

## ACQUISITION AND/OR RENTAL OF LAND AND REAL ESTATE

## NOTIFICATION AND SCREENING OF FOREIGN INVESTMENT

20/04/2017

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[illegible]

		Answer	Comments	Relevant law/regulation/ guidelines	Guidelines
	<ul style="list-style-type: none"> <li>- Auditing services</li> <li>- Legal advice domestic law</li> <li>- Legal representation on domestic law</li> <li>- Legal advice foreign law</li> <li>- None of the above</li> <li>- Other services (please specify)</li> </ul>	Y/N Y/N Y/N Y/N Y/N Y/N			

**PAYMENTS AND TRANSFERS**

7	Are there restrictions on subsequent transfer of capital and investments?	Y/N			"Conditions on subsequent transfer of capital and investments": This measure entails restrictions on: (i) the conversion of funds to and from foreign currency; (ii) compulsory transfer of ownership to local firms over a given time period; (iii) whether there are restrictions on the free transfer of shares or other proprietary rights; (iv) restrictions on foreign shareholders' rights such as payment of dividends or reimbursement of capital upon liquidation; and (v) whether there are restrictions
8	Are there restrictions on the repatriation of earnings/profits?	Y/N			

**MODE 4 and BUSINESS VISAS**

9	Is there a limit on the total number or the share of foreigners employed in the domestic economy?	Y/N			
10	What is the cost of obtaining a business visa (USD)?	Y/N			
11	What is the number of documents needed to obtain a business visa?	Y/N			
12	What is the average visa processing time (business days)?	Y/N			

**CROSS-BORDER DATA FLOWS (excluding banking, insurance or other financial services)**

13	Is there a specific governmental agency or any other authority in your jurisdiction which is competent for the design, implementation and/or enforcement of requirements and rules governing cross-border data flows?	Y/N			Note that some specific questions on data flows relating to the provision of banking and insurance services will also be addressed in relevant specific questionnaires on financial services.
13.1	If yes, does the relevant agency/authority (or agencies/authorities) have discretion in designing, implementing and/or enforcing the applicable rules and requirements affecting cross-border data flows?	Y/N			Note that some specific questions on data flows relating to the provision of banking and insurance services will also be addressed in relevant specific questionnaires on financial services.
14	Are the rules and requirements of your jurisdiction related to restrictions on cross-border data flows applied and enforced uniformly?	Y/N			Note that some specific questions on data flows relating to the provision of banking and insurance services will also be addressed in relevant specific questionnaires on financial services.

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## Commercial banking (deposit taking, lending and payment services)

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
FIN.A.1.1	What is the length of term of heads of the supervisory authority?	Number					<p>In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.</p> <p>In most countries, the head of the supervisory agency is appointed for a fixed term, sometimes with the possibility of reappointment. This question requests to indicate how long the heads of the supervisory authority can be appointed for (e.g. for how many years). When indicating the total time, please consider the maximum number of allowed terms, and clarify the system (e.g. length of each term, number of terms allowed) in the comments. In case the law/regulation does not foresee any fixed time limit for the head of the supervisory agency, please indicate 99 in the reply, and clarify it in the Comments box.</p>
FIN.A.1.2	Does the regulatory/supervisory agency have full authority over licensing and the enforcement of prudential measures?	Y/N					In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.
FIN.A.1.3	Does the Government have discretionary control over funding for the supervisory agency?	Y/N					In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

## B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			If answer is different for deposit-taking, lending or payment services, please describe in the comments.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server or a local representative.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
FIN.B.1.3	Is local data storage a precondition for supplying/rendering those services?	Y/N		?			
<b>B.2 Licensing/registration</b>							
B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			
<b>B.3 Operations</b>							
B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			This question refers to limitations on, e.g. payments, access to foreign exchange, etc.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For commercial banking it also includes differential tax treatment of consumers or corporations contracting with foreign banks, such as differences in the tax deductibility of interest payments, or in income tax exemptions for specific savings.
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			In some services (e.g. cross-border insurance, cross-border deposit-taking by banks), suppliers are liable to their clients and are sometimes required to possess either financial guarantees or professional liability insurance or both, for the purpose of the policyholder protection.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			In some services (e.g. cross-border insurance, cross-border deposit-taking by banks), suppliers are liable to their clients and are sometimes required to possess either financial guarantees or professional liability insurance or both, for the purpose of the policyholder protection.
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
FIN.C.1.1.3.a	Are there restrictions on the establishment of branches by foreign suppliers?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			Any type of investment in a new locally incorporated company is covered by the question (not only cases of control).
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture).
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be respected.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			
<b>C.2 Quantitative limits</b>							
C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					
FIN.C.2.1.a	Is local data storage a precondition for supplying/rendering financial services?	Y/N	?	?			

### C.3 Licensing/registration

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
BAN.C.3.2.a	In the licensing and authorization process, is each ATM considered as a separate branch?	Y/N	?	?			
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Consolidated supervision by the home regulator requirement	tick tick	? ?	? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Period of time for an applicant to be incorporated in its home country before it can obtain a licence	tick	?	?			
	- Other licensing requirements	tick	?	?			
	- Other						
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
BAN.C.4.1.a	Are certain banking services reserved for domestic suppliers?	Y/N		?			E.g. foreign banks not allowed to issue credit cards; or only allowed to participate in activities related to trade in goods, such as the provision of trade credit and foreign exchange and credit to foreign firms, but are not allowed to take deposits or extend loans to residents in domestic currency. If foreign bank subsidiaries are allowed to supply all services open to domestic banks but foreign branches are not, the restriction is not counted here but under C.1.1.3.a Restrictions on foreign
BAN.C.4.1.b	Are there restrictions on internet banking once commercial presence has been established?	Y/N	?	?			
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
FIN.C.4.2.a	Is the number of (sub)branches that a (foreign branch or) locally incorporated firm may open limited?	Y/N	?	?			Laws or regulations may limit the number of branches that a supplier can operate with a given licence, in a discriminatory or non-discriminatory manner. Quantitative or geographical limits on the expansion of the branch network inhibit the deployment of new and foreign entrants and put them at a competitive disadvantage. Such limits can for instance take the form of a cap on the number of branches, an obligation to submit applications for new branches one by one, geographical restrictions or the non-automatic approval of new branches already established and satisfying capital requirements and prudential
BAN.C.4.2.b	Is the number of ATMs that can be opened limited?	Y/N	?	?			Restrictions on the number of on-premise or off-premise ATMs per bank.
BAN.C.4.2.c	Can foreign banks establish their own ATM network?	Y/N		?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
BAN.C.4.9.a	Are foreign bank branches subject to local capital requirements (also called endowment or dotation capital)?	Y/N		?			
BAN.C.4.9.a.1	If foreign bank branches subject to local capital requirements, are operations (e.g. lending) limited by the amount of capital localized by the foreign bank branch?	Y/N		?			
BAN.C.4.9.b	Are foreign bank branches subject to local liquidity requirements, such as BIS Liquidity Coverage Ratio? (i.e. the regulator imposes a minimum liquidity level on the branch established in its jurisdiction, in addition to any liquidity requirements imposed at the group level)	Y/N		?			
BAN.C.4.9.b.1	If foreign bank branches are subject to local liquidity requirements, are operations (e.g. lending) limited by the amount of capital localized by the foreign bank branch?	Y/N		?			
BAN.C.4.9.c	Are foreign bank branches allowed to supply all types of deposit-taking and lending services?	Y/N		?			
BAN.C.4.9.d	Are foreign bank branches limited to wholesale banking activities (interbank lending, trade finance and corporate lending, as well as money market and capital markets activities)?	Y/N		?			

