

ECONOMICS DEPARTMENT  
ECONOMIC POLICY COMMITTEE

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**Working Party No. 1 on Macroeconomic and Structural Policy Analysis**

**THE OECD REGULATORY INDICATORS QUESTIONNAIRE 2007/2008**

**REGULATORY STRUCTURES AND POLICIES IN OECD COUNTRIES**

*The aim of this questionnaire is to collect the data that are necessary to update the OECD indicators of product market regulation (PMR) for 2007/2008. Updating this information and computing new indicators is particularly important in view of their use in establishing policy priorities for OECD countries in the context of the 2008 "Going for Growth" exercise as well as to enhance the knowledge of regulatory practices in OECD countries and their role for economic performance.*

*This document is the FINAL paper version of the questionnaire, incorporating comments from member countries. Please note that this paper version of the questionnaire serves only as a reference document. Respondents are asked to fill in the corresponding electronic questionnaire that has already been made available on the electronic discussion group for the OECD indicators of product market regulation (PMR EDG).*

*Please ensure that responses to the electronic questionnaire are returned to the OECD no later than 07 February 2008 via the PMR EDG.*

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## THE OECD REGULATORY INDICATORS QUESTIONNAIRE 2007/2008:

### REGULATORY STRUCTURES AND POLICIES IN OECD COUNTRIES

#### Update of the OECD Indicators of Product Market Regulation for 2007/2008

The aim of this questionnaire is to collect the data that are necessary to update the OECD indicators of product market regulation (PMR). The PMR indicators are based on a large amount of information concerning regulatory structures and policies that is provided directly by OECD Member countries. The last vintage of indicators relates to the situation in 2003, and the underlying information has become outdated.<sup>1</sup> Updating this information and computing new indicators is particularly important in view of their use in establishing policy priorities for OECD countries in the context of the 2008 “Going for Growth” exercise. Moreover, these indicators are an essential element of the OECD’s work because they enhance the knowledge of regulatory practices in OECD countries and the potential for investigating their link with economic performance.

This round of updating and revising the PMR indicators revises and streamlines the set of data collected by the Economics Department so as to preserve their policy relevance in the context of evolving competition issues in OECD countries and to make future updates more efficient and timely. This involves notably: a full integration in the PMR indicator system of the indicators of regulation in non-manufacturing sectors; and a broader coverage of some areas that are increasingly relevant for assessing competition policies in OECD countries.

This questionnaire is also part of an effort to rationalize OECD data collection on regulatory issues. To reduce the number of separate questionnaires that are sent to member countries, this questionnaire includes information requests by the Trade and Agriculture Directorate that are aimed at constructing an indicator for service trade restrictiveness.

There are four major areas of revisions to the questionnaire that result from these aims:

1. An increased focus on regulation in network sectors reflecting the recent regulatory and competition developments in telecommunications, energy and transportation markets.
2. An increased focus on the regulatory treatment of foreign firms and professionals, reflecting the importance of globalisation for OECD countries and making it possible to address potential barriers to trade in services.

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1. The results of previous exercises can be found in:

Conway,P. and G.Nicoletti (2006), “Product Market Regulation in Non-Manufacturing Sectors of OECD Countries: Measurement and Highlights”, OECD Economics Department Working Papers No 530; OECD (2005), “Product Market Regulation in OECD Countries: 1998 to 2003, in Economic Policy Reforms: Going for Growth 2005, OECD, Paris; OECD (1999), “Cross Country Patterns of Product Market Regulation”, OECD Economic Outlook, No 66, OECD, Paris.

The data and indicators are available at [www.oecd.org/eco/pmr](http://www.oecd.org/eco/pmr).

3. A broader coverage of regulatory management and governance issues, such as the regulation management in network sectors and the governance of publicly-owned enterprises.
4. Improving and revising several questions in order to make them clearer and better interpretable.

These revisions to previous versions of the questionnaire do not change its basic structure and are implemented so as to preserve comparability over time of the regulatory data and indicators that are based on them. Please note that some questions do not enter directly into the construction of the indicator, but provide supplementary information that is used in construction of the indicator or in related work by other directorates.

### **Moving to electronic data collection**

**Please note that this paper version of the questionnaire serves only as a reference document.** Another main aim in the current 2007/2008 round of PMR updates consists in improving the data collection and the processing of the data themselves. This involves three main steps:

1. The data collection is done within Electronic Discussion Groups (EDG) to which individual respondents will be given access.<sup>2</sup>
2. The data collection happens through filling in a pre-formatted electronic questionnaire in Excel. The responses feed then directly into a comprehensive data processing system within the OECD.
3. Once vetted by WP1, the resulting data and indicators can then be put rapidly on the OECD internet-site for public access.

In order for this system to work efficiently, respondents are asked to follow these general instructions:

- ***Please use the electronic version of the questionnaire.*** The questions are based on a multiple choice, yes/no, or single data formats. No detailed description of regulatory policies is requested. If necessary, respondents may supplement their answers with brief explanations, either at special places within the electronic questionnaire that are designed for it, or within the EDG.
- ***Identify a single contact person*** who would be acting as a national co-ordinator of the data collection process. Please send his or her contact details to Ms. Anita Wölfl, the coordinator of the PMR questionnaire (contact details below) so that he or she can be invited to your country's EDG for the PMR Indicators.
- ***Identify who is best able to answer*** each part of the questionnaire. Answering the questions requires detailed knowledge of the policy areas and the sectors concerned. Therefore, it is advisable that sections are filled in by the most well-informed ministries, administrations, regulatory institutions, or statistical offices. Please provide Ms. Wölfl with a list of names of individual respondents such that she can invite them to your country's EDG for the PMR Indicators.

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<sup>2</sup> In order to receive access to the EDG, respondents will create their own user name, password and a secret question/answer for added security. Once the completed form has been processed on the server, they can be invited to the EDG. Once invited, they can return to this same link, log on, and access the EDG. Users invited via their OLISnext account will see the link in the Committee Discussion Group area under "Economics Department".

- **Ensure that responses for the questionnaire are returned to the OECD no later than 07 February 2008.** They should be returned via the electronic discussion group or – in case of difficulties - by email (anita.woelfl@oecd.org).
- Please do not hesitate to contact Ms. Wöfl for any clarifications or guidance that would make responding easier and more accurate. Use either the electronic discussion group or the following contact details:

**Ms. Anita Wöfl: Tel: (33 1) 45 24 81 44, Fax: (33 1) 44 30 63 83; e-mail: anita.woelfl@oecd.org.**

## The OECD questionnaire

This questionnaire is divided into two parts: The first part covers general issues of regulation, such as public ownership and state control, administrative policies and administrative requirements for business start-ups. The second part focuses on regulation in particular non-manufacturing industries, such as energy, telecommunications, transportation, professional services and retail distribution. The detailed sections are as follows:

	<i>Page</i>
Part I	
Section 1. General Policies .....	6
Section 2. Regulatory and administrative policies.....	14
Section 3. Administrative requirements for business start-ups.....	21
Part II	
Section 4. Regulation of professional services .....	26
Section 5. Regulation in energy, telecommunications and transportation industries .....	32
Section 6. Regulation in the retail distribution industry .....	48

Throughout the questionnaire, the term “**regulation**” covers the diverse set of instruments by which governments impose requirements on enterprises and citizens. Regulations include laws, formal and informal orders, subordinate rules, administrative formalities and rules issued by non-governmental or self-regulatory bodies which have been delegated regulatory power by the government. More specific definitions are given in the introduction of each of the sections of the questionnaire.

## How to answer questions

- There is no “right” or “wrong” answer to specific questions. It should be emphasised that regulatory indicators do not themselves function as a “report card”. A good deal of expert judgement and contextual information is needed to interpret them correctly and to arrive at an understanding of the most appropriate direction for reform in each country.
- Answers should accurately reflect the current regulatory settings at the time of response, or as recently as possible. Please do not anticipate any future regulatory or reform actions.
- Please tick the appropriate box or provide the data requested for each question. If exact information is not available, aggregates or informed estimates are acceptable.

- Please **provide dates whenever requested**. This enables a precise and verifiable update of the regulatory situation in your country. This is in particular important as some of the questions are introduced for the first time so as to cover recent trends in regulatory policies and competition. An assessment of the role and potential impact of such policies is only possible if it is known when such policies have come into effect.
- Several questions ask for a **sectoral breakdown**. In most tables, the sectors are classified according to ISIC Rev 3.1. For those respondents who are used to the NACE industry classification, they will find a concordance table at the end of this questionnaire. An exception to this rule are the tables to trade-related questions in section 2. This classification has been chosen in order to make the indicators coherent with the existing indicators on FDI.<sup>3</sup>
- The questions refer to regulations or policies issued or accepted by the national government and/or state and provincial government for federal countries. **Federal countries** are invited to base their answers on institutions prevailing in the most representative sub-national entities or a subset of regions that may characterise best each country's institutional settings. Alternatively, if a country chooses, it may complete the questionnaire for two or more federal entities if sufficient differences exist for the concerned policies. Whatever alternative is chosen, please indicate briefly which sub-national entity your answers refer to and to what extent the answers are representative for the nation as a whole.

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<sup>3</sup> See Koyama, T., S. Golub (2006), OECD FDI Regulatory Restrictiveness Index: Revision and Extension to More Economies, Economics Department Working Paper, No. 525.

## THE OECD REGULATORY INDICATORS QUESTIONNAIRE

### SECTION 1: GENERAL POLICIES

#### 1.1 Firm ownership, control and legal status

##### Definition:

In this section a firm is said to be **publicly-controlled** when national, state or provincial governments (not including local governments or municipalities) hold, either directly or indirectly through a government-controlled company, the largest single share of the firm's equity capital. Publicly-controlled firms include also government entities not organised as companies, but operating in business or market activities.

When completing Table 1.1.1 and Table 1.1.2 please note the following definitions relevant to the electricity and gas sectors:

**Generation:** operation of electricity generation or gas production facilities.

**Import:** import of electricity or gas from abroad.

**Transmission:** operation of the high-capacity transmission systems that convey electricity or gas from the generation/production facilities to the distribution system.

**Distribution:** operation of distribution systems that convey electricity or gas received from the generation/production facility or the transmission system to the final consumer.

**Supply:** sale of electricity or gas to the user.

1.1.1 In column 1 of Table 1.1.1 please indicate those (network) sectors in which national, state or provincial governments hold an equity stake in the largest firm in the sector.

**If the answer is "yes" for any of the sectors:**

a) In column 2 of Table 1.1.1 please indicate the percentage of shares owned, either directly or indirectly, by government in the largest firm in the sector.

1.1.2 In column 3 of Table 1.1.1 please indicate those (network) sectors in which national, state or provincial governments control at least one firm in the sector.

**If government controls at least one firm** in any of the sectors:

a) Please indicate the number of publicly-controlled firms in the sector in column 4 of Table 1.1.1 .

1.1.3 In column 1 of Table 1.1.2 please indicate those (other) sectors in which national, state or provincial governments control at least one firm in the sector.

**If government controls at least one firm** in any of the sectors:

a) Please indicate the number of publicly-controlled firms in the sector in column 2 of Table 1.1.2 .

