



Construction Services 2021

Key findings

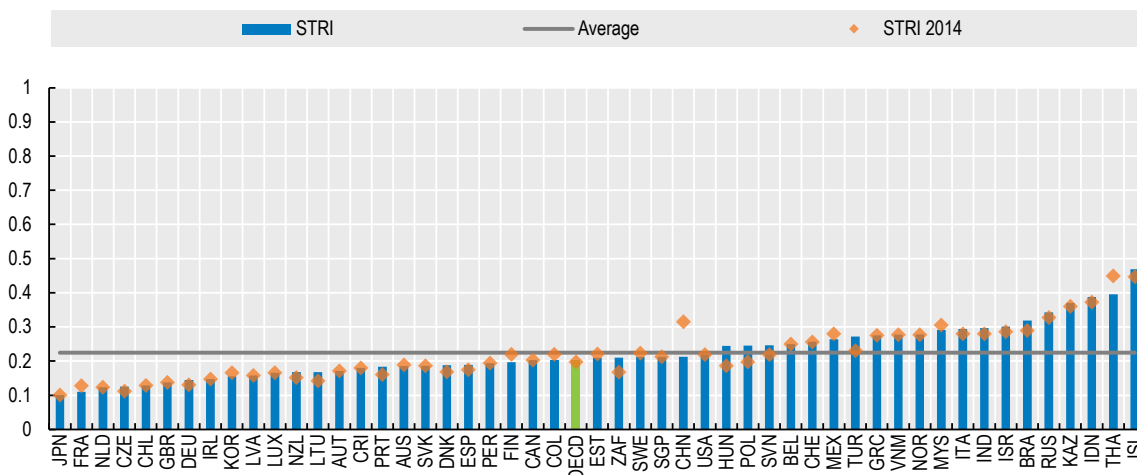
- The average 2021 STRI in the construction sector is 0.23 out of a maximum of 1 (most trade restricted) indicating a relatively low overall level of restrictiveness. However, individual country scores diverge considerably, ranging between 0.10 and 0.47.
- The best performing countries in the sector are Japan, France and Netherlands. Most reforms in 2021 were recorded in United Kingdom, New Zealand and Switzerland.
- Restrictions on foreign entry and movement of people are the main drivers of trade restrictiveness in the sector, with contributions to the total index values amount to 28% in OECD economies and 39% in non-OECD economies, and 36% in OECD economies and 27% in non-OECD economies, respectively.

The STRI covers construction of buildings (residential and non-residential) as well as construction work for civil engineering (ISIC Rev 4, codes 41-43). Construction services have historically played an important role in the functioning of economies, providing the infrastructure for other industries. These services account for a significant share of gross domestic product (GDP) and employment in most countries. Public works, such as roads and public buildings, account for about half of the market for construction services. Therefore, the STRI for construction services covers detailed information on public procurement procedures.

The 2021 STRIs in the construction sector range between 0.10 and 0.47, with a sample average of 0.23 (Figure 1). There are 30 countries below and 20 countries above the average. The best performing countries in the sector are Japan, France and Netherlands. There are no countries that are fully closed to trade in this sector.

Several countries introduced regulatory changes affecting the STRIs in 2021 and more so since 2014 (Figure 2). In 2021, the STRIs in this sector saw the biggest changes in Switzerland (6%), Italy (5%), Australia (-1%), Indonesia (-4%), New Zealand (-7%), and the United Kingdom (-7%). Since 2014, on the one hand, we have observed countries that have had the strongest restrictive trends such as Hungary (32%), South Africa (25%) and Poland (24%). On the other hand, we have strong liberalising trends in Thailand (-12%), France (-13%), and China (-32%).