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BAN.C.4.9.e	Are foreign banks discriminated in their access to the wholesale (i.e. large value) payment system?	Y/N		?			E.g. If foreign-owned banks and branches can only be indirect participants in payment systems through a local sponsor but cannot be granted direct access, no objective and verifiable rules to grant new entrants a right of access to sponsorship by one of the incumbent banks. Regulations that limit access to payment systems on the basis of the ability of credit institutions to cover their liabilities through collateral and liquid assets, and to build and maintain the systems required to participate directly, are not covered by this question as long as the technical and prudential criteria are applied similarly to domestic and foreign banks. Similarly, a requirement to maintain an account with the central bank in order to participate should not be considered.
BAN.C.4.9.f	Are foreign banks (including foreign bank branches) allowed to raise capital domestically under the same conditions/regulations as local banks?	Y/N		?			In particular through the issuance of domestic securities (raising equity, issuing bonds) and access to short-term funding on the interbank market. Requirements to fund affiliates' operations locally should also be covered by this question.
BAN.C.4.9.g	Are foreign-owned banks discriminated with regard to access to the central bank discount window?	Y/N		?			
BAN.C.4.9.h	Are foreign banks discriminated in their access to the retail payment system (small-value payments between individuals, companies and government)?	Y/N		?			E.g. If foreign-owned banks and branches can only be indirect participants in payment systems through a local sponsor but cannot be granted direct access, no objective and verifiable rules to grant new entrants a right of access to sponsorship by one of the incumbent banks. Regulations that limit access to payment systems on the basis of the ability of credit institutions to cover their liabilities through collateral and liquid assets, and to build and maintain the systems required to participate directly, are not covered by this question as long as the technical and prudential criteria are applied similarly to domestic and foreign banks. Similarly, a requirement to maintain an account with the central bank in order to participate should not be considered.
BAN.C.4.9.i	Are foreign banks discriminated in their access to clearing houses? If yes, please explain	Y/N		?			A bankers' clearing house is an organization that transfers money between member banks, originally to clear checks. Nowadays, clearing houses settle paper-based instruments (checks), as well as inter-bank movements (debit and credit instructions) that are not based on paper documents or cash, but are carried out through electronic means.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
BAN.C.4.9.j	Are there restrictions on the type of investments foreign banks (including foreign bank branches) may do (e.g. to specific sectors, abroad)?	Y/N		?			
BAN.C.4.9.k	Are subsidiaries of foreign banks covered by the deposit insurance scheme equally to domestic banks?	Y/N		?			
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For commercial banking it also includes differential tax treatment of consumers or corporations contracting with foreign banks, such as differences in the tax deductibility of interest payments, or in income tax exemptions for specific savings.
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D. PRESENCE OF NATURAL PERSONS CONDITIONS****D.1 Form of entry**

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	Y/N		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	Y/N		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	Y/N		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	Y/N		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
<b>D.2 Quantitative limits</b>							
D.2.1	<p>Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	tick		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.
<b>D.4 Operations</b>							
D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not).</p> <p>If so, the answer should be 'yes'.</p>



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new banking products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
BAN.E.1.3.a	Are there legal provisions or regulatory requirements that impose conditions on the setting of interest rates by banks (e.g. maximum lending rates or minimum deposit rates)?	Y/N					
BAN.E.1.3.a.i	Are contractual interest rates regulated?	Y/N					
BAN.E.1.3.a.ii	Are interest rates for deposits regulated?						
BAN.E.1.3.b	Are banking fees regulated?	Y/N					
BAN.E.1.3.c	Are early repayment conditions and fees subject to regulation?	Y/N					
BAN.E.1.3.d	Are there restrictions on extending loans or taking deposits in foreign currency?	Y/N					Limitation or prohibition of deposits or loans in foreign currency.
BAN.E.1.3.e	Is the amount of loans restricted?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
BAN.E.1.6.a	Are there directed credit/lending schemes (e.g. obligation imposed on banks to direct lending to specific client segments, for example, SMEs, agriculture sector, rural areas)?	Y/N					Subsidies and the tax deductibility of interest rates on certain loans are not considered in this question, as long as they do not constrain the ability of banks to freely determine the composition of their credit portfolio.
BAN.E.1.6.b	Are there restrictions on lending to non-residents for domestically licensed banks?	Y/N					
BAN.E.1.6.c	Are commercial banks prohibited from engaging in capital markets activities (e.g. trading in securities, underwriting of securities)?	Y/N					
BAN.E.1.6.d	Are commercial banks prohibited from engaging in insurance activities?	Y/N					
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
FIN.E.1.9.a	Do the laws of your jurisdiction require banks to maintain a local establishment before they are allowed to transfer data abroad for further processing?	Y/N	?	?			
FIN.E.1.9.b	Is there a legal requirement that certain data be stored locally in this sector?	Y/N	?	?			
FIN.E.1.9.c	Do laws prohibit or constrain data for this sector from being transferred to, or accessed from, abroad (including but not limited to by preventing usage of remote computing services known as cloud computing)?	Y/N	?	?			
FIN.E.1.9.c.1	If yes, do these laws distinguish between countries or regions to which data may be transferred to or accessed from?						Please list countries/regions if relevant.
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			Restrictions on cross-border capital flows include exchange control regulations or approval requirements which limit the ability of resident persons and firms to open accounts with non-resident banks at their own initiative and transfer deposits or interests payments to and from foreign countries. Anti-money laundering measures and obligations to report transactions for tax purposes should not be considered.
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
<b>E.2 Conditions on government procurement</b>							
E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).
<b>E.3 Competition policy</b>							
E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
E.3.1.3	Is product bundling/tying regulated?	Y/N					Restrictions on cross-border capital flows include exchange control regulations or approval requirements which limit the ability of resident persons and firms to open accounts with non-resident banks at their own initiative and transfer deposits or interests payments to and from foreign countries. Anti-money laundering measures and obligations to report transactions for tax purposes should not be considered.
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners. Vertically linked production stages: Vertical integration occurs when firms merge at different stages of production. There are two types of vertical integration – backward and forward. Backward vertical integration occurs when a firm merges with another firm which is nearer to the source of the product, such as a car producer buying a steel manufacturer. Forward vertical integration occurs when a firm merges to move nearer to the consumer, such as a car producer buying a chain of car showrooms. In the context of banking, vertical integration may refer to banks performing both core business (e.g. deposit-taking and lending) and non-core business (e.g. savings or insurance products through their distribution networks).
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors). One of the 5 largest commercial banks in the country by volume of assets or deposits.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
BAN.E.3.7.a	Does a collateral registry exist and do all lending institutions have access to collateral information?	Y/N					A unified collateral registry or securities interest registry allows lenders to check, before extending a collateralised loan to a natural or legal person, whether the asset is already pledged. It should cover a minima land, real estate and large commercial assets (e.g. ships, aircrafts), and make the information available in a non-discriminatory way to all financial institutions undertaking secured credit-granting activities in the country.
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce.
<b>E.4 Administrative procedures and regulatory transparency</b>							
E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For commercial banking the international standards cover Risk weighting and calculation of the capital adequacy ratio (Basel Committee on Banking Supervision), Accounting rules for regulatory reporting (International Financial Reporting Standards), Transparency and anti-money laundering/combating the financing of terrorism (AML/CFT) rules (Financial Action Task Force 40). We in particular would like to record whether national laws, regulations or relevant standard-setters require the use of or have adopted the international contained in Basel 2, "2.5" or 3 (including Basel 3's liquidity coverage ratio and net
E.4.3	Do national standards deviate from international standards?	Y/N					
FIN.E.4.3.a	Do national standards deviate from international capital-adequacy standards (e.g. different risk-weightings)?						
FIN.E.4.3.b	Do national standards deviate from international accounting standards?	Y/N					
FIN.E.4.3.c	Do national standards deviate from international standards on transparency and AML/CFT rules?	Y/N					Transparency and anti-money laundering/combating the financing of terrorism (AML/CFT) rules (Financial Action Task Force 40).
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					
FIN.E.4.8.a	Is there a specific governmental agency or any other authority in your jurisdiction which is competent for the design, implementation and/or enforcement of requirements and rules governing cross-border data flows in the sector?	Y/N					
FIN.E.4.8.a.1	If yes, does the relevant agency/authority (or agencies/authorities) have discretion in designing, implementing and/or enforcing the applicable rules and requirements affecting cross-border data flows?	Y/N					
FIN.E.4.9	Are the rules and requirements of your jurisdiction related to restrictions on cross-border data flows in the sector applied and enforced uniformly?	Y/N					