Please answer by filling in Table 1.1.1
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Please answer by filling in Table 1.1.1
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Please answer by filling in Table 1.1.1
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Please answer by filling in Table 1.1.1
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Please answer by filling in Table 1.1.2
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Please answer by filling in Table 1.1.2
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Table 1.1.1 Public ownership in (network) sectors

Sectors (ISIC Rev 3.1)	National, state or provincial government holds equity stakes in the largest firm in the sector			National, state or provincial government controls at least one firm in the sector		
	Yes	No	Share owned (in %)	Yes	No	Number of publicly controlled firms
<b>Electricity generation &amp; distribution (4010). Cons.of:</b>						
electricity generation	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
electricity import	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
electricity transmission	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
electricity distribution	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
electricity supply	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Gas generation &amp; distribution (4020). Consisting of:</b>						
gas production	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
gas import	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
gas transmission	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
gas distribution	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
gas supply	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Telecommunications (642). Consisting of:</b>						
fixed-line network	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
fixed-line services [1]	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
mobile services	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
internet services	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Water collection, purification, distribution (4100)	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>National post, courier services (6411 &amp; 6412).</b>						
basic letter services	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
basic parcel services	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
courier services	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Transport via railways (601 &amp; part of 6303). Cons. of:</b>						
passenger transport	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
freight transport	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
operation of railroad infrastructure [2]	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Water transport (61 &amp; part of 6303). Consisting of:</b>						
water transport	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
operation of water transport infrastructure (ports)	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Air transport (62 &amp; part of 6303). Consisting of:</b>						
air transport	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
operation of air transport infrastructure (airports)	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Operation of road infrastructure (part of 6303)	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

[1] Includes international long distance, domestic long distance, and local services. [2] Includes tracks, rolling stock, and facilities

Table 1.1.2 Public control in (other) sectors

Sectors (ISIC Rev. 3.1)	National, state or provincial government controls <u>at least one firm</u> in the sector		Number of publicly-controlled firms in the sector
	Yes	No	
Tobacco products (16)	<input type="checkbox"/>	<input type="checkbox"/>	
Refined petroleum products (232)	<input type="checkbox"/>	<input type="checkbox"/>	
Basic metals (27)	<input type="checkbox"/>	<input type="checkbox"/>	
Fabricated metal products (28, 29)	<input type="checkbox"/>	<input type="checkbox"/>	
Building and repairing of ships (351)	<input type="checkbox"/>	<input type="checkbox"/>	
Railway machinery (352)	<input type="checkbox"/>	<input type="checkbox"/>	
Aircraft and spacecraft (353)	<input type="checkbox"/>	<input type="checkbox"/>	
Construction (45)	<input type="checkbox"/>	<input type="checkbox"/>	
Wholesale trade, incl. motor vehicles (50, 51)	<input type="checkbox"/>	<input type="checkbox"/>	
Retail trade (50, 52)	<input type="checkbox"/>	<input type="checkbox"/>	
Restaurants and hotels (55)	<input type="checkbox"/>	<input type="checkbox"/>	
Other passenger transport (6021)	<input type="checkbox"/>	<input type="checkbox"/>	
Freight transport by road (6023)	<input type="checkbox"/>	<input type="checkbox"/>	
Financial institutions (6519, 659, 671)	<input type="checkbox"/>	<input type="checkbox"/>	
Insurance (66, 672)	<input type="checkbox"/>	<input type="checkbox"/>	
Other business activity (74)	<input type="checkbox"/>	<input type="checkbox"/>	
Motion picture distribution & projection (9211, 9212)	<input type="checkbox"/>	<input type="checkbox"/>	

1.1.4 If national, state or provincial governments control any firm(s) in any sector please indicate in Tables 1.1.3a) and 1.1.3b) whether there are:

- a) **any** legal or constitutional constraints to the sale of the stakes held by government in these firms?
- b) **any** statutory or other legal limits to the number or proportion of shares that can be acquired by foreign investors in these firms?

Please answer by filling in Tables 1.1.3a) and 1.1.3b)

Please answer by filling in Tables 1.1.3a) and 1.1.3b)

1.1.5 Do national, state or provincial governments have special voting rights (*e.g.* golden shares) in **any** firm within the business sector?

**If the answer is “yes”,**

- a) please specify in Table 1.1.3a) and 1.1.3b) the sectors for which this would apply
- b) In which of the following instances can these special rights be exercised? If special rights differ by sector, please answer with reference to the sector in which they have the widest scope.
- i) merger with or acquisition by another company;
  - ii) change in controlling coalition;
  - iii) acquisition of equity by foreign investors;
  - iv) choice of management;
  - v) strategic management decisions.

Please answer by filling in Tables 1.1.3a) and 1.1.3b)

**tick as many as apply**

Table 1.1.3a) Public control in (network) sectors

Sector (ISIC Rev. 3.1)	Legal constraints to a change in stakes or shares held by national, state or provincial government				National, state or provincial government has special voting rights	
	Sale of stakes held by government		Acquisition of shares by foreign investors		Yes	No
	Yes	No	Yes	No		
<b>Electricity generation &amp; distribution (4010). Cons. of:</b>						
electricity generation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Gas generation &amp; distribution (4020). Consisting of:</b>						
gas production	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Telecommunications (642). Consisting of:</b>						
fixed-line network	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
fixed-line services [1]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
mobile services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
internet services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water collection, purification, distribution (4100)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>National post (6411). Consisting of:</b>						
basic letter services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
basic parcel services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
courier services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Transport via railways (601 &amp; part of 6303). Cons. of:</b>						
passenger transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
freight transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
operation of railroad infrastructure [2]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Water transport (61 &amp; part of 6303). Consisting of:</b>						
water transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
operation of water transport infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Air transport (62 &amp; part of 6303). Consisting of:</b>						
air transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
operation of air transport infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operation of road infrastructure (part of 6303)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[1] Includes international long distance, domestic long distance, and local services. [2] Includes tracks, rolling stock, and facilities

Table 1.1.3b) Public control in (other) sectors

Sector (ISIC Rev 3.1)	Legal constraints to the change in stakes or shares held by national, state or provincial government				National, state or provincial government has special voting rights	
	Sale of stakes held by government		Acquisition of shares by foreign investors			
	Yes	No	Yes	No	Yes	No
Tobacco products (16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refined petroleum products (232)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Basic metals (27)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fabricated metal products (28, 29)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building and repairing of ships (351)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Railway machinery (352)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aircraft and spacecraft (353)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction (45)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wholesale trade, incl. motor vehicles (50, 51)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail trade (50, 52)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Restaurants and hotels (55)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other passenger transport (6021)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Freight transport by road (6023)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial institutions (6519, 659, 671)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insurance (66, 672)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other business activity (74)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Motion picture distribution & projection (9211, 9212)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.1.6. In Tables 1.1.4a) and 1.1.4b) please indicate if laws or regulations restrict, in at least one market, the number of competitors allowed to operate a business in that sector (e.g. by establishing legal monopoly or duopoly, or a limited number of franchises or licenses).

Please answer by filling in Tables 1.1.4a) and 1.1.4b)

1.1.7. Please indicate equally in the Tables 1.1.4a) and 1.1.4b) whether potential new entrants are permitted to freely enter at least one market in each of the sectors (i.e. anyone can enter the markets, provided they meet licensing criteria).

Please answer by filling in Tables 1.1.4a) and 1.1.4b)

Table 1.1.4 a) Legal barriers to entry in (network) sectors

Sector (ISIC Rev 3.1)	Regulations restrict number of competitors in <u>at least one market</u> in the sector		Free entry is permitted in <u>at least one market</u> in the sector	
	Yes	No	Yes	No
<b>Electricity generation &amp; distribution (4010). Cons.of:</b>				
electricity generation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Gas generation &amp; distribution (4020). Consisting of:</b>				
gas production	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Telecommunications (642). Consisting of:</b>				
fixed-line network	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
fixed-line services [1]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
mobile services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
internet services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water collection, purification, distribution (4100)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>National post, courier services (6411 &amp; 6412). Cons.of:</b>				
basic letter services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
basic parcel services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
courier services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Transport via railways (601 &amp; part of 6303). Cons. of:</b>				
passenger transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
freight transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
operation of railroad infrastructure [2]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Water transport (61 &amp; part of 6303). Consisting of:</b>				
water transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
operation of water transport infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Air transport (62 &amp; part of 6303). Consisting of:</b>				
air transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
operation of air transport infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operation of road infrastructure (part of 6303)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[1] Includes international long distance, domestic long distance, and local services. [2] Includes tracks, rolling stock, and facilities

Table 1.1.4 b) Legal barriers to entry in (other) sectors

Sector	Regulations restrict number of competitors in <u>at least one market</u> in the sector		Free entry is permitted in <u>at least one market</u> in the sector	
	Yes	No	Yes	No
Tobacco products (16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refined petroleum products (232)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Basic metals (27)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fabricated metal products (28, 29)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building and repairing of ships (351)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Railway machinery (352)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aircraft and spacecraft (353)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction (45)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wholesale trade, incl. motor vehicles (50, 51)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail trade (50, 52)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Restaurants and hotels (55)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other passenger transport (6021)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Freight transport by road (6023)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial institutions (6519, 659, 671)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insurance (66, 672)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other business activity (74)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Motion picture distribution & projection (9211, 9212)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 1.2 Governance of publicly-controlled enterprises

### Definition:

In this section a **joint stock company** is defined as an association of capital contributed by individual shareholders who enjoy limited liability. Joint stock companies can comprise private companies (sometimes called 'unlisted', the shares are closely held) as well as public companies (sometimes called 'listed', the shares are publicly traded).

- 1.2.1 State equity holdings in publicly-controlled firms are: **tick the most appropriate**
- a) managed by an independent public holding entity;
- b) managed by the Treasury;
- c) managed by a ministry related to the firms' activities;
- d) Other (please specify):

- 1.2.2 Are there any publicly-controlled firms which are not incorporated into joint-stock companies? **Yes** **No**
- 
- a) If yes, are these firms subject to private company law?

- 1.2.3 Can government-controlled firms receive financing (*e.g.* loans guaranteed by the state, preferential loans from state-controlled banks or the state itself, etc.) which is not available to private companies? **Yes** **No**
-

- |   | <i>Yes</i>               | <i>No</i>                |
|---|--------------------------|--------------------------|
| 1.2.4 Do strategic choices ( <i>e.g.</i> mergers, equity issues, restructuring plans, etc) of any publicly-controlled firms have to be reviewed and/or cleared in advance by national, state, or provincial legislatures? | <input type="checkbox"/> | <input type="checkbox"/> |

### 1.3 Antitrust exclusions and exemptions

#### Definitions:

In these questions, **exclusions** result from actions or decisions by the courts, legislature, or government to remove a subject or type of legal person from the general competition law or the competition agency's jurisdiction; there may be another law or enforcement institution regulating or enforcing competition rules for that sector, relationship, or person. (Exclusions may result from applying general rules of statutory construction to the competition law and other statutes and regulations; that is, the principle or the particular exclusions might not appear in the text of the competition law itself).

By contrast, **exemptions**, including special rules or treatment, arise under the competition law itself and represent decisions by the enforcement body or others about how the law should be applied.

An exclusion or exemption may also take the form of a restriction on available remedies or a policy of non-enforcement.