Figure 1. STRI in construction services, 2021

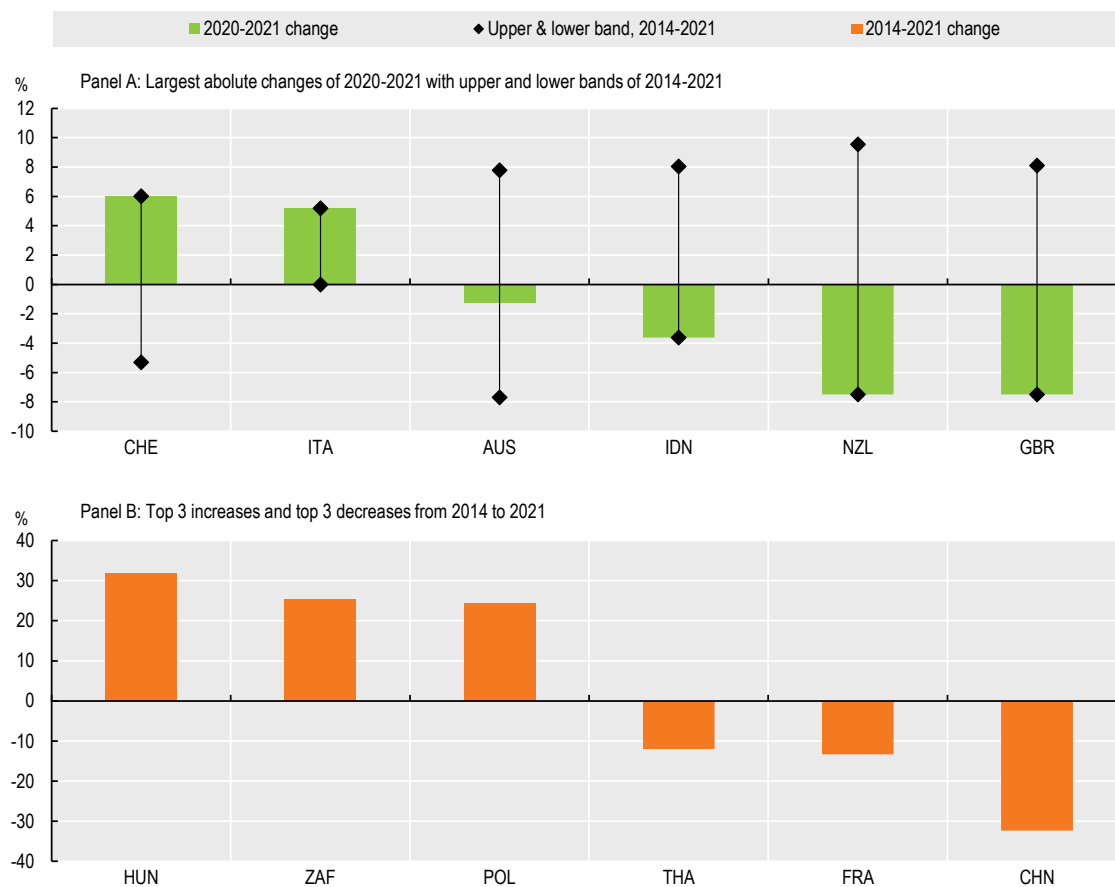


Note: The STRI indices take values between zero and one, one being the most restrictive. The indices are based on laws and regulations in force on 31 October 2021. The STRI covers construction of buildings (residential and non-residential) as well as construction work for civil engineering (ISIC Rev 4 codes 41-43). The STRI regulatory database covers the 38 OECD countries, Brazil, China, India, Indonesia, Kazakhstan, Malaysia, Peru, Russian Federation, Singapore, South Africa, Thailand, and Viet Nam.

The statistical data for Israel are supplied by and under the responsibility of the relevant Israeli authorities. The use of such data by the OECD is without prejudice to the status of the Golan Heights, East Jerusalem and Israeli settlements in the West Bank under the terms of international law.

Source: OECD STRI database (2021).

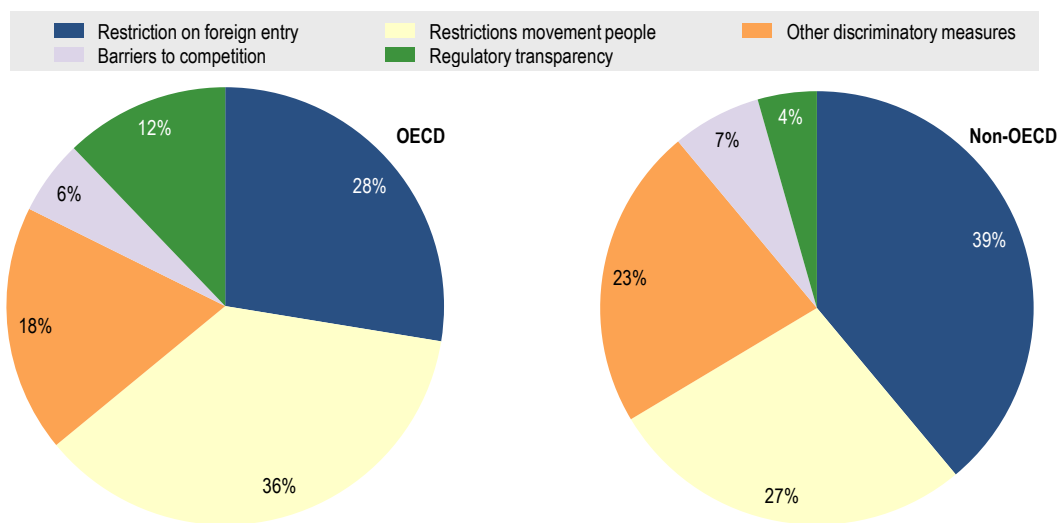
Figure 2. Change since 2014 and change in the last year, by country



Note: Selection criteria for Panel A was based on largest absolute changes since 2020. Panel B selection is the three largest increases, and the three largest decreases in the STRI since 2014.