## Life insurance

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
FIN.A.1.1	What is the length of term of heads of the supervisory authority?	Number					<p>In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.</p> <p>In most countries, the head of the supervisory agency is appointed for a fixed term, sometimes with the possibility of reappointment. This question requests to indicate how long the heads of the supervisory authority can be appointed for (e.g. for how many years). When indicating the total time, please consider the maximum number of allowed terms, and clarify the system (e.g. length of each term, number of terms allowed) in the comments. In case the law/regulation does not foresee any fixed time limit for the head of the supervisory agency, please indicate 99 in the reply, and clarify it in the Comments box.</p>
FIN.A.1.2	Does the regulatory/supervisory agency have full authority over licensing and the enforcement of prudential measures?	Y/N					<p>In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.</p>



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
FIN.A.1.3	Does the Government have discretionary control over funding for the supervisory agency?	Y/N					In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

## B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
FIN.B.1.3	Is local data storage a precondition for supplying/rendering those services?	Y/N		?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

### B.3 Operations

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For insurance it also includes differential tax treatment of consumers or corporations purchasing insurance policies from foreign suppliers, such as different rates of premium tax or stamp duty, or differences in the tax deductibility of insurance premiums.
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
FIN.C.1.1.3.a	Are there restrictions on the establishment of branches by foreign suppliers?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
INS.C.1.1.4.3.a	Are there restrictions on the establishment of foreign subsidiaries?	Y/N		?			
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

### C.2 Quantitative limits

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
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Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					
FIN.C.2.1.a	Is local data storage a precondition for supplying/rendering financial services?	Y/N	?	?			

### C.3 Licensing/registration

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.3	What are the licensing requirements?						Consolidated supervision refers to a prudential supervision approach used to evaluate the financial condition of individual banking institutions within a group and the strength of an entire group. It is a supervisory approach generally accepted by the international banking/insurance regulatory community to ensure that home country regulators supervise banking groups' operations globally, i.e. both at the headquarter level and also the situation in overseas establishments.
	- Minimum capital requirement	tick	?	?			
	- Consolidated supervision by the home regulator requirement	tick	?	?			
	- Period of time for an applicant to be incorporated in its home country before it can obtain a licence	tick	?	?			
	- Other licensing requirements	tick	?	?			
	- Other						
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
INS.C.4.1.a	Are certain life insurance activities reserved for domestic suppliers?	Y/N		?			
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
FIN.C.4.2.a	Is the number of (sub)branches that a (foreign branch or) locally incorporated firm may open limited?	Y/N	?	?			Laws or regulations may limit the number of branches that a supplier can operate with a given licence, in a discriminatory or non-discriminatory manner. Quantitative or geographical limits on the expansion of the branch network inhibit the deployment of new and foreign entrants and put them at a competitive disadvantage. Such limits can for instance take the form of a cap on the number of branches, an obligation to submit applications for new branches one by one, geographical restrictions or the non-automatic approval of new branches already established and satisfying capital requirements and prudential criteria.
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For insurance it also includes differential tax treatment of consumers or corporations purchasing insurance policies from foreign suppliers, such as different rates of premium tax or stamp duty, or differences in the tax deductibility of insurance
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	<p>Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>		<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.2.2	<p>Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p>	<p>tick</p>		<p>?</p>		<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	tick		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

#### D.4 Operations

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new life insurance products or services?	Y/N					This measure records regulations that require insurance companies to seek formal approval before offering an insurance product or service they were not previously providing, within a class of insurance for which they are already authorised. Whether it applies to all lines of life insurance business or only for compulsory life insurance the answer should be "yes".
INS.E.1.1.a	If yes, does it apply only to compulsory life insurance?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
INS.E.1.2.1.1	If yes, does it apply only to compulsory life insurance?	Y/N					
INS.E.1.3.a	Are there legal provisions or regulatory requirements that impose conditions on the setting of life insurance premia, fees or margins (e.g. maximum values)?	Y/N					This can apply to one or more types of insurance policies, including compulsory insurance. Minimum, maximum or recommended rates are to be considered. Legal provisions that regulate the terms of the contract strictly for consumer protection purposes (such as information and disclosure requirements) but do not limit the ability of insurers to set their premiums competitively are not considered as restrictive. Whether it applies to all lines of (life/non-life) insurance business or only for compulsory life insurance the answer should be "yes".
INS.E.1.3.a.a	If yes, does it apply only to compulsory life insurance?	Y/N					
INS.E.1.3.b	Is the value of life insurance policies restricted?	Y/N					Whether it applies to all lines of life insurance business or only for compulsory (life/non-life) insurance the answer should be "yes".
INS.E.1.3.b.a	If yes, does it apply only to compulsory life insurance?	Y/N					
INS.E.1.3.c	Is the term of life insurance policies restricted?	Y/N					
INS.E.1.3.d	Are there restrictions on writing insurance contracts in foreign currency?	Y/N					Underwriting insurance policies in foreign currency typically carries higher exchange rate risk for domestic providers than for foreign providers. When insurance contracts in foreign currency are prohibited, foreign insurance carriers are likely to be the most affected by the restriction as they are more reliant on foreign currency income and hedging.
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
INS.E.1.6.a	Are life insurance companies prohibited from engaging in other banking activities?	Y/N					
INS.E.1.6.b	Are life insurance companies prohibited from engaging in capital markets activities (e.g. trading in securities, underwriting of securities)?	Y/N					
INS.E.1.6.c	Can life insurance companies supply non-life insurance services?	Y/N		?			
INS.E.1.6.d	Is there an upper limit on the share of risks that can be ceded by a life insurer to reinsurers?	Y/N	?	?			
INS.E.1.6.e	Are there mandatory cession requirements (of all or portion of risks) of life insurance to specified reinsurers?	Y/N	?	?			I.e.: obligation to cede a share of risks to specified reinsurers. Some countries impose that a minimum share of the risk portfolio of primary insurers must be ceded to specific reinsurers, which may be designated reinsurance companies or domestic reinsurers in general. This measure only covers restrictions that apply equally to domestic and foreign primary insurers established in the country.
INS.E.1.6.e.1	If there are mandatory cession requirements, what is the percentage of risks of life insurance to be ceded to the domestic re-insurer(s)?	Y/N	?	?			I.e.: obligation to cede a share of risks to domestic reinsurer(s).
INS.E.1.6.e.1.a	Are there limits on the share of risks that can be ceded to foreign reinsurers?	Y/N	?	?			
INS.E.1.6.e.2	Are foreign-owned life insurers subject to mandatory cession to domestic reinsurers?	Y/N		?			I.e.: obligation to cede a share of risks to domestic reinsurers.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
FIN.E.1.9.a	Do the laws of your jurisdiction require life insurance companies to maintain a local establishment before they are allowed to transfer data abroad for further processing?	Y/N	?	?			
FIN.E.1.9.b	Is there a legal requirement that certain data be stored locally in this sector?	Y/N	?	?			
FIN.E.1.9.c	Do laws prohibit or constrain data for this sector from being transferred to, or accessed from, abroad (including but not limited to by preventing usage of remote computing services known as cloud computing)?	Y/N	?	?			
FIN.E.1.9.c.1	If yes, do these laws distinguish between countries or regions to which data may be transferred to or accessed from?						Please list countries/regions if relevant.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
INS.1.9.d	Are there restrictions on the nature of assets in which life insurers can hold funds?	Y/N	?	?			The restrictions on asset holdings considered under this question are prohibitions on investments of insurance companies in broad classes of assets such as common equity, real estate, or foreign assets. General requirements regarding diversification, currency matching and duration matching, and rules setting maximum percentages of technical provisions that may be held in individual asset classes are not considered as restrictions.
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