- |   |                          |                          |
|---|--------------------------|--------------------------|
| 1.3.1 Is there a rule or principle that <b>excludes</b> or <b>exempts</b> from competition law conducts that are required or authorised by other government authority (in addition to exclusions that might apply to complete sectors)? | <i>Yes</i>               | <i>No</i>                |
|   | <input type="checkbox"/> | <input type="checkbox"/> |
| 1.3.2 Are publicly-controlled firms or undertakings subject to an exclusion or exemption, either complete or partial, from the application of general competition law?  | <input type="checkbox"/> | <input type="checkbox"/> |

#### If the answer is "yes":

a) does this exemption or exclusion apply to the following:

- |                         | <i>tick as many as apply</i> |
|-------------------------|------------------------------|
| i) horizontal cartels   | <input type="checkbox"/>     |
| ii) vertical restraints | <input type="checkbox"/>     |
| iii) abuse of dominance | <input type="checkbox"/>     |
| iv) merger              | <input type="checkbox"/>     |

## THE OECD REGULATORY INDICATORS QUESTIONNAIRE

### SECTION 2: REGULATORY AND ADMINISTRATIVE POLICIES

#### 2.1 Access to regulation

- |  | <i>Yes</i>               | <i>No</i>                |
|--|--------------------------|--------------------------|
| 2.1.1 Does government policy impose ( <i>e.g.</i> by law or regulation) specific requirements in relation to transparency and freedom of information?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.1.2. Are there systematic procedures for making new regulations known and accessible to affected parties ( <i>e.g.</i> public consultation, public registries of regulations and business formalities on a continuing basis, or regularly updated internet sites)? | <input type="checkbox"/> | <input type="checkbox"/> |

**Definition:**

For the purpose of answering question 2.1.3, **plain language** initiatives entails an effort to ensure the use of simple explanations over technical jargon and may be introduced in various ways including ministerial directives, guidelines from regulatory agencies, or Presidential memos.

- |   | <i>Yes</i>               | <i>No</i>                |
|---|--------------------------|--------------------------|
| 2.1.3 Is there a general policy requiring “plain language” drafting of regulation?                            | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.1.4 Do affected parties have the right to appeal against adverse enforcement decisions in individual cases? | <input type="checkbox"/> | <input type="checkbox"/> |

<i>In all cases</i>	<i>In some cases</i>	<i>No</i>
---------------------	----------------------	-----------

**Definition:**

For the purpose of answering questions 2.1.5 and 2.1.6, **alternative regulatory approaches** may include green taxes and subsidies, voluntary agreements, information programmes such as eco labelling, self-regulation, permit-trading schemes, and performance-based regulation (where a sector or industry must comply with a standard but can broadly choose how to meet it).

- |  | <i>Yes</i>               | <i>No</i>                |
|--|--------------------------|--------------------------|
| 2.1.5 Are regulators required to assess <b>alternative regulatory approaches</b> before adopting new regulation? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.1.6 Has guidance been issued on using <b>alternative regulatory approaches</b> ?                               | <input type="checkbox"/> | <input type="checkbox"/> |

**Definition:**

For the purpose of answering question 2.1.7, an **administrative simplification programme** could include a thorough assessment of administrative burdens (for instance, using the standard costs model – see [www.oecd.org/32/54/34227698.pdf](http://www.oecd.org/32/54/34227698.pdf)), setting quantitative targets, and a timeline for implementation.

**Administrative burdens** are defined as the costs involved in obtaining, reading and understanding procedures and regulations, developing compliance strategies and meeting mandated reporting requirements, including data collection, processing, and storage.

- |   | <i>Yes</i>   | <i>No</i>                |
|---|--|--------------------------|
| 2.1.7 Is there an explicit systematic programme to reduce the <b>administrative burdens</b> imposed by government on enterprises and/or citizens? | <input type="checkbox"/>                                 | <input type="checkbox"/> |
| <b>If the answer is “yes”:</b>  |  |                          |
| a) Does this programme include quantitative targets?  | <input type="checkbox"/>                                 | <input type="checkbox"/> |
| b) Which of the following strategies are used?  | <b>tick as many as necessary</b>                         |                          |
| i) New technologies for regulatory administration (E-government)  | <input type="checkbox"/>                                 |                          |
| ii) Streamlining of government process requirements   | <input type="checkbox"/>                                 |                          |
| iii) Reallocating powers and responsibilities between government departments and/or between levels of government.                                 | <input type="checkbox"/>                                 |                          |
| iv) Other (please specify)  | <input style="width: 450px; height: 20px;" type="text"/> |                          |

**Definitions:**

For the purpose of answering the questions 2.1.8 to 2.1.13 please note the following definitions:

A **notification** is defined as a requirement when setting up a business to (i) provide information to a specific government authority and (ii) comply with minimum standards as conditions for conducting activities.

A **license** or **permit** is defined as a notification which (iii) also requires prior approval or response from the government authority as a condition for conducting activities.

The **“silence is consent” rule** implies that licenses are issued automatically if the licensing office has not acted by the end of the statutory response period.

- |  | <i>Yes</i>   | <i>No</i>                |
|--|--|--------------------------|
| 2.1.8 Is the “silence is consent” rule used at all?  | <input type="checkbox"/>                                 | <input type="checkbox"/> |
| 2.1.9 Are there single contact points (“one-stop shops”) for <u>getting information</u> on notifications and licenses?                       | <input type="checkbox"/>                                 | <input type="checkbox"/> |
| <b>If the answer is “yes”:</b>   |  |                          |
| a) Has this policy been implemented at the local level?  | <input type="checkbox"/>                                 | <input type="checkbox"/> |
| <b>If the answer is “yes”:</b>   |  |                          |
| i) Does the government collect information on the proportion of municipalities or local governments that have put this policy into practice? | <input type="checkbox"/>                                 | <input type="checkbox"/> |
| <b>If yes, what is the proportion (in percent)?</b>  | <input style="width: 100px; height: 20px;" type="text"/> |                          |
| b) Is information on notifications and licenses available via the internet?  | <input type="checkbox"/>                                 | <input type="checkbox"/> |

		<i>Yes</i>	<i>No</i>
2.1.10	Are there single contact points (“one-stop shops”) for <u>issuing or accepting</u> notifications and licenses? <b>If the answer is “yes”:</b>	<input type="checkbox"/>	<input type="checkbox"/>
	a) Has this policy been implemented at the local level? <b>If the answer is “yes”:</b>	<input type="checkbox"/>	<input type="checkbox"/>
	i) Does the government collect information on the proportion of municipalities or local governments that have put this policy into practice? <b>If yes,</b> what is the proportion (in percent)?	<input type="checkbox"/>	<input type="checkbox"/>
		<input style="width: 100px; height: 20px;" type="text"/>	
	b) Can notifications and licenses be issued or accepted via the internet?	<input type="checkbox"/>	<input type="checkbox"/>
		<i>Yes</i>	<i>No</i>
2.1.11	Does the national government (all ministries and agencies) keep a complete count of the number of permits and licenses required? <b>If the answer is “yes”:</b>	<input type="checkbox"/>	<input type="checkbox"/>
	a) What is the number?	<input style="width: 100px; height: 20px;" type="text"/>	
		<i>Yes</i>	<i>No</i>
2.1.12	Is there a programme underway to review and reduce the number of licenses and permits required by the national government?	<input type="checkbox"/>	<input type="checkbox"/>
		<i>Yes</i>	<i>No</i>
2.1.13	Is there a programme underway to co-ordinate the review and reform of permits and licenses at subnational levels of government?	<input type="checkbox"/>	<input type="checkbox"/>

## 2.2 The treatment of foreign parties

### Explanations and Definitions:

**Foreign professional:** Foreign supply of goods and – in particular – services can take the form of non-permanent presence of natural persons or professionals in the host country. In Mode 4 of the GATS agreement on trade in services, such a presence of foreign persons or professionals would be the case of a) a self-employed person from the home country providing the service in the host country, b) professionals who are employed by a company in the home country and are sent abroad to provide the service in the host country or c) other contractual service suppliers from abroad.

**Economic Needs Tests (ENTs):** ENTs have been defined as market access barriers under GATS Article XVI. They include a great variety of criteria which national regulators - in giving a license to a foreign supplier to operate in their markets - apply from the point of how the local community would benefit. Such tests look at the number of suppliers, level of competition and size of the market.

**Labour Market Tests (LMTs):** LMTs are sometimes referred to as economic needs tests but are different in nature. LMTs involve whether or not the foreign services supplier is going to have a positive or negative effect on local employment and whether there is a shortage of the skills provided by the foreign firm.

- 2.2.1 Are regulations published or otherwise communicated to the public in a manner accessible (*e.g.* in a foreign language) at the international level? *Yes*  *No*
- a) **If the answer is “yes”** please specify: **tick as many as apply**
- i) There are inquiry points for information on the operation and enforcement of regulations;
- ii) Information is communicated prior to entry into force;
- iii) There is a period of prior notice for comments.
- 
- 2.2.2 Are any of the following foreign ownership restrictions applied in **any** sector? *Yes*  *No*
- a) **If the answer is “yes”** please specify: **tick as many as apply**
- i) Only joint ventures are allowed;
- ii) There are restrictions on mergers and acquisitions.
- 
- 2.2.3 Is the number of foreign firms permitted to practice in **any** sector restricted (*e.g.* by establishing legal monopoly or duopoly, or a limited number of franchises or licenses) by:
- i) Quotas; *Yes*  *No*
- ii) Economic needs test;
- iii) Labour market needs test?
- a) **If the answer is “yes”** please specify whether these provisions apply to the sectors listed in Table 2.2.1. **Please answer by filling in Table 2.2.1**
- 
- 2.2.4 Is the number of foreign professionals permitted to practice in **any** sector restricted (*e.g.* by establishing legal monopoly or duopoly, or a limited number of franchises or licenses) by:
- i) Quotas; *Yes*  *No*
- ii) Economic needs test;
- iii) Labour market needs test?
- a) **If the answer is “yes”** please specify whether these provisions apply to the sectors listed in Table 2.2.1. **Please answer by filling in Table 2.2.1**

Table 2.2.1 Requirements concerning activities of foreign firms or professionals

	Firms						Professionals					
	Quotas		Economic needs test		Labour market needs test		Quotas		Economic needs test		Labour market needs test	
	Yes	No										
Manufacturing [1]	<input type="checkbox"/>											
Construction	<input type="checkbox"/>											
Energy	<input type="checkbox"/>											
Distribution	<input type="checkbox"/>											
Transport, <i>of which</i>												
Air	<input type="checkbox"/>											
Maritime	<input type="checkbox"/>											
Road	<input type="checkbox"/>											
Telecoms, <i>of which</i>												
Fixed	<input type="checkbox"/>											
Mobile	<input type="checkbox"/>											
Finance, <i>of which</i>												
Insurance	<input type="checkbox"/>											
Banking	<input type="checkbox"/>											
Hotels & Restaurants	<input type="checkbox"/>											
Business services, <i>of which</i>												
Legal	<input type="checkbox"/>											
Accounting	<input type="checkbox"/>											
Architecture	<input type="checkbox"/>											
Engineering	<input type="checkbox"/>											

[1] Please tick if quotas and/or tests apply to at least one manufacturing industry

2.2.5 Are foreign suppliers in **any** sector subject to

i) residence requirements;

*Yes*    *No*

  

ii) differential tax treatment and/or differential eligibility to government subsidies as compared to domestic suppliers;

  

iii) other regulations which do not recognize national treatment principles;

  

iv) different provisions concerning participation in public procurement?

  

**If the above conditions apply**, please specify whether they apply to the sectors listed in Table 2.2.2

Please answer  
by filling in  
Table 2.2.2

Table 2.2.2 Differential regulatory treatment of foreign suppliers

	Residence requirements for foreign suppliers		Differential tax treatment or eligibility to subsidies		Other regulations that do not recognise national treatment principles		Different conditions for foreign participation in public procurement?	
	Yes	No	Yes	No	Yes	No	Yes	No
Manufacturing [1]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Energy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transport, <i>of which</i>								
Air	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maritime	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telecoms, <i>of which</i>								
Fixed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Finance, <i>of which</i>								
Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Banking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hotels & Restaurants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business services, <i>of which</i>								
Legal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accounting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Architecture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engineering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[1] Please tick if provisions apply to at least one manufacturing industry

2.2.6 Are there any specific provisions which require or encourage regulatory administrative procedures to avoid unnecessary trade restrictiveness? *Yes*  *No*

2.2.7a) Are there any specific provisions that require regulators to recognise the equivalence of regulatory measures in other countries? *Yes*  *No*

2.2.7b) Has your country engaged in Mutual Recognition Agreements (MRAs) in **any** sector with any other country?