Source: OECD STRI database (2021).

Figure 3. STRI policy areas for construction services by OECD and non-OECD economies, 2021



Source: OECD STRI database (2021).

The measures in the STRI database are organised under five policy areas (Figure 3). Restrictions on foreign entry include barriers related to establishing and operating companies such as foreign equity limits or requirements on board of directors and cross-border data flows. Restrictions on the movement of people cover barriers that affect the temporary entry of foreign services providers through quotas, labour market tests and short durations of stay. Other discriminatory measures include discrimination of foreign services suppliers as far as taxes, subsidies and public procurement are concerned. Barriers to competition include information on anti-trust policy, government ownership of major firms and the extent to which government-owned enterprises are exempt from competition laws. Regulatory transparency includes information on consultations and dissemination prior to laws and regulations entering into force. It also records information on obtaining a license or a visa. In this sector, barriers related to restrictions on foreign entry are most prominent and amount to 28% in OECD economies and 39% in non-OECD economies, closely followed by restrictions of movement of people amounting to 36% in OECD economies and 27% in non-OECD economies.

Table 1 lists the most common restrictions identified in each policy area. Under restrictions on foreign entry, common impediments relate to screening of foreign investments, local presence requirements, limitations on the acquisition and use of land and real estate by foreigners, and residency requirements for managers of construction companies. Restrictions to the movement of people are relatively common across the board and include mostly short permitted durations of initial stay and labour market tests. Under other discriminatory measures, barriers related to accessing public procurement markets for foreign tenderers remain the most common challenge. In barriers to competition, minimum capital for new companies is required in 29 countries. State-owned enterprises still play an important role in 14 countries, while restrictions on advertising and pricing regulation are also present in some countries. Under barriers related to regulatory transparency, cumbersome visa conditions and procedural hurdles related to business visas are the most common challenges in this sector. In addition, the public consultation process for new legislative instruments falls short of best practice in 11 countries.

Table 1. Top 5 most relevant measures by policy area, 2021

Policy area	Measure	Countries having a restriction ¹
Restrictions on foreign entry	Acquisition and use of land and real estate by foreigners is restricted	34
	Screening exists without exclusion of economic interests	24
	Local presence is required for cross-border supply	19
	Board of directors: at least one must be resident	17
	Performance requirements	12
Restrictions to movement of people	Limitation on duration of stay for contractual services suppliers (months)	39
	Memo: Licence or authorisation is required to practice	39
	Labour market tests: intra-corporate transferees	37
	At least one engineer must be licensed for the issuance of construction permits	31
	Foreign construction engineers are required to take a local examination	22
Other discriminatory measures	Public procurement: Procurement regulation explicitly prohibits discrimination of foreign suppliers	43
	Public procurement: Contract award on the basis of non-objective/discriminatory criteria	26
	Public procurement: Explicit preferences for local suppliers	24
	Public procurement: Technical specifications affect the conditions of competition in favour of local providers	24
	Public procurement: Discriminatory qualification processes and procedures	24
Barriers to competition	Minimum capital requirements	29
	National, state or provincial government control at least one major firm in the sector	14
	Restrictions on advertising	6
	Prices or fees are regulated	3
	Other restrictions in barriers to competition	1
	Publicly-controlled firms are exempted from the application of the general competition law	1
Regulatory transparency	Range of visa processing time (days)	28
	Number of documents needed to obtain a business visa	26
	There is an adequate public comment procedure open to interested persons, including foreign suppliers	11
	There is a legal obligation to communicate regulations to the public within a reasonable time prior to entry into force	8

Notes

1. The count for “memo” type of measures, which are not scored in the STRI, indicate the number of positive answers recorded for that measure across the 50 countries covered

Top most relevant measures are selected on the basis of the following criteria: (1) most restricted horizontal measures (i.e. same answer across sectors), (2) most restricted sector-specific measures, (3) key measures or (4) memos affecting the score of other measures through hierarchy rules.

Source: OECD STRI database (2021).

More information

» Access all country notes, sector notes, and interactive STRI tools at <http://oe.cd/stri>.

» Read more about services trade policies and their impacts in [Services Trade Policies and the Global Economy](#).

» Benz, S. and A. Jaax (2020), "The costs of regulatory barriers to trade in services: New estimates of *ad valorem* tariff equivalents", *OECD Trade Policy Papers*, No. 238, OECD Publishing, Paris, <https://doi.org/10.1787/bae97f98-en>.

» Contact the OECD Trade and Agriculture Directorate with your questions at stri.contact@oecd.org.