

Trade in Services

NIGERIA

Schedule of Specific Commitments

Supplement 1

(This is authentic in English only)

This text replaces the Financial Services section contained in pages 4 and 5 of document GATS/SC/65.

**THE FEDERAL REPUBLIC OF NIGERIA
SCHEDULE OF SPECIFIC COMMITMENTS**

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
7. FINANCIAL SERVICES	<p>Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons</p>	<p>(i) Nigeria undertakes commitments on financial services in accordance with the "Understanding on Commitments in Financial Services" (the Understanding).</p> <p>(ii) The market access commitments in respect of modes (1) and (2) apply only to the transactions indicated in paragraphs B.3 (a) and (b) and B.4 (a) and (b) of the market access section of the Understanding, respectively.</p> <p>(iii) No foreign company can establish a subsidiary in Nigeria unless it is duly incorporated in Nigeria.</p> <p>(iv) Foreigners, corporate or individuals can own up to 100 per cent equity in any enterprise.</p> <p>(v) The Most Favoured Nation (MFN) treatment is accorded to all countries. However, as a member of the Economic Community of West African States (ECCWAS), Nigeria is currently negotiating the use of travellers cheques in the course of the economic integration of the Sub-region.</p> <p>(vi) The transfer of information containing personal data, bank secret, securities secret and/or business secret is not allowed.</p> <p>(vii) The Nigerian Investment Promotion Commission Decree of 1995 guarantees against expropriation.</p>	

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
<p>A. <u>Banking and other Financial Services</u> (Excluding Insurance)</p> <p>(a) Acceptance of deposits and other repayable funds from the public (CPC 81115 - 81119)</p> <p>(b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC 8113)</p> <p>(c) Guarantees and commitments (CPC 81199**)</p> <p>(d) Financial leasing (CPC 8112)</p>	<p>(1) None</p> <p>(2) Unbound with the exception of (c)</p> <p>(3) None</p> <p>(4) Unbound</p>	<p>(1) None</p> <p>(2) Unbound with the exception of (c)</p> <p>(3) None</p> <p>(4) Unbound</p>	

Sector or Sub-sector	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	Additional Commitments
	Limitations on Market Access	Limitations on National Treatment			
<p>(e) All payment and money transmission services, including credit, payment and similar cards, travellers cheques and cheques. (CPC 81339**)</p> <p>(f) Trading for account of customers:</p> <ul style="list-style-type: none"> - money market instruments (CPC 81339**) - foreign exchange (CPC 81333) - transferable securities (CPC 81321*) - other negotiable instruments (CPC 81339**) <p>(g) Asset management (CPC 8119** + 81323*)</p>					

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
<p>(h) Settlement and clearing services for financial assets, including securities (CPC 81339** or 81319**)</p> <p>(i) Provision and transfer of financial information and financial data (CPC 8131)</p>			

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
<p><u>B. Insurance Services</u></p> <p>(a) All government properties are to be insured with the National Insurance Corporation of Nigeria; unless where the Head of State approves in writing to the contrary.</p> <p>(b) All imports into Nigeria to be insured locally by insurance companies registered in Nigeria.</p> <p>(c) An insurance broker has to obtain approval before entering into contract with foreign insurers.</p>			
<p>(a) Life, accident and health insurance services (CPC 8121)</p> <p>(b) Non-life insurance services (CPC 8129)</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound</p> <p>(1) None</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound</p>	<p>(1) None</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound</p> <p>(1) None</p> <p>(2) Unbound</p> <p>(3) None</p> <p>(4) Unbound</p>	

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
(c) Reinsurance and retrocession (CPC 81299*)	<p>(1) None</p> <p>(2) None</p> <p>(3) The establishment of a reinsurance company in Nigeria is subject to the approval of the Minister of Finance, who shall have regard of the need to control the number of reinsurance companies operating in the country. Insurers are required by law to cede 20 per cent of their business compulsorily to Nigeria Reinsurance Corporation which has the right of First Refusal before the ceding of any reinsurance business outside Nigeria.</p> <p>(4) Unbound</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	
(d) Services auxiliary to insurance, including broking and agency services (CPC 8140)	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound</p>	<p>(4) Unbound</p> <p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound</p>	