### E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

### E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices	tick tick tick					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Product-tying practices - Other	tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
INS.E.3.5.a	Are publicly-controlled firms or undertakings subject to rules that affect the competition with private life insurers?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors). One of the 5 largest life insurance, non-life insurance or reinsurance firms in the country by volume of assets or written premiums.
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at
E.4.3	Do national standards deviate from international standards?	Y/N					
FIN.E.4.3.b	Do national standards deviate from international accounting standards?	Y/N					
FIN.E.4.3.c	Do national standards deviate from international standards on transparency and AML/CFT rules?	Y/N					Transparency and anti-money laundering/combating the financing of terrorism (AML/CFT) rules (Financial Action Task Force 40).
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					
FIN.E.4.8.a	Is there a specific governmental agency or any other authority in your jurisdiction which is competent for the design, implementation and/or enforcement of requirements and rules governing cross-border data flows in the sector?	Y/N					
FIN.E.4.8.a.1	If yes, does the relevant agency/authority (or agencies/authorities) have discretion in designing, implementing and/or enforcing the applicable rules and requirements affecting cross-border data flows?	Y/N					
FIN.E.4.9	Are the rules and requirements of your jurisdiction related to restrictions on cross-border data flows in the sector applied and enforced uniformly?	Y/N					

## **Non-life insurance**

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### **A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
FIN.A.1.1	What is the length of term of heads of the supervisory authority?	Number					<p>In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.</p> <p>In most countries, the head of the supervisory agency is appointed for a fixed term, sometimes with the possibility of reappointment. This question requests to indicate how long the heads of the supervisory authority can be appointed for (e.g. for how many years). When indicating the total time, please consider the maximum number of allowed terms, and clarify the system (e.g. length of each term, number of terms allowed) in the comments. In case the law/regulation does not foresee any fixed time limit for the head of the supervisory agency, please indicate 99 in the reply, and clarify it in the Comments box.</p>
FIN.A.1.2	Does the regulatory/supervisory agency have full authority over licensing and the enforcement of prudential measures?	Y/N					<p>In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
FIN.A.1.3	Does the Government have discretionary control over funding for the supervisory agency?	Y/N					In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

## B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
INS.B.1.1.1.a	In particular, can maritime, aviation and transport insurance (MAT) services be supplied on a cross-border basis?			?			"Marine, Aviation and Transport (MAT) insurance" means insurance of risks comprising maritime shipping, commercial aviation, space launching and freight (including satellites), with such insurance to cover one or both of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom. These services fall within "non-life insurance".
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
INS.B.1.1.5	If the supply of MAT insurance is allowed cross-border, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?			?			"Marine, Aviation and Transport (MAT) insurance" means insurance of risks comprising maritime shipping, commercial aviation, space launching and freight (including satellites), with such insurance to cover one or both of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom. These services fall within "non-life insurance".

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
INS.B.1.1.6	Is commercial presence required to provide MAT insurance cross-border services (e.g. directly from headquarters)?			?			"Marine, Aviation and Transport (MAT) insurance" means insurance of risks comprising maritime shipping, commercial aviation, space launching and freight (including satellites), with such insurance to cover one or both of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom. These services fall within "non-life insurance". This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
INS.B.1.1.6.1	If yes, are there exceptions to the commercial presence requirement if MAT insurance services are domestically unavailable?			?			"Marine, Aviation and Transport (MAT) insurance" means insurance of risks comprising maritime shipping, commercial aviation, space launching and freight (including satellites), with such insurance to cover one or both of the following: the goods being transported, the vehicle transporting the goods and any liability arising therefrom. These services fall within "non-life insurance".
FIN.B.1.3	Is local data storage a precondition for supplying/rendering those services?	Y/N		?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**B.3 Operations**

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For insurance it also includes differential tax treatment of consumers or corporations purchasing insurance policies from foreign suppliers, such as different rates of premium tax or stamp duty, or differences in the tax deductibility of insurance
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
FIN.C.1.1.3.a	Are there restrictions on the establishment of branches by foreign suppliers?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			Any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
INS.C.1.1.4.3.a	Are there restrictions on the establishment of foreign subsidiaries?	Y/N		?			
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

### C.2 Quantitative limits

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
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Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					
FIN.C.2.1.a	Is local data storage a precondition for supplying/rendering financial services?	Y/N	?	?			

### C.3 Licensing/registration

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management, Fit and proper test of applicant's shareholders and directors, Adequacy of risk management and internal control systems...