2.2.7c) Are there any specific provisions that require regulators to use internationally harmonised standards and certification procedures wherever possible and appropriate?

a) **If the answer to questions 2.2.7a), b) and/or c) is yes**, please specify whether the provisions apply to the sectors listed in Table 2.2.3.

Please answer by filling in Table 2.2.3
---

2.2.8 When appeal procedures relating to regulatory decisions are available in domestic regulatory systems, are they open to affected or interested foreign parties as well? *Yes*  *No*

Table 2.2.3 Recognition of regulatory measures and international standards

	Equivalence of regulatory measures in other countries?		Engagement in Mutual Recognition Agreements with other countries?			Provisions for regulators to use international standards and certifications?	
	Yes	No	Yes	No	If yes, number of countries	Yes	No
Manufacturing [1]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Energy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Transport, <i>of which</i>							
Air	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Maritime	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Telecoms, <i>of which</i>							
Fixed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Mobile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Finance, <i>of which</i>							
Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Banking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Hotels & Restaurants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Business services, <i>of which</i>							
Legal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Accounting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Architecture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Engineering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

[1] Please tick if provisions apply to at least one manufacturing industry

- 2.2.9 When business practices are perceived to restrict competition in a given market, can foreign firms have redress? *Yes*  *No*
- a) **If the answer is “yes”** please specify: **tick as many as apply**
- i) through competition agencies;
  - ii) through trade policy bodies;
  - iii) through the regulatory authorities involved;
  - iv) through private rights of action.
- 2.2.10 Are there any specific provisions as regards sectors that are considered “strategic” or of national interest? *Yes*  *No*
- a) **If the answer is “yes”**, please specify these sectors by referring to the ISIC Rev.3.1 or NACE classification.
- b) Do provisions that apply to these strategic sectors restrict the ability of foreign firms to either acquire equity or participate in procurement contracts in any of those sectors?

## THE OECD REGULATORY INDICATORS QUESTIONNAIRE

### SECTION 3: ADMINISTRATIVE REQUIREMENTS FOR BUSINESS START-UPS

This section focuses on the administrative requirements that entrepreneurs must satisfy in order to start a new business. The questions are based on existing data and methodology that has been developed and used to evaluate regulation of start-ups for members of the European Union.<sup>4</sup>

#### Definitions:

Before completing this section please read the following definitions. These terms are shown in **bold** in the questions that follow.

**Procedure:** requires the entrepreneur to interact with national, state or local government offices. For the purpose of answering the questions in this section, these procedures **exclude**:

- Employment-related procedures that enterprises must complete if they intend to take on workers
- Sector-specific licences or permits (*e.g.* professional or technical qualifications)
- Activity-specific permits that must be obtained if an enterprise is to take on certain types of operational activity, such as environmental, public health, and construction permits.

**Cost:** identifiable direct official expenses paid to official bodies associated with setting up a new business entity (*e.g.* legally specified fees, charges and taxes). It does not include the cost of the entrepreneur's time or foregone profits.

**Individual enterprise:** an enterprise in which the owner is solely responsible for business liabilities, which are unlimited and extend to private assets.

**Public limited company:** an incorporated legal entity separate and independent of the owners or shareholders. Liability of the company is limited to the extent of its assets and individual shareholder liability is limited to the amount of capital contributed. A public limited company can raise capital through public subscriptions and can be listed on public debt and equity markets. There are no limits on the number of shareholders.

**Foreign owned company:** An enterprise from a foreign country that can either be an individual enterprise or a public limited company.

**Pre-registration stage:** includes all procedures required to be completed prior to submitting a request for notification to the initial registering body.

**Registration stage:** includes all procedures carried out after the initial request for registration has been submitted. The final outcome of this stage is that the enterprise is legally formed and all notifications are complete and, subject to sector or activity-specific licences, it can commence trading.

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<sup>4</sup> For a reference see for instance the publication "Benchmarking the Administration of Business Start-Ups", Centre for Strategy and Evaluation Services, for the European Commission Enterprise Directorate General, January 2002.

### 3.1 Administrative requirements for business start ups

3.1.1a Consider the following example: An entrepreneur wishes to register a **domestic individual enterprise**. This enterprise is exempt from industry-specific requirements (including environmental), does not export, does not qualify for investment incentives, and does not trade in goods that are subject to excise tax (*e.g.* alcohol, tobacco, petrol).

i) In the first column of Table 3.1.1 please tick the mandatory **procedures** that the entrepreneur registering a **domestic individual enterprise** would need to complete in the **pre-registration stage** of the start up process.

Please answer by filling in Table3.1.1
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ii) In the first column of Table 3.1.2 please tick the mandatory **procedures** that the entrepreneur registering a **domestic individual enterprise** would need to complete in the **registration stage** of the start up process.

Please answer by filling in Table3.1.2
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3.1.1b Consider an entrepreneur wishing to register a **domestic public limited company**. This enterprise is exempt from industry-specific requirements (including environmental), does not export, does not qualify for investment incentives, and does not trade in goods that are subject to excise tax (*e.g.* alcohol, tobacco, gas).

i) In the second column of Table 3.1.1 please tick the mandatory **procedures** that the entrepreneur registering a **domestic public limited company** would need to complete in the **pre-registration stage** of the start up process.

Please answer by filling in Table3.1.1
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ii) In the second column of Table 3.1.2 please tick the mandatory **procedures** that the entrepreneur registering a **domestic public limited company** would need to complete in the **registration stage** of the start up process.

Please answer by filling in Table3.1.2
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3.1.1c Consider an entrepreneur wishing to register a **foreign owned company**. This enterprise is exempt from industry-specific requirements (including environmental), does not export, does not qualify for investment incentives, and does not trade in goods that are subject to excise tax (*e.g.* alcohol, tobacco, gas).

i) In the third column of Table 3.1.1 please tick the mandatory **procedures** that the entrepreneur registering a **foreign owned company** would need to complete in the pre-registration stage of the start up process.

Please answer by filling in Table3.1.1
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ii) In the third column of Table 3.1.2 please tick the mandatory **procedures** that the entrepreneur registering a **foreign owned company** would need to complete in the registration stage of the start up process.

Please answer by filling in Table3.1.2
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Table 3.1.1: Mandatory Procedures - Pre-registration stage

Procedures	Domestic individual enterprise	Domestic public limited company	Foreign owned company
	<b>tick as many as necessary</b>		
Formal approval of proposed name	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Confirm skills/qualifications with authorities (if applicable to all new enterprises)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtain certificate of no outstanding taxes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtain certificate of "good character" (no criminal record, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtain overall permit to conduct economic activity (if applicable to all new enterprises)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Complete management training course (if applicable to all new enterprises)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Registration of domicile of business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Formal validation of signatures of representatives of the business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notary draws up (or confirms) formal deed of incorporation/partnership agreement/registration deed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Founders (or advisers) draw up formal deed of incorporation/partnership agreement/registration deed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appoint board members/manager	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Open bank account and deposit capital	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtain certificate from bank of capital deposited	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Audit report on deed of incorporation/foundation report or equivalent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Create financial plan to show viability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hold statutory meetings (shareholders/subscribers, approval of foundation report by board, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shares offered for subscription	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lawyer or notary certifies documents for submission to registration authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prepare dossier for registration authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Certificate of all social security charges paid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Certificate of all compulsory healthcare paid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Table 3.1.2: Mandatory Procedures - Registration stage

Procedures	Domestic individual enterprise	Domestic public limited company	Foreign owned company
	<b>tick as many as necessary</b>		
Legal announcement in newspapers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Submit registration dossier to “one-stop-shop”	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Seek approval for registration from Commercial Court/Court of First Instance or equivalent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Seek approval from Companies Agency or equivalent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Seek approval for registration from local/municipal authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Seek approval for registration from central government	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Approval of name by official agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Register (notify) with Commercial Court/Trade Register/Companies Agency/Craft Register or equivalent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Register with Trade Association/Chamber of Commerce	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax Office or equivalent stamps/certifies company records or account books	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Publish registration in Official Journal or equivalent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Apply for tax identification card/number	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Apply for opening licence from local/municipal authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtain mandatory pension insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtain mandatory civil insurance, e.g. employers’ liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify Tax Office (all taxes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify Social Security Office or insurance fund	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify VAT Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify Business Tax Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify National Statistical Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify Ministry of Labour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify local/municipal tax authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify other local/municipal authorities of registration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax office verifies business domicile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notify Post Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compulsory accident insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Definition:**

In the following questions “**typical**” refers to the **average** time and cost involved in setting up a business entity entirely through the most widely used process of registration.

**Paid-up capital** is defined as the total amount of shareholder capital that has been paid in full by shareholders.

- 3.1.2 In Table 3.1.3 please indicate the **typical amount of time** it would take an entrepreneur to complete all of the mandatory **procedures** required to set up an **individual enterprise**, a **public limited company** or a **foreign owned company**. Please give your answer in *total working days elapsed* from the day the entrepreneur starts the pre-registration process to the point at which the registration process is complete. Please split your answer between the **pre-registration stage** and the **registration stage**.
- 3.1.3 In Table 3.1.3 please indicate the **typical cost** of fulfilling all the mandatory **procedures** required to set up a **domestic individual enterprise**, a **domestic public limited company** or a **foreign owned company**. Please split your answer between the **pre-registration stage** and the **registration stage**.
- 3.1.4 In Table 3.1.3 please indicate **how many different public and private bodies** an entrepreneur would need to contact to set up a **domestic individual enterprise**, a **domestic public limited company** or a **foreign owned company**. Treat different departments within the same organisation as different points of contact. Split your answer between the **pre-registration stage** and the **registration stage**.
- 3.1.5 In Table 3.1.3 please indicate the mandatory **minimum paid-up capital** needed to register a **domestic individual enterprise**, a **domestic public limited company** or a **foreign owned company**.

Table 3.1.3: Administrative burdens of setting up a business

Question	Domestic individual enterprise		Domestic public limited company		Foreign owned company	
	Pre-registration	Registration	Pre-registration	Registration	Pre-registration	Registration
3.1.3: Number of working days						
3.1.4: Total cost (in local currency)						
3.1.5: Number of bodies to contact						
3.1.6: Minimum paid-up capital						

## THE OECD REGULATORY INDICATORS QUESTIONNAIRE

### SECTION 4: PROFESSIONAL SERVICES

This section focuses on regulations that may have an impact on some professional services (specifically: accounting, legal services, engineering, and architectural services.) The professional services surveyed in this section correspond to the following ISIC (rev3.1) codes: Accounting 7412, Legal services 7411, Architectural and engineering 7421.

#### Definition:

For the purpose of answering sections 4.1 to 4.3, **foreign suppliers** are defined as firms or professionals from a foreign country that wish to provide services in the respondent country. In answering these questions, please assume that these professionals meet the requirements necessary for providing the services in the respondent country (*e.g.*, their qualifications are recognised).

#### 4.1 Exclusive and shared exclusive tasks

##### Definitions

For the purpose of answering the questions 4.1.1 to 4.1.4, please note the following definitions:

A profession has an **exclusive right** over a particular activity when that activity is reserved by law solely to that profession. A profession has a **shared exclusive right** over an activity when that activity is reserved by law to that profession and other professions.

4.1.1 In Table 4.1.1 please indicate the services that the accounting profession has an **exclusive** or **shared exclusive** right to provide and whether these services can be provided by foreign suppliers.

