p>b) Foreign transportation¹</p>	<p>1) Unbound: Access to Cargo is subject to the provisions of the National Shipping Policy Decree No. 10 of 1987</p> <ul style="list-style-type: none"> - at least 40 per cent of Liner Cargo is reserved for national carriers; - 100 per cent of government cargo is reserved for national carriers; - 50 per cent of bulk trade (dry/wet) is reserved for national carriers¹ - 50 per cent of cargo generated through technical assistance or international aid is reserved for ships owned or hired by national carriers 	<p>1) Unbound</p>		

1 Cabotage is excluded.

NIGERIA (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons		
Coding	Sector or subsector	Limitations on market access				Limitations on national treatment	Additional commitments
7213	c) Rental vessels with crew	2) None	None (provided ship-owner's representative complies with relevant laws of establishing business in Nigeria)	2) None		2) None	
		3) None		3) None			
		4) Unbound		4) Unbound			
		1) Unbound		1) Unbound			
8868	d) Maintenance and repair of vessels	2) None		2) None		2) None	
		3) Unbound		3) Unbound			
		4) Unbound		4) Unbound			
		1) Unbound		1) None			
8868	E. <u>Rail Transport Services</u> d) Maintenance and repair of rail transport equipment	2) Bound		2) Bound (authorisation necessary for national carriers)		2) Bound (authorisation necessary for national carriers)	
		3) None		3) None			
		4) Unbound		4) Unbound			
		1), 2) Unbound*		1), 2) Unbound*			
		3), 4) None		3), 4) None			