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.3	What are the licensing requirements?						Consolidated supervision refers to a prudential supervision approach used to evaluate the financial condition of individual banking institutions within a group and the strength of an entire group. It is a supervisory approach generally accepted by the international banking/insurance regulatory community to ensure that home country regulators supervise banking groups' operations globally, i.e. both at the headquarter level and also the situation in overseas establishments.
	- Minimum capital requirement	tick	?	?			
	- Consolidated supervision by the home regulator requirement	tick	?	?			
	- Period of time for an applicant to be incorporated in its home country before it can obtain a licence	tick	?	?			
	- Other licensing requirements	tick	?	?			
	- Other						
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
INS.C.4.1.a	Are certain non-life insurance activities reserved for domestic suppliers?	Y/N		?			
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
FIN.C.4.2.a	Is the number of (sub)branches that a (foreign branch or) locally incorporated firm may open limited?	Y/N	?	?			Laws or regulations may limit the number of branches that a supplier can operate with a given licence, in a discriminatory or non-discriminatory manner. Quantitative or geographical limits on the expansion of the branch network inhibit the deployment of new and foreign entrants and put them at a competitive disadvantage. Such limits can for instance take the form of a cap on the number of branches, an obligation to submit applications for new branches one by one, geographical restrictions or the non-automatic approval of new branches already established and satisfying capital requirements and prudential criteria.
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For insurance it also includes differential tax treatment of consumers or corporations purchasing insurance policies from foreign suppliers, such as different rates of premium tax or stamp duty, or differences in the tax deductibility of insurance
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?  - Employees of foreign-based service suppliers or contractual services suppliers (CSS)  - Independent professionals (IP)  - Intra-Corporate Transferees (ICT)  - Other foreign natural persons to work as employees of a local firm	tick  tick  tick  tick		?  ?  ?  ?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.  Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.  Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?  - Employees of foreign-based service suppliers or contractual services suppliers (CSS)  - Independent professionals (IP)	tick  tick		?  ?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	tick		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not).</p> <p>If so, the answer should be 'yes'.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new non-life insurance products or services?	Y/N					This measure records regulations that require insurance companies to seek formal approval before offering an insurance product or service they were not previously providing, within a class of insurance for which they are already authorised. Whether it applies to all lines of non-life insurance business or only for compulsory non-life insurance the answer should be "yes". Reminder: Although not mandatory, we encourage you to use the comment box to provide any relevant information.
INS.E.1.1.a	If yes, does it apply only to non-life compulsory insurance?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					This measure records regulations that require insurance companies to seek formal approval before offering an insurance product or service they were not previously providing, within a class of insurance for which they are already authorised. Whether it applies to all lines of non-life insurance business or only for compulsory non-life insurance the answer should be "yes". Reminder: Although not mandatory, we encourage you to use the comment box to provide any relevant information.
INS.E.1.2.1.1	If yes, does it apply only to non-life compulsory	Y/N					
INS.E.1.3.a	Are there legal provisions or regulatory requirements that impose conditions on the setting of non-life insurance premia, fees or margins (e.g. maximum values)?	Y/N					This can apply to one or more types of insurance policies, including compulsory insurance. Minimum, maximum or recommended rates are to be considered. Legal provisions that regulate the terms of the contract strictly for consumer protection purposes (such as information and disclosure requirements) but do not limit the ability of insurers to set their premiums competitively are not considered as restrictive. Whether it applies to all lines of (life/non-life) insurance business or only for compulsory life insurance the answer should be "yes".
INS.E.1.3.a.a.1	If yes, does it apply only to compulsory non-life insurance?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
INS.E.1.3.b	Is the value of non-life insurance policies restricted?	Y/N					Whether it applies to all lines of life insurance business or only for compulsory (life/non-life) insurance the answer should be "yes".
<i>I.N.S.E.1.3.b.a.</i>	<i>If yes, does it apply only to compulsory non-life</i>	Y/N					
INS.E.1.3.c	Is the term of non-life insurance policies restricted?	Y/N					
INS.E.1.3.d	Are there restrictions on writing insurance contracts in foreign currency?	Y/N					Underwriting insurance policies in foreign currency typically carries higher exchange rate risk for domestic providers than for foreign providers. When insurance contracts in foreign currency are prohibited, foreign insurance carriers are likely to be the most affected by the restriction as they are more reliant on foreign currency income and hedging.
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
INS.E.1.6.a	Are non-life insurance companies prohibited from engaging in other banking activities?	Y/N					
INS.E.1.6.b	Are non-life insurance companies prohibited from engaging in capital markets activities (e.g. trading in securities, underwriting of securities)?	Y/N					
INS.E.1.6.c.a	Can non-life insurance companies supply life insurance services?	Y/N		?			
INS.E.1.6.d	Is there an upper limit on the share of risks of non-life insurance that can be ceded to reinsurers?	Y/N	?	?			
INS.E.1.6.e	Are there mandatory cession requirements (of all or portion of risks) of non-life insurance to specified reinsurers?	Y/N	?	?			I.e.: obligation to cede a share of risks to specified reinsurers. Some countries impose that a minimum share of the risk portfolio of primary insurers must be ceded to specific reinsurers, which may be designated reinsurance companies or domestic reinsurers in general. This measure only covers restrictions that apply equally to domestic and foreign primary insurers established in the country.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
INS.E.1.6.e.1	If there are mandatory cession requirements, what is the percentage of risks to be ceded to the domestic re-insurer(s)?	Y/N	?	?			I.e.: obligation to cede a share of risks to domestic reinsurer(s).
INS.E.1.6.e.1.a	Are there limits on the share of risks that can be ceded to foreign-owned non-life insurers?	Y/N	?	?			
INS.E.1.6.e.2	Are foreign-owned non-life insurers subject to mandatory cession requirements?	Y/N		?			I.e.: obligation to cede a share of risks to domestic reinsurers.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
FIN.E.1.9.a	Do the laws of your jurisdiction require non-life insurance companies to maintain a local establishment before they are allowed to transfer data abroad for further processing?	Y/N	?	?			
FIN.E.1.9.b	Is there a legal requirement that certain data be stored locally in this sector?	Y/N	?	?			
FIN.E.1.9.c	Do laws prohibit or constrain data for this sector from being transferred to, or accessed from, abroad (including but not limited to by preventing usage of remote computing services known as cloud computing)?	Y/N	?	?			
FIN.E.1.9.c.1	If yes, do these laws distinguish between countries or regions to which data may be transferred to or accessed from?						Please list countries/regions if relevant.
INS.1.9.d	Are there restrictions on the nature of assets in which non-life insurers can hold funds?	Y/N	?	?			The restrictions on asset holdings considered under this question are prohibitions on investments of insurance companies in broad classes of assets such as common equity, real estate, or foreign assets. General requirements regarding diversification, currency matching and duration matching, and rules setting maximum percentages of technical provisions that may be held in individual asset classes are not considered as restrictions.
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

### E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
INS.E.3.5.a	Are publicly-controlled firms or undertakings subject to rules that affect the competition with private non-life insurers?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors). One of the 5 largest life insurance, non-life insurance or reinsurance firms in the country by volume of assets or written premiums.
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For insurance the international standards cover Accounting rules for regulatory reporting (International Financial Reporting Standards) or Transparency and anti-money laundering/combating the financing of terrorism (AML/CFT) rules (Financial Action Task Force 40). Supervisors are mandated by the ICP 22 to ensure compliance with the standards set by the Financial
E.4.3	Do national standards deviate from international standards?	Y/N					
FIN.E.4.3.b	Do national standards deviate from international accounting standards?	Y/N					
FIN.E.4.3.c	Do national standards deviate from international standards on transparency and AML/CFT rules?	Y/N					Transparency and anti-money laundering/combating the financing of terrorism (AML/CFT) rules (Financial Action Task Force 40).
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
FIN.E.4.8.a	Is there a specific governmental agency or any other authority in your jurisdiction which is competent for the design, implementation and/or enforcement of requirements and rules governing cross-border data flows in the sector?	Y/N					
FIN.E.4.8.a.1	If yes, does the relevant agency/authority (or agencies/authorities) have discretion in designing, implementing and/or enforcing the applicable rules and requirements affecting cross-border data flows?	Y/N					
FIN.E.4.9	Are the rules and requirements of your jurisdiction related to restrictions on cross-border data flows in the sector applied and enforced uniformly?	Y/N					

## Reinsurance

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
FIN.A.1.1	What is the length of term of heads of the supervisory authority?	Number					<p>In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.</p> <p>In most countries, the head of the supervisory agency is appointed for a fixed term, sometimes with the possibility of reappointment. This question requests to indicate how long the heads of the supervisory authority can be appointed for (e.g. for how many years). When indicating the total time, please consider the maximum number of allowed terms, and clarify the system (e.g. length of each term, number of terms allowed) in the comments. In case the law/regulation does not foresee any fixed time limit for the head of the supervisory agency, please indicate 99 in the reply, and clarify it in the Comments box.</p>
FIN.A.1.2	Does the regulatory/supervisory agency have full authority over licensing and the enforcement of prudential measures?	Y/N					<p>In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.</p>

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FIN.A.1.3	Does the Government have discretionary control over funding for the supervisory agency?	Y/N					In jurisdictions where several authorities are involved in insurance authorisation and supervision, "supervisor" is understood as all relevant supervisory authorities.
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

## B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
FIN.B.1.3	Is local data storage a precondition for supplying/rendering those services?	Y/N	?	?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

### B.3 Operations

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For insurance it also includes differential tax treatment of consumers or corporations purchasing insurance policies from foreign suppliers, such as different rates of premium tax or stamp duty, or differences in the tax deductibility of insurance premiums.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
FIN.C.1.1.3.a	Are there restrictions on the establishment of branches by foreign suppliers?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
INS.C.1.1.4.3.a	Are there restrictions on the establishment of foreign subsidiaries?	Y/N		?			
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (If not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					
FIN.C.2.1.a	Is local data storage a precondition for supplying/rendering financial services?	Y/N	?	?			