<b>Table 4.1.1 Accountancy</b>	<b>tick as many as apply</b>		
	Exclusive right	Shared exclusive right	Foreign suppliers can provide this service
Statutory audit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-statutory audit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Audit of mergers and of contribution in kind	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public sector audit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accounting (incl. public-sector accounts, book keeping)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insolvency practice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax advice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax representation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management consultancy, including financial planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Investment advice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal advice and representation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Expert witness in accounting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valuation and actuarial services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.1.2 In Table 4.1.2 please indicate the services that the legal profession has an **exclusive** or **shared exclusive right** to provide and whether these services can be provided by foreign suppliers.

<b>Table 4.1.2 Legal Services</b>	<b>tick as many as apply</b>		
	Exclusive right	Shared exclusive right	Foreign suppliers can provide this service
Advice on matters predominantly regulated by domestic law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
“ .. predominantly regulated by international law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
“ “ .. predominantly regulated by foreign law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transferring of title to real estate, wills and regulation of family matters (conveyancing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representation of clients before courts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
“ ” .. before administrative agencies, including on tax matters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax advice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insolvency practice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management consulting and other business advisory services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advice and representation on patent law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.1.3 In Table 4.1.3 please indicate the services that the engineering profession has an **exclusive** or **shared exclusive right** to provide and whether these services can be provided by foreign suppliers.

<b>Table 4.1.3 Engineering</b>	<b>tick as many as apply</b>		
	Exclusive right	Shared exclusive right	Foreign suppliers can provide this service
Feasibility studies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design and planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representation for obtention of permits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tender and contract administration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Project management including monitoring of execution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction cost management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planning and managing maintenance; survey of sites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Testing and certification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Expert witness activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.1.4 In Table 4.1.4 please indicate the services that the architectural profession has an **exclusive** or **shared exclusive right** to provide and whether these services can be provided by foreign suppliers.

Table 4.1.4 Architectural services	tick as many as apply		
	Exclusive right	Shared exclusive right	Foreign suppliers can provide this service
Feasibility studies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Topographical determination, demarcation, land surveying	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planning (elaboration of blueprints)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Request for construction permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation and monitoring of construction/execution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Technical control and certification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction cost management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Urban and landscape planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interior design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 4.2 Entry requirements

4.2.1 Please indicate the extent of entry requirements for each of the professions by answering the questions in Table 4.2.1. If entry requirements are different within the professions, please answer “yes” if the respective requirement applies to *any* activity within the profession.

Table 4.2.1: Entry requirements	Accountancy		Legal		Engineering		Architecture	
	Yes	No	Yes	No	Yes	No	Yes	No
Is a university degree required to enter the profession?	<input type="checkbox"/>							
If yes, how many years duration?								
Is there any other higher-education required to enter the profession?	<input type="checkbox"/>							
If yes, how many years duration?								
Is there a requirement of relevant compulsory practice to become a full member of the profession?	<input type="checkbox"/>							
If yes, how many years duration?								
Is there a requirement to pass professional examinations to become a full member of the profession?	<input type="checkbox"/>							
Is access to the profession regulated, e.g. through compulsory licenses issued at the national or sub-national level?	<input type="checkbox"/>							
Is membership in a professional organisation compulsory in order to legally practice?	<input type="checkbox"/>							

### 4.3 Regulations on market behaviour

4.3.1 In Table 4.3.1 please indicate if the permitted legal form of business is restricted to a particular type.

<b>Table 4.3.1: Business form</b>	Accountancy		Legal services		Engineering		Architecture	
	Yes	No	Yes	No	Yes	No	Yes	No
Is the form of business restricted?	<input type="checkbox"/>	<input type="checkbox"/>						
<b>If “yes”, which kinds of businesses are permitted?</b>	tick as many as necessary							
Sole proprietorship	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Limited liability partnerships	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Private company	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Public limited company	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Do the above provisions apply equally to foreign suppliers?	<input type="checkbox"/>	<input type="checkbox"/>						

4.3.2 In Table 4.3.2 please indicate if the fees or prices that a profession charges for its services are regulated in any way (either by government or self-regulated by the profession).

<b>Table 4.3.2: Fee regulation</b>	Accountancy		Legal services		Engineering		Architecture	
	Yes	No	Yes	No	Yes	No	Yes	No
Are fees/prices regulated or self-regulated?	<input type="checkbox"/>	<input type="checkbox"/>						
<b>If the answer is “yes”, what is the nature of these regulations?</b>	tick the most appropriate							
Binding minimum prices for all services	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Binding maximum prices for all services	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Binding minimum prices for some services	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Binding maximum prices for some services	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Non-binding recommended prices for all services	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Non-binding recommended prices for some services	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Other (please describe)								
Do the above provisions apply equally to foreign suppliers?	<input type="checkbox"/>	<input type="checkbox"/>						

4.3.3 In Table 4.3.3 please indicate if advertising and marketing by the profession is regulated in any way.

<b>Table 4.3.3: Advertising regulation</b>	Accountancy		Legal services		Engineering		Architecture	
	Yes	No	Yes	No	Yes	No	Yes	No
Is advertising and marketing by professionals prohibited? <b>If the answer is “no”:</b>	<input type="checkbox"/>							
Is advertising and marketing by professionals regulated?	<input type="checkbox"/>							
Do the above provisions apply equally to foreign suppliers?	<input type="checkbox"/>							
Are foreign suppliers allowed to use their foreign supplier’s name in advertising and marketing activities?	<input type="checkbox"/>							

4.3.4 In Table 4.3.4 please indicate the degree to which co-operation between professionals (*e.g.*, partnerships, associations, joint ventures) is permitted.

<b>Table 4.3.4: Inter-professional co-operation</b>	Accountancy		Legal services		Engineering		Architecture	
	Yes	No	Yes	No	Yes	No	Yes	No
Are there restrictions on co-operation between professionals?	<input type="checkbox"/>	<input type="checkbox"/>						
<b>If the answer is “yes”, what is the nature of these regulations?</b>	<b>tick the most appropriate</b>							
Inter-professional co-operation of any form is generally forbidden	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Inter-professional co-operation is allowed only between comparable licensed professionals	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Inter-professional co-operation is generally allowed.	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Do the above provisions apply equally to foreign suppliers?	<input type="checkbox"/>	<input type="checkbox"/>						

#### 4.4 Treatment of foreign professionals

4.4.1 Are foreign professionals who are authorised to practice in their own country able to be accredited/ licensed to practice in your country? Please answer by filling in the first row of Table 4.4.1

**If the answer is yes**, please indicate in the remaining rows of Table 4.4.1

a) whether a local presence (the establishment of a firm or residency for individuals) is required in order to provide services?

b) what qualification requirements foreign professionals must meet before they are permitted to practice?

<b>Table 4.4.1</b>	Accountancy		Legal services		Engineering		Architecture	
	Yes	No	Yes	No	Yes	No	Yes	No
Allowed to practice? <b>If the answer is yes:</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Is local presence required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) What qualification is needed?	<b>Tick as many as apply</b>							
i) Recognition of foreign qualification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Local retraining	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Aptitude test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Language skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v) Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## THE OECD REGULATORY INDICATORS QUESTIONNAIRE

### SECTION 5: REGULATION IN ENERGY, COMMUNICATIONS AND TRANSPORTATION INDUSTRIES

This section focuses on regulations in network sectors. It includes questions on general regulation and industry structure as well as on more sector-specific regulations in electricity, gas, water, and three types of transport sectors: road freight, railways, and passenger air travel.

#### Definitions:

For the purpose of answering the questions on electricity and gas within this section, please note the following definitions:

**Generation:** operation of electricity generation or gas production facilities.

**Import:** import of electricity or gas from abroad.

**Transmission:** operation of the high-capacity transmission systems that convey electricity or gas from the generation/production facilities to the distribution system.

**Distribution:** operation of distribution systems that convey electricity or gas received from the generation/production facility or the transmission system to the final consumer.

**Supply:** sale of electricity or gas to the user.

#### 5.1 Market and industry structure in network sectors

##### Definition:

For the purpose of answering question 5.1.1, four different categories of vertical separation are distinguished as follows

- **Ownership separation:** two activities are carried out by completely separate firms that are controlled by different sets of shareholders.
- **Legal separation:** two activities are carried out by different legal entities that are controlled by the same shareholder.
- **Accounting separation:** two activities are carried out within the same firm with separate bookkeeping.
- **No separation:** two activities are carried out by the same firm.

##### For example,

If the same firm is permitted to generate and supply electricity (with no accounting separation) but is prohibited from electricity transmission, then 'no separation' would be the appropriate box to tick for electricity generation and supply. 'Ownership separation' would be the appropriate box for electricity transmission.

- 5.1.1 For each of the network sectors listed in Table 5.1.1 please indicate the degree of structural separation with other vertical segments of the industry by ticking the most appropriate box. If structural separation is regulated on a sub-national level please answer with respect to the approach taken in the majority (unweighted or weighted by population) of those subnational levels.

Please answer  
by filling in  
Table 5.1.1

Table 5.1.1: Vertical separation in network sectors

Sector (ISIC Rev 3.1)	Structural separation from other vertical segments in the sector			
	No separation	Accounting separation	Legal separation	Ownership separation
<b>Electricity generation &amp; distribution (4010). Cons. of:</b>				
electricity generation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
electricity supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Gas generation &amp; distribution (4020). Cons. of:</b>				
gas production	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
gas supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Telecommunications (642). Consisting of:</b>				
fixed-line network	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
fixed-line services [1]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
mobile services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
internet services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Transport via railways (601 &amp; part of 6303). Cons. of:</b>				
passenger transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
freight transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
operation of railroad infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

[1] Includes international long distance, domestic long distance, and local services. [2] Includes tracks, rolling stock, and facilities

- 5.1.2a) For each of the network sectors listed in Table 5.1.2 please indicate the market share of the dominant (*i.e.*, largest) firm of the industry by ticking the most appropriate box.
- 5.1.2b) Please indicate in column 2 of Table 5.1.2 the number of firms that are competing in the same market (*e.g.*, same geographical area/group of customers). If the number of competitors per market varies across markets, please indicate the largest number of firms competing in the same market.

Please answer  
by filling in  
Table 5.1.2

Table 5.1.2: Market structure in network sectors

Sector (ISIC Rev 3.1)	Market share of the largest company in the sector			Number of firms competing in the same market
	Greater than 90%	Between 50% and 90%	No dominant company	
<b>Electricity generation &amp; distribution (4010). Consisting of:</b>				
electricity generation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
electricity import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
electricity supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Gas generation &amp; distribution (4020). Consisting of:</b>				
gas production	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
gas import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
gas supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Telecommunications (642). Consisting of:</b>				
fixed-line network	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
fixed-line services [1]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
mobile services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
internet services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Water collection, purification, distribution (4100)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>National post, courier services (6411 &amp; 6412). Cons. of:</b>				
basic letter services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
basic parcel services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
courier services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Transport via railways (601 &amp; part of 6303). Consisting of:</b>				
passenger transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
freight transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
operation of railroad infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Water transport (61 &amp; part of 6303). Consisting of:</b>				
water transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
operation of water transport infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Air transport (62 &amp; part of 6303). Consisting of:</b>				
air transport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
operation of air transport infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Operation of road infrastructure (part of 6303)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

[1] Includes international long distance, domestic long distance, and local services. [2] Includes tracks, rolling stock, and facilities

## 5.2 Regulatory management

### Convention:

If in your country one regulatory authority covers more than one of the sectors listed below, please answer the following questions by ticking boxes for all sectors that are covered by this authority.