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management, Fit and proper test of applicant's shareholders and directors, Adequacy of risk management and internal control systems...
C.3.2.3	What are the licensing requirements?						Consolidated supervision refers to a prudential supervision approach used to evaluate the financial condition of individual banking institutions within a group and the strength of an entire group. It is a supervisory approach generally accepted by the international banking/insurance regulatory community to ensure that home country regulators supervise banking groups' operations globally, i.e. both at the headquarter level and also the situation in overseas establishments.
	- Minimum capital requirement	tick	?	?			
	- Consolidated supervision by the home regulator requirement	tick	?	?			
	- Period of time for an applicant to be incorporated in its home country before it can obtain a licence	tick	?	?			
	- Other licensing requirements	tick	?	?			
	- Other						

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C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
INS.C.4.1.a	Are certain reinsurance activities reserved for domestic suppliers?	Y/N		?			
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
FIN.C.4.2.a	Is the number of (sub)branches that a (foreign branch or) locally incorporated firm may open limited?	Y/N	?	?			Laws or regulations may limit the number of branches that a supplier can operate with a given licence, in a discriminatory or non-discriminatory manner. Quantitative or geographical limits on the expansion of the branch network inhibit the deployment of new and foreign entrants and put them at a competitive disadvantage. Such limits can for instance take the form of a cap on the number of branches, an obligation to submit applications for new branches one by one, geographical restrictions or the non-automatic approval of new branches already established and satisfying capital requirements and prudential criteria.
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
INS.C.4.9.b	Are there discriminatory financial requirements for foreign reinsurers?	Y/N		?			This question covers regulations that discriminate against foreign reinsurance providers regarding financial guarantees and collateral requirements. It includes, in particular, a requirement that foreign reinsurers must deposit funds with the primary insurers they reinsure for the latter to get credit for reinsurance ceded, without regard to the financial strength of the reinsurer and the quality of home country supervision. Under such regulation, a primary insurer may not take credit in its statutory financial statement (with effects on solvency margins and prudential requirements) for reinsurance placed with reinsurers established abroad, unless the ceded risk is collateralised by the reinsurer beyond what would be required of domestic reinsurers in similar financial condition."
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). For insurance it also includes differential tax treatment of consumers or corporations purchasing insurance policies from foreign suppliers, such as different rates of premium tax or stamp duty, or differences in the tax deductibility of insurance premiums.
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

## D. PRESENCE OF NATURAL PERSONS CONDITIONS

### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	<p>Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>		<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.2.2	<p>Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p>	<p>tick</p>		<p>?</p>		<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new reinsurance products or services?	Y/N					This measure records regulations that require insurance companies to seek formal approval before offering an insurance product or service they were not previously providing, within a class of insurance for which they are already authorised.
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					This measure records regulations that require insurance companies to seek formal approval before setting policy rates for new insurance products or modifying existing rates and fees.
INS.E.1.3.a	Are there legal provisions or regulatory requirements that impose conditions on the setting of reinsurance premia, fees or margins (e.g. maximum values)?	Y/N					This can apply to one or more types of insurance policies, including compulsory insurance. Minimum, maximum or recommended rates are to be considered. Legal provisions that regulate the terms of the contract strictly for consumer protection purposes (such as information and disclosure requirements) but do not limit the ability of insurers to set their premiums competitively are not considered as restrictive. Whether it applies to all lines of (life/non-life) insurance business or only for compulsory life insurance the answer should be "yes".
INS.E.1.3.b	Is the value of reinsurance policies restricted?	Y/N					Whether it applies to all lines of life insurance business or only for compulsory (life/non-life) insurance the answer should be "yes".
INS.E.1.3.c	Is the term of reinsurance policies restricted?	Y/N					
INS.E.1.3.d	Are there restrictions on writing insurance contracts in foreign currency?	Y/N					Underwriting insurance policies in foreign currency typically carries higher exchange rate risk for domestic providers than for foreign providers. When insurance contracts in foreign currency are prohibited, foreign insurance carriers are likely to be the most affected by the restriction as they are more reliant on foreign currency income and hedging.
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
INS.E.1.6.a	Are reinsurance companies prohibited from engaging in other banking activities?	Y/N					
INS.E.1.6.b	Are reinsurance companies prohibited from engaging in capital markets activities (e.g. trading in securities, underwriting of securities)?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
INS.E.1.6.d	Is there an upper limit on the share of risks that can be ceded to other reinsurers (i.e. retrocession)?	Y/N	?	?			
INS.E.1.6.e	Are there mandatory cession requirements (of all or portion of risks) to other specified reinsurers (i.e. retrocession)?	Y/N	?	?			I.e.: obligation to cede a share of risks to specified reinsurers. Some countries impose that a minimum share of the risk portfolio of primary insurers must be ceded to specific reinsurers, which may be designated reinsurance companies or domestic reinsurers in general. This measure only covers restrictions that apply equally to domestic and foreign primary insurers established in the country.
INS.E.1.6.e.1.a	Are there limits on the share of risks that can be ceded to other foreign reinsurers (i.e. retrocession)?	Y/N	?	?			
INS.E.1.6.e.2	Are foreign-owned life insurers subject to mandatory cession to other domestic reinsurers (i.e. retrocession)?	Y/N		?			I.e.: obligation to cede a share of risks to domestic reinsurers.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
FIN.E.1.9.a	Do the laws of your jurisdiction require reinsurance companies to maintain a local establishment before they are allowed to transfer data abroad for further processing?	Y/N	?	?			
FIN.E.1.9.b	Is there a legal requirement that certain data be stored locally in this sector?	Y/N	?	?			
FIN.E.1.9.c	Do laws prohibit or constrain data for this sector from being transferred to, or accessed from, abroad (including but not limited to by preventing usage of remote computing services known as cloud computing)?	Y/N	?	?			
FIN.E.1.9.c.1	If yes, do these laws distinguish between countries or regions to which data may be transferred to or accessed from?						Please list countries/regions if relevant.
INS.1.9.d	Are there restrictions on the nature of assets in which reinsurers can hold funds?	Y/N	?	?			The restrictions on asset holdings considered under this question are prohibitions on investments of insurance companies in broad classes of assets such as common equity, real estate, or foreign assets. General requirements regarding diversification, currency matching and duration matching, and rules setting maximum percentages of technical provisions that may be held in individual asset classes are not considered as restrictions.
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			



Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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### E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

### E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
INS.E.3.5.a	Are publicly-controlled firms or undertakings subject to rules that affect the competition with private reinsurers?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
INS.E.3.6.a	Are there arbitration structures in place to deal with reinsurance/retrocession disputes?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors). One of the 5 largest life insurance, non-life insurance or reinsurance firms in the country by volume of assets or written premiums.
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For insurance the international standards cover Accounting rules for regulatory reporting (International Financial Reporting Standards) or Transparency and anti-money laundering/combating the financing of terrorism (AML/CFT) rules (Financial Action Task Force 40). Supervisors are mandated by the ICP 22 to ensure compliance with the standards set by the Financial Action Task Force for insurers and insurance intermediaries.
E.4.3	Do national standards deviate from international standards?	Y/N					
FIN.E.4.3.b	Do national standards deviate from international accounting standards?	Y/N					
FIN.E.4.3.c	Do national standards deviate from international standards on transparency and AML/CFT rules?	Y/N					Transparency and anti-money laundering/combating the financing of terrorism (AML/CFT) rules (Financial Action Task Force 40).
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					
FIN.E.4.8.a	Is there a specific governmental agency or any other authority in your jurisdiction which is competent for the design, implementation and/or enforcement of requirements and rules governing cross-border data flows in the sector?	Y/N					
FIN.E.4.8.a.1	If yes, does the relevant agency/authority (or agencies/authorities) have discretion in designing, implementing and/or enforcing the applicable rules and requirements affecting cross-border data flows?	Y/N					
FIN.E.4.9	Are the rules and requirements of your jurisdiction related to restrictions on cross-border data flows in the sector applied and enforced uniformly?	Y/N					

**Telecom fixed**

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

**A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

**C. COMMERCIAL PRESENCE CONDITIONS****C.1 Form of entry**

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
TEL.C.3.2.8.a	Is the licence for foreign telecom operators "technologically neutral"?	Y/N		?			A regulation (or trade agreement) is said to be technologically neutral if it does not contain any provisions that distinguish between the different technologies or technological means through which a service may be supplied.
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
TEL.C.4.9.a	Are foreign telecom providers permitted to own and operate an international gateway?	Y/N		?			
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.1 Form of entry**

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?					Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?		Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?		Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?		Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?		Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not).</p> <p>If so, the answer should be 'yes'.</p>