5.2.1 Which statement describes best the institutional status of the regulatory authority in each of the sectors listed in Table 5.2.1? **Please answer by ticking the most appropriate box in Table 5.2.1**

Table 5.2.1 Sector	Utilities			Telecoms	Railways
	Electricity	Gas	Water		
The regulatory authority is independent from the executive and has its own legal status and budget.	<input type="checkbox"/>				
The regulatory authority is a ministerial agency or department	<input type="checkbox"/>				

5.2.2. If the regulatory authority is an independent body, **please indicate in Table 5.2.2** the year in which these bodies have come into operation.

Table 5.2.2 Sector	Utilities			Telecoms	Railways
	Electricity	Gas	Water		
Year in which regulatory agency came into operation as an independent body.					

5.2.3 With which powers is the agency endowed? **Please answer by ticking the most appropriate box in Table 5.2.3**

Table 5.2.3 Sector	Utilities			Telecoms	Railways
	Electricity	Gas	Water		
The authority has a purely advisory role.	<input type="checkbox"/>				
The authority has adjudicatory or rule-making powers.	<input type="checkbox"/>				
The authority can issue sanctions.	<input type="checkbox"/>				

5.2.4 How are the decisions of the regulator influenced? **Please answer by filling in Table 5.2.4**

Table 5.2.4 Sector	Utilities						Telecoms		Railways	
	Electricity		Gas		Water		Yes	No	Yes	No
	Yes	No								
Does the regulatory authority receive instructions from the executive?	<input type="checkbox"/>									
Can its decisions be overturned by the executive?	<input type="checkbox"/>									
Can the decisions of the sector regulator be appealed?	<input type="checkbox"/>									

## 5.2.5 If the regulator is an independent body, please answer the questions in Table 5.2.5

Table 5.2.5 Sector	Utilities						Telecoms		Railways	
	Electricity		Gas		Water		Yes	No	Yes	No
	Yes	No								
Is this independence explicitly stated in law?	<input type="checkbox"/>									
Are its head or its board members assigned for a fixed term?	<input type="checkbox"/>									
<b>If the answer is yes,</b>										
What is the length of the appointment (in years)?										
Is the term of office independent from the electoral cycle?	<input type="checkbox"/>									
Is the appointment renewable?	<input type="checkbox"/>									
Are there provisions for dismissal from office by the executive?	<input type="checkbox"/>									
Are there restrictions on jobs that the head/board members could take on after their term of office (e.g., to avoid conflict of interest)?	<input type="checkbox"/>									

## 5.2.6 Please specify the degree of transparency of the decision-taking process by filling in Table 5.2.6

Table 5.2.6 Sector	Utilities						Telecoms		Railways	
	Electricity		Gas		Water		Yes	No	Yes	No
	Yes	No								
Do the decisions of the regulatory authority have to be made public?	<input type="checkbox"/>									
Is the regulatory authority required to periodically publish reports?	<input type="checkbox"/>									
Can it publish reports that are unsolicited by the executive?	<input type="checkbox"/>									

## 5.3 Universal Service Obligations

**Definition:**

For the purpose of answering the questions in this section, **Universal Service Obligations** (USOs) refer to the practice of providing a baseline level of network services at just, reasonable and affordable rates to every resident of a country, including those in low income, rural or other high cost areas.

- 5.3.1 Are USO imposed on firms in any network sector? Yes    No
- If the answer is “yes”,** please answer the questions below with respect to a sector of your choice.

5.3.2 Are benefits from brand recognition taken into account in computing the net cost of USO obligations for the USO provider in any network sector? *Yes*  *No*

5.3.3 Does the law provide for compensating the USO provider? *Yes*  *No*

**If “yes”, how is such compensation financed?** **Tick the most appropriate**

i) Through a USO fund collected from all operators;

ii) Through a USO fund collected from operators whose market share is beyond a certain threshold;

iii) Through transfers from general revenue.

5.3.4 Does the USO provider currently receive compensation? *Yes*  *No*

5.3.5 How are contracts for USO provision assigned? **tick the most appropriate**

i) Through grandfathering;

ii) Through competitive tendering among all service providers;

iii) Through competitive tendering when compensation is requested by the incumbent.

**5.4 Telecommunications sector**

5.4.1 Is there an operator that supplies both fixed and mobile services? *Yes*  *No*

5.4.2 What is the market share (in percent) of new entrants, *i.e.*, firms that have been entering the market after liberalisation of the telecommunications market, in ... **Share in %**

i) ... the trunk telephony market; 

--

ii) ... the international telephony market; 

--

iii) ... the mobile phone market? 

--

5.4.3 Do unbundling rules apply to new fibre last-mile access networks? *Yes*  *No*

a) **If the answer is “yes”, since when does this regulation apply?** 

--

5.4.4 Are municipalities or public utilities allowed to provide telecommunication services or infrastructure? *Yes*  *No*

5.4.5 Does your country regulate international roaming charges of mobile operators? *Yes*  *No*   
 a) **If the answer is “yes”**, when was this regulation introduced?

5.4.6 Does your country regulate termination charges between two or more *mobile* operators? *Yes*  *No*   
 a) **If the answer is “yes”**, when was this regulation introduced?

**5.5 Electricity sector**

5.5.1 Do regulators have the authority to mandate investment in the electricity grid where bottlenecks emerge in transmission or interconnection capacity? *Yes*  *No*   
**If the answer is “yes”**,  
 a) in what year was the authority granted?   
 b) Has such regulatory authority ever been used?

5.5.2 Is your country’s electricity grid physically connected to any other country’s grid? *Yes*  *No*   
 a) **If the answer is “yes”**, how many neighbouring countries is your country’s grid connected to?

5.5.3 How are the terms and conditions of third-party access (TPA) to the electricity transmission grid determined? **tick the most appropriate**

- i) TPA is regulated;
- ii) TPA is negotiated;
- iii) There is no TPA;

5.5.4 Is there a liberalised wholesale market for electricity (a wholesale pool)? *Yes*  *No*

5.5.5 What percentage of the retail market is open to consumer choice of the electricity supplier?

5.5.6 What is the minimum consumption threshold that consumers must exceed in order to be able to choose their electricity supplier (in GWh/year)?

5.5.7 Is any type of benchmarking, which uses the objective of holding all distributors to the standard of the most efficient distributor, required in determining regulated electricity pricing? *Yes*  *No*

5.5.8 In the following table please indicate any major changes in regulation of the electricity market that have occurred since 2003.

Area of policy change	Year of change	Description of policy change
Vertical separation		
Inter-national grid connection		
Third party access to grid		
Wholesale pool		
Consumer choice of supplier		
Pricing rules		
Public control		
Others (please specify)		

## 5.6 Gas sector

- 5.6.1 Do regulators have the authority to mandate investment in the gas grid where bottlenecks emerge in transmission or interconnection capacity? *Yes*  *No*
- If the answer is “yes”,**
- a) in what year was the authority granted?
- b) Has such regulatory authority ever been used?  *Yes*  *No*
- 5.6.2 Is your country’s gas grid physically connected to any other country’s grid?  *Yes*  *No*
- a) **If the answer is “yes”,** how many neighbouring countries is your country’s grid connected to?
- 5.6.3 How are the terms and conditions of third-party access (TPA) to the gas transmission grid determined? **tick the most appropriate**
- i) TPA is regulated;
- ii) TPA is negotiated;
- iii) There is no TPA;
- 5.6.4 Is there a liberalised wholesale market for gas (a wholesale pool)? *Yes*  *No*
- 5.6.5 What percentage of the retail market is open to consumer choice of the gas supplier?
- 5.6.6 What is the minimum consumption threshold that consumers must exceed in order to be able to choose their gas supplier (in m<sup>3</sup>/year)?

- 5.6.7 Is any type of benchmarking, which uses the objective of holding all distributors to the standard of the most efficient distributor, required in determining regulated gas pricing? *Yes*  *No*

- 5.6.8 In the following table please indicate any major changes in regulation of the gas market that have occurred since 2003.

Area of policy change	Year of change	Description of policy change
Vertical separation		
Inter-national grid connection		
Third party access to the grid		
Consumer choice of supplier		
Pricing rules		
Public control		
Others (please specify)		

## 5.7 Water sector

### Definition:

In the case of a public service **concession**, a private company enters into an agreement with the government to have the exclusive right to operate, maintain and carry out investment in a public utility (such as a water supply system) for a given number of years.

- 5.7.1 Is there any private participation in *Yes* *No*
- a) water provision?
- b) water infrastructure?
- 5.7.2 If private participation is allowed in water provision, how are private concessions attributed? **tick the most appropriate**
- i) Concessions are given to preferred bidders;
- ii) Concessions are allocated through open tenders.
- 5.7.3 Is any type of benchmarking, which uses the objective of holding all suppliers to the standard of the most efficient supplier, required in determining regulated water pricing? *Yes* *No*
- 
- 5.7.4 Is the opening of a given supplier's pipes to other suppliers (common carriage) required for water supply, through some form of access pricing? *Yes* *No*
- 
- a) **If the answer is "yes"**, are there standardised rules for access and pricing?
- 5.7.5 Are privileges given to the incumbent if re-negotiating the concession?

5.7.6 In the following table please indicate any major changes in regulation of the water market that have occurred since 2003.

Area of policy change	Year of change	Description of policy change
Access to infrastructure		
Access to supply		
Price regulation		
Public control		
Others (please specify)		

## 5.8 Road freight

### Definition:

In this section, road freight corresponds to ISIC (rev. 3.1) sector 6023. Therefore, the questions do not refer to road freight transport operated by businesses for their own use (except when referred to directly).

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
| 5.8.1 Is registration in a transport register required in order to establish a new business in the road freight sector?  | <input type="checkbox"/> | <input type="checkbox"/> |
|  | <i>Yes</i>               | <i>No</i>                |
| 5.8.2 In order to establish a national road freight business (other than for transporting dangerous goods or goods for which sanitary assurances are required) do operators need to:   |                          |                          |
| a) be granted a state concession or franchise by any level of government?  | <input type="checkbox"/> | <input type="checkbox"/> |
| b) obtain a license (other than a driving license) or permit from the government or a regulatory agency?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.8.3 If establishing a business in national road freight services is subject to either of the procedures in a) or b) of the previous question, please answer the following questions: | <i>Yes</i>               | <i>No</i>                |
| a) Are criteria other than technical and financial fitness and compliance with public safety requirements considered in decisions on entry of new operators?                           | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Do these entry regulations apply if a firm wants to transport only for its own account?   | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does an authorisation to operate cover the entire road network of the country?  | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Is the authorisation to operate limited in duration?  | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Are authorisations to operate transferable?   | <input type="checkbox"/> | <input type="checkbox"/> |

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
| 5.8.4 Does the regulator, through licenses or otherwise, have any power to limit industry capacity?    | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>If the answer is “no”, are any of the following constraints in place?</b>                           |                          |                          |
| a) complete prohibition of cabotage;   | <input type="checkbox"/> | <input type="checkbox"/> |
| b) limitations on cabotage;  | <input type="checkbox"/> | <input type="checkbox"/> |
| c) domestic carrier requirements for government transport contracts (public procurement);              | <input type="checkbox"/> | <input type="checkbox"/> |
| d) restrictions on foreign firms picking up freight (e.g. if they have only delivered in the country); | <input type="checkbox"/> | <input type="checkbox"/> |
| e) other (please specify). <input style="width: 400px; height: 15px;" type="text"/>                    |                          |                          |

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
| 5.8.5 Are professional bodies or representatives of trade and commercial interests involved in specifying or enforcing <u>entry regulations</u> at the national, state or local level? | <input type="checkbox"/> | <input type="checkbox"/> |

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
| 5.8.6 Do regulations prevent or constrain:   |                          |                          |
| a) backhauling (picking up freight on the return leg)?   | <input type="checkbox"/> | <input type="checkbox"/> |
| b) private carriage (transport only for own account)?  | <input type="checkbox"/> | <input type="checkbox"/> |
| c) contract carriage (contractual relation between an otherwise independent haulier and one shipper)?      | <input type="checkbox"/> | <input type="checkbox"/> |
| d) intermodal operations (operating or ownership links between firms in different transportation sectors)? | <input type="checkbox"/> | <input type="checkbox"/> |

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
| 5.8.7 Are retail prices of road freight services in any way regulated by the government? | <input type="checkbox"/> | <input type="checkbox"/> |

- |   |                          |                          |
|---|--------------------------|--------------------------|
|   | <i>Yes</i>               | <i>No</i>                |
| 5.8.8 Does the government provide pricing guidelines to road freight companies? | <input type="checkbox"/> | <input type="checkbox"/> |

- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
| 5.8.9 Are professional bodies or representatives of trade and commercial interests involved in specifying or enforcing <u>pricing guidelines</u> or regulations? | <input type="checkbox"/> | <input type="checkbox"/> |

5.8.10 In the following table please indicate any major changes in government policy on road freight that have occurred since 2003.

Area of policy change	Year of change	Description of policy change
Market access		
Pricing rules		
Others (please specify)		

## 5.9 Rail and long distance transport

### Definition:

To answer the questions in this section, please interpret **railways** only as transport involving inter-urban or international rail (ISIC rev. 3.1 code 6010). Exclude urban transportation such as subways and tramways.

The term **incumbent** refers to the railway operator (often a state-owned legal monopoly) that was granted exclusive rights over service supply prior to any liberalisation of access to some or all industry segments.

5.9.1. In the Table 5.9.1 please provide information on the market structure of the passenger and freight transport sectors.

Table 5.9.1 Industry and market structure	Railway activities	
	Passenger transport	Freight transport
Total number of operators		
Market share of largest operator (in percent of total passenger-kilometres or tons-kilometres)		
Market share of second largest operator (in percent of total passenger-kilometres or tons-kilometres)		
Maximum number of operators competing in the same geographic area/rail district		

5.9.2 In Table 5.9.2 please provide information on the legal conditions of entry in the passenger and freight transport sectors.

Table 5.9.2 Legal conditions of entry	Railway activities			
	Passenger transport		Freight transport	
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>
Entry franchised to single firm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Entry franchised to several firms, each having exclusive rights to a geographic area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Entry franchised to several firms that compete in the same geographic area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Entry regulated only according to EU 1991 directive (EU countries only)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free entry (upon paying access fees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5.9.3 Are there any foreign ownership restrictions on individuals or corporations investing in:

- a) the provider(s) of the national (or state) railroad grid?  *Yes*  *No*
- b) the provider(s) of the national (or state) railway services?  *Yes*  *No*

5.9.4 Does the government have any liabilities for losses made by a railway company?  *Yes*  *No*

- 5.9.5 Did the government in the past five years make up for any financial losses of railway companies? *Yes*  *No*
- 5.9.6 Are companies operating the infrastructure or providing railway services subject to universal service requirements (*e.g.* obligation to serve specified customers or areas)? **If the answer is “yes”:** *Yes*  *No*
- a) Do these requirements put restrictions on the ability to exit particular activities or routes?
- 5.9.7 What percentage of freight traffic is delayed?
- 5.9.8 What percentage of freight tonnes travelled on operators independent of the historical incumbent freight operator during 2006?
- 5.9.9 Do law or regulations impose specific requirements as concerns the provision of **long-distance road passenger transportation**? *Yes*  *No*
- a) **If the answer is “yes”**, what do these requirements concern: **tick as many as apply**
- i) The need to apply for a licence;
- ii) The number of licences allowed on each stretch;
- iii) The tariffs charged.
- b) In what year were these restrictions last eased?
- 5.9.10 In the following table please indicate any major changes in government policy on rail and long distance transport that have occurred since 2003.

Area of policy change	Year of change	Description of policy change
Market access		
Vertical separation		
Public control		
Others (please specify)		

## 5.10 Air travel (non freight)

### Definitions:

This section deals with transportation of passengers by scheduled air carriers. Please answer with reference to carriers transporting more than 500 000 passengers per year. The following conventions are adopted:

- A carrier is defined as independent if it is not controlled by another carrier.
- A route is defined as the flight connecting a city pair.
- Traffic on a route is measured by the number of leisure and business passengers-kilometres per year.

- The term **incumbent** refers to the air carrier (often a state-owned legal monopoly) that was granted exclusive rights over service supply prior to any liberalisation of access in the industry.

**Domestic routes:** traffic on routes between two domestic airports

**International routes:** traffic on routes between a domestic and a foreign airport.

**Open sky agreements** usually grant full fifth and sixth freedom rights to airlines in participating countries. Thereby, **fifth air traffic** freedom allows airlines to carry passengers between two foreign countries on routes which originate or end in their home country. **Sixth air traffic** freedom allows airlines to carry passengers between two foreign countries on two routes that connect in their home country.

**Regional aviation agreements** are the aviation equivalents of free-trade areas and transform sub-sets of bilateral air routes between participating countries into domestic routes within the common aviation market.

A **low-cost carrier or low-cost airline** is an airline that offers generally low fares in exchange for eliminating many traditional passenger services. The term originated within the airline industry referring to airlines with a lower operating cost structure than their competitors.

**Cabotage rights** refer to the right of foreign operators to operate flights within the domestic borders of your country's territory

- 5.10.1 How many of your country's busiest international routes are served by three or more carriers (domestic or foreign)?
- 5.10.2 Does your country have an open skies agreement with the United States?  
**If the answer is "yes",**  
 a) on what date did it come into force? 

<i>Yes</i>	<i>No</i>
<input type="checkbox"/>	<input type="checkbox"/>
- 5.10.3 Is your country participating in a regional agreement?  
**If the answer is "yes",**  
 a) on what date did it come into force? 

<i>Yes</i>	<i>No</i>
<input type="checkbox"/>	<input type="checkbox"/>
- 5.10.4 Is the domestic aviation market in your country fully liberalised? This would be the case if there were no restrictions on the number of (domestic) airlines that are allowed to operate on domestic routes (other than those restrictions that are caused by air traffic operation or airport infrastructure congestion). 

<i>Yes</i>	<i>No</i>
<input type="checkbox"/>	<input type="checkbox"/>
- 5.10.5 Are low cost airlines allowed to operate from airports in major urban areas in your country? **If the answer is yes",** please specify: 

<i>Yes</i>	<i>No</i>
<input type="checkbox"/>	<input type="checkbox"/>

  
 a) on domestic routes? 

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

  
 b) on international routes? 

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------
- 5.10.6 Are there any foreign ownership restrictions on individuals or corporations investing in the provider(s) of air transport services? 

<i>Yes</i>	<i>No</i>
<input type="checkbox"/>	<input type="checkbox"/>

  
**If the answer is "yes":**  
 a) What is the ceiling on foreign investment in an airline company?

- | 5.10.7           | Does the government have any liabilities for losses made by an airline company?  | <i>Yes</i><br><input type="checkbox"/>   | <i>No</i><br><input type="checkbox"/> |                  |                  |  |  |
|------------------|--|--|---------------------------------------|------------------|------------------|--|--|
| 5.10.8           | Did the government in the past five years make up for losses incurred by an airline company?   | <i>Yes</i><br><input type="checkbox"/>   | <i>No</i><br><input type="checkbox"/> |                  |                  |  |  |
| 5.10.9           | Are carriers operating on domestic routes subject to universal service requirements ( <i>e.g.</i> obligation to serve specified customers or areas)?<br><b>If the answer is “yes”:</b> | <i>Yes</i><br><input type="checkbox"/>   | <i>No</i><br><input type="checkbox"/> |                  |                  |  |  |
|                  | a) Do these requirements put restrictions on the ability to exit particular activities or routes?  | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
| 5.10.10          | Are the prices of domestic air fares regulated in any way?   | <i>Yes</i><br><input type="checkbox"/>   | <i>No</i><br><input type="checkbox"/> |                  |                  |  |  |
| 5.10.11          | Do your country’s open-sky agreements also provide cabotage rights on the national territory to foreign carriers of the signatory countries?   | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
|                  | a) <b>If the answer is “yes”</b> , when were these rights introduced?  | <input style="width: 100%; height: 15px;" type="text"/>  |                                       |                  |                  |  |  |
| 5.10.12          | Are ground-handling services in major airports open to competition by alternative service providers?   | <i>Yes</i><br><input type="checkbox"/>   | <i>No</i><br><input type="checkbox"/> |                  |                  |  |  |
|                  | a) <b>If the answer is “yes”</b> :   |  |                                       |                  |                  |  |  |
|                  | i) Are these services assigned through competitive tendering?  | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
|                  | ii) Can airline companies provide their own services?  | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
|                  | iii) How many ground handling operators are actually providing services at the country’s largest airport (in terms of passengers per year)?  | <input style="width: 100%; height: 15px;" type="text"/>  |                                       |                  |                  |  |  |
|                  | iv) Is the company owning the largest airport also providing the largest share of these services?  | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
| 5.10.13          | What are the shares of slots (in total available slots) held by the incumbent carrier in the two largest airports?   | <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="padding: 2px;"><i>Airport 1</i></th> <th style="padding: 2px;"><i>Airport 2</i></th> </tr> </thead> <tbody> <tr> <td style="width: 50px; height: 20px;"></td> <td style="width: 50px; height: 20px;"></td> </tr> </tbody> </table> |                                       | <i>Airport 1</i> | <i>Airport 2</i> |  |  |
| <i>Airport 1</i> | <i>Airport 2</i>   |  |                                       |                  |                  |  |  |
|                  |  |  |                                       |                  |                  |  |  |
| 5.10.15          | What is the system of slot allocation in the largest airport in your country?  | <i>Yes</i>   | <i>No</i>                             |                  |                  |  |  |
|                  | a) Is barter trade of slots allowed?   | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
|                  | b) Is monetary trade of slots allowed?   | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
|                  | c) Is there an organised market mechanism for trading slots?   | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |
|                  | d) Are there incentive provisions for new entrants and limited size incumbents ( <i>e.g.</i> reserved quotas in auctions or lotteries, use or lose rules)?                             | <input type="checkbox"/>   | <input type="checkbox"/>              |                  |                  |  |  |

- 5.10.16 How are new slots (e.g. made available through airport capacity expansion or reorganisation) allocated? **tick the most appropriate**
- i) discretionally,
- ii) on a first come first serve basis,
- iii) through periodic lotteries,
- iv) through periodic auctions,
- v) other (please specify).

**If the answer to iii) or iv) is yes, what is the percentage of slots (over total existing slots) that has been allocated through auctions or lotteries in the last five years?**

- 5.10.17 Is clearance co-ordination at large airports delegated by the government to the incumbent carrier? **Yes**  **No**

5.10.18 In the following table please indicate any major changes in government policy on air travel policy that have occurred since 2003.

Area of policy change	Year of change	Description of policy change
Market access		
Price regulation		
Public control		
Allocation of slots		
Others (please specify)		

## THE OECD REGULATORY INDICATORS QUESTIONNAIRE

### SECTION 6: RETAIL DISTRIBUTION

This section focuses on regulations in the retail sector.