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					Do firms have liberty in determining their tariffs for their telecom services, whether on a retail or wholesale basis? (e.g. roaming rates, price for a minute of communication). If for any of the prices this is not the case (e.g. mandatory prices or recommended prices), then the answer should be 'no', and please further explain the situation in the comments as deemed relevant.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					Do firms have liberty in determining their tariffs for their telecom services, whether on a retail or wholesale basis? (e.g. roaming rates, price for a minute of communication). If for any of the prices this is not the case (e.g. mandatory prices or recommended prices), then the answer should be 'no', and please further explain the situation in the comments as deemed relevant.
TEL.E.1.2.a	Is interconnection mandated?	Y/N					The question refers to obligations to respond favourably to reasonable requests for interconnection, including from foreign firms, at any technically feasible point in the network. Covers the access and use of the public telecommunications services, resale of those services, prices agreements and RIOs.
TEL.E.1.2.b	Are access to and use of public telecommunications services mandated?	Y/N					Regulation ensures that enterprises, including foreign, have access to and use of any public telecommunication service, including leased circuits. The question relates to the extent to which suppliers have the opportunity to purchase or lease and attach terminal or other equipment that interfaces with a public telecommunication network; to provide services over leased or own circuits, connect owned or leased circuits with public telecommunications networks, perform switching, signalling, processing and conversion of functions and use operating protocols of their choice. When access is mandated, the regulator requires that a dominant firm applies equivalent conditions in equivalent circumstances to other undertakings providing equivalent services, and provide services and information to others under the same conditions and of the same quality as it provides for its own services, or those of its subsidiaries or partners. - Are access to use of public telecom services mandated? In other words is there an obligation to give to all suppliers of telecommunications services access (and usage) of the network (and any associated service) which is offered to the public generally, so that these suppliers can also provide their telecommunications services to their clients in a reasonable and non-discriminatory manner. See the GATS annex on telecommunications for more information ( <a href="https://www.wto.org/english/tratop_e/serv_e/12-tel_e.htm">https://www.wto.org/english/tratop_e/serv_e/12-tel_e.htm</a> ).

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
TEL.E.1.2.c	Is resale of public telecommunications services to other suppliers mandated?	Y/N					Resale is the ability of a telecommunications firm to purchase a service on a wholesale basis, for the purpose of reselling that same service, either alone or in combination with other services or features, to end users in direct competition with the original service provider.
TEL.E.1.2.d	Are interconnection prices and conditions regulated?	Y/N					Interconnection can be one-way or two-way and interconnection prices may differ in the two cases. Regulated interconnection prices may be based on the additional cost to the incumbent from providing interconnection services i.e. allowing another operator to use his network to originate or
TEL.E.1.2.e	Are interconnection and/or access agreements made public?	Y/N					This question relates to transparency requirements and covers regulatory requirements that the dominant supplier makes public specified information such as accounting information, technical specifications, network characteristics, terms and conditions for supply and use, and prices. An example of such regulation is to require dominant firm to make a reference offer publicly available.
TEL.E.1.2.f	Are the telecommunications operators required to publish Reference Interconnection Offers (RIO)?	Y/N					
TEL.E.1.3.a	Is unbundled access to the local loop required?	Y/N					Local loop unbundling (LLU) is the process where the incumbent operator(s) makes its local network (the copper cables that run from customers premises to the telephone exchange) available to other companies.
TEL.E.1.3.b	Are local loop unbundled prices regulated?	Y/N					The price of access to unbundled local loops is one aspect of regulating the conditions under which unbundled local loops are offered. Price regulation refers to setting prices based on e.g. costs, or mandating that dominant firms negotiate such prices.
TEL.E.1.3.c	Are the wholesale access prices for leased lines regulated? - Leasing lines rates	tick					Wholesale access refers to obligations of incumbent owners of public telecommunications networks to provide access to services providers at reasonable prices. Price regulation is typically based on long-run incremental costs and often contains a clause that specifies price reduction over time.
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector. Grandfathering, e.g. although there may be new rules, laws or regulations, certain suppliers may still be subject to previous ones. Or in the context of allocation of air transport slots, companies can retain their slots from one season to the next.
TEL.E.1.5.b	Are contracts for universal service obligations awarded through competitive bidding?	Y/N					
TEL.E.1.6.a	Is collocation or site sharing mandated?	Y/N					This refers to the obligation of dominant firms to provide physical collocation of equipment necessary for interconnection or access to unbundled network elements where technically feasible.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

### E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

### E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
TEL.E.3.3.a	Is dialling parity required from dominant suppliers (i.e. non-discriminatory access to, and comparable quality of, different types of numbers and related services)?	Y/N					This question refers to whether or not regulators ensure that dominant suppliers provide dialling parity to other suppliers of public telecommunications and non-discriminatory access to telephone numbers and related services.
TEL.E.3.3.b	Are telecommunication companies (or operators) required to offer customers' number portability?	Y/N					By number portability is meant that final consumers are entitled to keep their telephone number when switching supplier of public telephone services. The existing supplier is obliged by law to transfer the number to another company upon request from the customer. The measure concerns number portability within an area code when area codes apply.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For telecommunications, these would for example cover the standards put forward by the International Telecommunications Union ("ITU-T Recommendations", see <a href="http://www.itu.int/en/ITU-T/Pages/default.aspx">www.itu.int/en/ITU-T/Pages/default.aspx</a> ) which basically define how telecommunication networks operate and interwork, and/or the standards identified by ISO/IEEE relating to telecommunications etc.
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
TEL.E.4.7.a	Are licensing agreements publicly available?	Y/N					This question relates to transparency, and should indicate if the information on licensing agreements is made public (e.g. through official releases, posted on a dedicated website). Licensing agreements refer to the agreements/"contracts"

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Telecom mobile

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

### C.2 Quantitative limits

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

### C.3 Licensing/registration

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
TEL.C.3.2.8.a	Is the licence for foreign telecom operators "technologically neutral"?	Y/N		?			A regulation (or trade agreement) is said to be technologically neutral if it does not contain any provisions that distinguish between the different technologies or technological means through which a service may be supplied.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select						
	- At least one must be national	tick	?	?			
	- Majority must be nationals	tick	?	?			
	- At least one must be resident	tick	?	?			
	- Majority must be residents	tick	?	?			
	- None of the above	tick	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Other						
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
TEL.C.4.9.a	Are foreign telecom providers permitted to own and operate an international gateway?	Y/N		?			
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

## D. PRESENCE OF NATURAL PERSONS CONDITIONS

### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Independent professionals (IP)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Intra-Corporate Transferees (ICT)	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

## D.2 Quantitative limits

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.</p>
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p>