#### Definitions and conventions:

Unless otherwise stated, **retail distribution** is defined as retail sales of motor vehicles and fuel (ISIC rev 3.1 G50), retail trade in all other goods, and repair of personal and household goods (ISIC rev 3.1 G52) through specialised and non specialised outlets of all dimensions (traditional stores, department stores, supermarkets, hypermarkets). Hotels and restaurants are excluded. If answers are provided for a different definition of retail distribution, please indicate below how distribution is defined:

The definition of retail distribution

In this questionnaire, **large outlets** are defined as sales outlets with more than 1 000 m<sup>2</sup> of sales space (regardless of the products sold). If answers are provided for a different definition of large outlets (*e.g.* corresponding to national definitions) please indicate below how large outlets are defined:

The definition of large outlets:

#### Definitions:

For the purpose of answering the questions in this section, please note the following definitions of Type 1 to Type 4 regulations:

**Type 1:** a) Registration in commercial register or  
b) Notification to authorities

**Type 2:** Licenses or permits needed to engage in commercial activity (not related to outlet siting)

**Type 3:** Licenses or permits needed for outlet siting (in addition to compliance with general urban planning provisions)

**Type 4:** Compliance with regulation especially designed for large outlets

## 6.1. General regulatory environment

6.1.1 Please indicate in Table 6.1.1 procedures involved in establishing new retail outlets for selling food and clothing by ticking all boxes where the answer is “yes” (please do not include procedures related to health and sanitary requirements):

Table 6.1.1	Type of regulation							
	Not a requirement		Depends on size of outlet		Depends on type of goods sold		Always required	
	Food	Clothes	Food	Clothes	Food	Clothes	Food	Clothes
Type 1a)								
Type 1b)								
Type 2								
Type 3								
Type 4								

- 6.1.2 If registration is necessary to establish a new outlet (Type 1), does the registration office have statutory deadlines for confirming and/or approving the registration? *Yes* *No*
- 
- If the answer is “Yes”:**
- a) What is the maximum deadline (in days)?
- 6.1.3 If licenses or permits are needed to engage in commercial activity (Type 2), please provide the following information: *Yes* *No*
- a) Are Type 2 licenses product-specific (e.g. food/non-food)?
- b) Are Type 2 licenses related to a certain type of activity (e.g. different licenses are needed to open a gas station or to open a drugstore, etc.)?
- 6.1.4 If licenses or permits are required for outlet siting (Type 3), please provide the following information: *Yes* *No*
- a) In setting up a retail outlet is it necessary to apply for a site or is abiding by the zoning regulations sufficient?
- b) Are there specific regulations for the location of retail distribution outlets in addition to general urban planning rules?
- c) Can local regulatory authorities set a maximum total sales surface limit for certain products or product aggregates in one geographic area?
- 6.1.5 What is the threshold surface limit for laws on the establishment of large outlets (Type 4) to apply?

	<i>Yes</i>	<i>No</i>
6.1.6a) Does the establishment of a large outlet require a specific application process, substituting or supplementing the Type 2 licensing procedures?	<input type="checkbox"/>	<input type="checkbox"/>
<b>If the answer is “yes”:</b>		
i) What is the maximum statutory deadline (in days) for answering to the license application?	<input style="width: 100px; height: 20px;" type="text"/>	
6.1.6b) Are existing outlets that want to expand their sale surface beyond the threshold subject to the same procedures as new large outlets?	<input type="checkbox"/>	<input type="checkbox"/>
6.1.7 Are professional bodies or representatives of trade and commercial interests involved in Type 2, Type 3, or Type 4 licensing decisions?	<input type="checkbox"/>	<input type="checkbox"/>
6.1.8 Are there products that can only be sold in outlets operating under a local or national legal monopoly (franchise)?	<input type="checkbox"/>	<input type="checkbox"/>
<b>If the answer is “yes”:</b>		
a) Do any of the following products fall into this category?		
i) Pharmacies	<input type="checkbox"/>	<input type="checkbox"/>
ii) Tobacco	<input type="checkbox"/>	<input type="checkbox"/>
iii) Newspapers	<input type="checkbox"/>	<input type="checkbox"/>
iv) Alcohol	<input type="checkbox"/>	<input type="checkbox"/>
b) Are any of these outlets publicly owned?	<input type="checkbox"/>	<input type="checkbox"/>
6.1.9 Are the retail prices of certain products subject to price controls?	<input type="checkbox"/>	<input type="checkbox"/>
<b>If the answer is “yes”:</b>		
a) Do price controls apply for:		
i) Certain staples ( <i>e.g.</i> milk and bread)	<input type="checkbox"/>	<input type="checkbox"/>
ii) Gasoline	<input type="checkbox"/>	<input type="checkbox"/>
iii) Tobacco	<input type="checkbox"/>	<input type="checkbox"/>
iv) Alcohol	<input type="checkbox"/>	<input type="checkbox"/>
v) Pharmaceuticals	<input type="checkbox"/>	<input type="checkbox"/>
vi) Cellular communication	<input type="checkbox"/>	<input type="checkbox"/>
vii) Internet services	<input type="checkbox"/>	<input type="checkbox"/>
viii) Gas	<input type="checkbox"/>	<input type="checkbox"/>
ix) Water	<input type="checkbox"/>	<input type="checkbox"/>
x) Other (please specify)	<input style="width: 400px; height: 20px;" type="text"/>	

- 6.1.10 Are there any special regulations concerning:
- |                             |   |                          |
|-----------------------------|---|--------------------------|
|                             | <i>Yes</i>  | <i>No</i>                |
| i) Special promotions;      | <input type="checkbox"/>                                | <input type="checkbox"/> |
| ii) Closing down sales;     | <input type="checkbox"/>                                | <input type="checkbox"/> |
| iii) Discounts;             | <input type="checkbox"/>                                | <input type="checkbox"/> |
| iv) Free gifts;             | <input type="checkbox"/>                                | <input type="checkbox"/> |
| v) Inventory cleanups;      | <input type="checkbox"/>                                | <input type="checkbox"/> |
| vi) Others (please specify) | <input style="width: 100%; height: 15px;" type="text"/> |                          |

- 6.1.11 Are sales, promotions or inventory cleanups restricted to appear within a particular period of the year? **If the answer is "yes",**
- |                                       |                          |                          |
|---------------------------------------|--------------------------|--------------------------|
|                                       | <i>Yes</i>               | <i>No</i>                |
| i) How long is this period (in days)? | <input type="checkbox"/> | <input type="checkbox"/> |
- 

- 6.1.12 Are there special regulations prohibiting or restricting sales below cost?
- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
|  | <input type="checkbox"/> | <input type="checkbox"/> |

## 6.2 The regulation of shop opening hours

- 6.2.1 Are shop opening hours regulated in your country?  
**If the answer is "yes",**  
 please indicate at which level of government regulations are set:
- |  |                          |                          |
|--|--------------------------|--------------------------|
|  | <i>Yes</i>               | <i>No</i>                |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
- Tick the most appropriate**
- |                      |                          |
|----------------------|--------------------------|
| i) National          | <input type="checkbox"/> |
| ii) State / province | <input type="checkbox"/> |
| iii) Local           | <input type="checkbox"/> |

### Convention for the following questions:

If regulations are set at a sub-national level, please answer the questions for the States, Provinces or Municipalities in which opening hours are regulated. Respondents may want to choose two States, Provinces or Municipalities such that the answers reflect well the current regulatory stance in your country.

- |  |                       |           |                       |           |
|--|-----------------------|-----------|-----------------------|-----------|
|  | <b>Jurisdiction 1</b> |           | <b>Jurisdiction 2</b> |           |
|  | <i>Yes</i>            | <i>No</i> | <i>Yes</i>            | <i>No</i> |
- 6.2.2 Do regulations specify the *maximum number of hours* an outlet can be open per day or week?
- |  |                          |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
- If the answer is "yes" please specify respectively**
- |   |  |  |
|---|--|--|
| i) maximum number of hours <i>per day</i> ?   | <input style="width: 90%; height: 15px;" type="text"/> | <input style="width: 90%; height: 15px;" type="text"/> |
| ii) maximum number of hours <i>per week</i> ? | <input style="width: 90%; height: 15px;" type="text"/> | <input style="width: 90%; height: 15px;" type="text"/> |

6.2.3 Do regulations specify *particular* opening and closing hours?  
**If the answer is “yes” please specify respectively**

**Jurisdiction 1**      **Jurisdiction 2**  
*Yes*    *No*      *Yes*    *No*

                

**Jurisdiction 1**                      **Jurisdiction 2**

Opening hour	Closing hour	Opening hour	Closing hour

- i) Weekdays
- ii) Saturdays
- iii) Sundays and holidays
- iv) Others (please specify)

6.2.4 Do regulations specify the maximum number of Sundays or holidays that outlets can be open per month or per year?  
**If the answer is “yes”, please specify respectively**

**Jurisdiction 1**      **Jurisdiction 2**  
*Yes*    *No*      *Yes*    *No*

                

- i) Sundays or holidays open *per month*?
- ii) Sundays or holidays open *per year*?


6.2.5 Do regulations specify the minimum number of shut-down days per year ?  
**If the answer is “yes”, please indicate**

**Jurisdiction 1**      **Jurisdiction 2**  
*Yes*    *No*      *Yes*    *No*

                

- i) minimum number of shut-down days per year.

--	--

6.2.6 Are certain types of outlets exempt from some of the above restrictions?

**Jurisdiction 1**      **Jurisdiction 2**  
*Yes*    *No*      *Yes*    *No*

                

**If the answer is “yes” please specify respectively**

- i) outlets primarily engaged in the sale of bread, pastries or similar
- ii) outlets primarily engaged in the sale of newspapers, books or similar
- iii) convenience stores
- iv) pharmacies
- v) tobacconists
- vi) others (please specify):

**Tick as many as appropriate**                      **Tick as many as appropriate**

<input type="checkbox"/>	<input type="checkbox"/>

--

- 6.2.7 If regulations are set at a sub-national level, is there a framework regulation set at the national level? *Yes*  *No*

**If the answer is “yes” please specify**

- Tick as many as appropriate**
- i) the maximum number of opening hours per day or week
  - ii) the minimum number of opening hours per day or week
  - iii) the number of open Sundays per month or year
  - iv) the number of shut down days per month or year,
  - v) exemptions of particular types of outlets?

### 6.3 Recent changes in retail distribution policy

In the following table please indicate any major changes in government policy on retail distribution that have occurred since 2003.

Area of policy change	Year of change	Description of policy change
Type 1 regulation		
Type 2 regulation		
Type 3 regulation		
Type 4 regulation		
Price regulation		
Regulation of sales, promotions or inventory cleanups		
Opening hours – Jurisdiction 1		
Opening hours – Jurisdiction 2		

**Concordance table of classifications for the sectors used in this questionnaire**

	ISIC Rev.3.1	NACE
<b>Network Sectors</b>		
Electricity generation & distribution	4010	4011, 4012, 4013
Gas generation & distribution	4020	4021, 4022
Telecommunications	642	642
Water collection, purification, distribution	4100	4100
National post	6411	6411
Transport via railways (incl. operation of railroad infrastructure)	601, part of 6303	601, part of 6321
Water transport (incl. operation of water transport infrastructure)	61, part of 6303	61, 6322
Air transport (incl. operation of air transport infrastructure)	62, part of 6303	62, 6323
<b>Other sectors</b>		
Tobacco products	16	16
Refined petroleum products	232	232
Basic metals	27	27
Fabricated metal products	28, 29	28, 30
Building and repairing of ships	351	351
Railway machinery	352	352
Aircraft and spacecraft	353	353
Construction	45	45
Wholesale trade, incl. motor vehicles	50, 51	50, 51
Retail trade	50, 52	50, 52
Restaurants and hotels	55	55
Other passenger transport	6021	6021
Freight transport by road	6023	6024
Operation of road transport infrastructure	part of 6303	part of 6321
Financial institutions	6519, 659, 671	6512, 652, 672
Insurance	66, 672	66, 673
Other business activity	74	75
Motion picture distribution & projection	9211, 9212	9211, 9213

Source: United Nations Statistics, <http://unstats.un.org/unsd/cr/registry/regot.asp?Lg=1>