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

#### D.4 Operations

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					Do firms have liberty in determining their tariffs for their telecom services, whether on a retail or wholesale basis? (e.g. roaming rates, price for a minute of communication). If for any of the prices this is not the case (e.g. mandatory prices or recommended prices), then the answer should be 'no', and please further explain the situation in the comments as deemed relevant.
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					Do firms have liberty in determining their tariffs for their telecom services, whether on a retail or wholesale basis? (e.g. roaming rates, price for a minute of communication). If for any of the prices this is not the case (e.g. mandatory prices or recommended prices), then the answer should be 'no', and please further explain the situation in the comments as deemed relevant.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
TEL.E.1.2.a	Is interconnection mandated?	Y/N					The question refers to obligations to respond favourably to reasonable requests for interconnection, including from foreign firms, at any technically feasible point in the network. Covers the access and use of the public telecommunications services, resale of those services, prices agreements and RIOs.
TEL.E.1.2.b	Are access to and use of public telecommunications services mandated?	Y/N					Regulation ensures that enterprises, including foreign, have access to and use of any public telecommunication service, including leased circuits. The question relates to the extent to which suppliers have the opportunity to purchase or lease and attach terminal or other equipment that interfaces with a public telecommunication
TEL.E.1.2.c	Is resale of public telecommunications services to other suppliers mandated?	Y/N					Resale is the ability of a telecommunications firm to purchase a service on a wholesale basis, for the purpose of reselling that same service, either alone or in combination with other services or features, to end users in direct competition with the original service provider.
TEL.E.1.2.d	Are interconnection prices and conditions regulated?	Y/N					Interconnection can be one-way or two-way and interconnection prices may differ in the two cases. Regulated interconnection prices may be based on the additional cost to the incumbent from providing interconnection services i.e. allowing another operator to use his network to originate or terminate a call. For two-way interconnection
TEL.E.1.2.e	Are interconnection and/or access agreements made public?	Y/N					This question relates to transparency requirements and covers regulatory requirements that the dominant supplier makes public specified information such as accounting information, technical specifications, network characteristics, terms and conditions for supply and use, and prices. An example of such regulation is to require dominant firm to make a reference offer publicly available.
TEL.E.1.2.f	Are the telecommunications operators required to publish Reference Interconnection Offers (RIO)?	Y/N					
TEL.E.1.3.a	Is unbundled access to the local loop required?	Y/N					Local loop unbundling (LLU) is the process where the incumbent operator(s) makes its local network (the copper cables that run from customers premises to the telephone exchange) available to other companies.
TEL.E.1.3.b	Are local loop unbundled prices regulated?	Y/N					The price of access to unbundled local loops is one aspect of regulating the conditions under which unbundled local loops are offered. Price regulation refers to setting prices based on e.g. costs, or mandating that dominant firms negotiate such prices.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
TEL.E.1.3.c	Are the following wholesale access prices regulated? - Wholesale roaming rates	tick					Wholesale access refers to obligations of incumbent owners of public telecommunications networks to provide access to services providers at reasonable prices. Price regulation is typically based on long-run incremental costs and often contains a clause that specifies price reduction over time. International roaming allows travelers to use their mobile handsets to make and receive calls, send and receive Short Messaging Service (SMS) and Wholesale access refers to obligations of incumbent owners of public telecommunications networks to provide access to services providers at reasonable prices. Price regulation is typically based on long-run incremental costs and often contains a clause
	- Mobile termination rates regulated	tick					
TEL.E.1.3.d	Are retail roaming rates regulated?	Y/N					The home country's operator adds a retail mark-up to the wholesale roaming charge to create a profit margin on the final charge to its customers. The question refers to whether this mark-up is regulated.
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These
TEL.E.1.5.b	Are contracts for universal service obligations awarded through competitive bidding?	Y/N	?	?			
TEL.E.1.6.a	Is collocation or site sharing mandated?	Y/N					This refers to the obligation of dominant firms to provide physical collocation of equipment necessary for interconnection or access to unbundled network elements where technically feasible.
TEL.E.1.6.b	Is spectrum sharing allowed (refers to two or more radiocommunication services effectively using the same frequency band)?	Y/N					
TEL.E.1.6.c	Is secondary spectrum trading allowed (the trading of spectrum rights or licenses directly between original licensed holders and buyers or leasers)?	Y/N					Secondary spectrum trading allows parties to transfer the spectrum rights (or licences) and obligations between original licence holders to another party in return for a financial or market benefit. Trading can take several forms: Sale, where the ownership of the usage right is transferred to another party; Buy-back, where the
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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**E.2 Conditions on government procurement**

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N					E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
TEL.E.3.3.a	Is dialling parity required from dominant suppliers (i.e. non-discriminatory access to, and comparable quality of, different types of numbers and related services)?	Y/N					This question refers to whether or not regulators ensure that dominant suppliers provide dialling parity to other suppliers of public telecommunications and non-discriminatory access to telephone numbers and related services.
TEL.E.3.3.b	Are telecommunication companies (or operators) required to offer customers' number portability?	Y/N					By number portability is meant that final consumers are entitled to keep their telephone number when switching supplier of public telephone services. The existing supplier is obliged by law to transfer the number to another company upon request from the customer. The measure concerns number portability within an area code when area codes apply.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
TEL.E.4.7.a	Are licensing agreements publicly available?	Y/N					This question relates to transparency, and should indicate if the information on licensing agreements is made public (e.g. through official releases, posted on a dedicated website). Licensing agreements refer to the agreements/"contracts" signed between the regulatory authority/ministry and the service supplier.
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Telecom Internet

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
TEL.C.3.2.8.a	Is the licence for foreign telecom operators "technologically neutral"?	Y/N		?			A regulation (or trade agreement) is said to be technologically neutral if it does not contain any provisions that distinguish between the different technologies or technological means through which a service may be supplied.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select						
	- At least one must be national	tick	?	?			
	- Majority must be nationals	tick	?	?			
	- At least one must be resident	tick	?	?			
	- Majority must be residents	tick	?	?			
	- None of the above	tick	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Other						
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
TEL.C.4.9.a	Are foreign telecom providers permitted to own and operate an international gateway?	Y/N		?			
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?					Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not).</p> <p>If so, the answer should be 'yes'.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					Do firms have liberty in determining their tariffs for their telecom services, whether on a retail or wholesale basis? (e.g. roaming rates, price for a minute of communication). If for any of the prices this is not the case (e.g. mandatory prices or recommended prices), then the answer should be 'no', and please further explain the situation in the comments as deemed relevant.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					Do firms have liberty in determining their tariffs for their telecom services, whether on a retail or wholesale basis? (e.g. roaming rates, price for a minute of communication). If for any of the prices this is not the case (e.g. mandatory prices or recommended prices), then the answer should be 'no', and please further explain the situation in the comments as deemed relevant.
TEL.E.1.2.a	Is interconnection mandated?	Y/N					The question refers to obligations to respond favourably to reasonable requests for interconnection, including from foreign firms, at any technically feasible point in the network. Covers the access and use of the public telecommunications services, resale of those services, prices agreements and RIOs.
TEL.E.1.2.b	Are access to and use of public telecommunications services mandated?	Y/N					Regulation ensures that enterprises, including foreign, have access to and use of any public telecommunication service, including leased circuits. The question relates to the extent to which suppliers have the opportunity to purchase or lease and attach terminal or other equipment that interfaces with a public telecommunication network; to provide services over leased or own circuits, connect owned or leased circuits with public telecommunications networks, perform switching, signalling, processing and conversion of functions and use operating protocols of their choice. When access is mandated, the regulator requires that a dominant firm applies equivalent conditions in equivalent circumstances to other undertakings providing equivalent services, and provide services and information to others under the same conditions and of the same quality as it provides for its own services, or those of its subsidiaries or partners. - Are access to use of public telecom services mandated? In other words is there an obligation to give to all suppliers of telecommunications services access (and usage) of the network (and any associated service) which is offered to the public generally, so that these suppliers can also provide their telecommunications services to their clients in a reasonable and non-discriminatory manner. See the GATS annex on telecommunications for more information

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
TEL.E.1.2.c	Is resale of public telecommunications services to other suppliers mandated?	Y/N					Resale is the ability of a telecommunications firm to purchase a service on a wholesale basis, for the purpose of reselling that same service, either alone or in combination with other services or features, to end users in direct competition with the original service provider.
TEL.E.1.2.d	Are interconnection prices and conditions regulated?	Y/N					<i>Interconnection can be one-way or two-way and interconnection prices may differ in the two cases. Regulated interconnection prices may be based on the additional cost to the incumbent from providing interconnection services i.e. allowing another operator to use his network to originate or terminate a call. For two-way interconnection pricing may also be based on bill and keep. When interconnection is mandated, the regulator typically requires that a dominant firm applies equivalent conditions in equivalent circumstances to other undertakings providing equivalent services, and provide services and information to others under the same conditions and of the same quality as it provides for its own services, or those of its subsidiaries or partners.</i>
TEL.E.1.2.e	Are interconnection and/or access agreements made public?	Y/N					This question relates to transparency requirements and covers regulatory requirements that the dominant supplier makes public specified information such as accounting information, technical specifications, network characteristics, terms and conditions for supply and use, and prices. An example of such regulation is to require dominant firm to make a reference offer publicly available.
TEL.E.1.2.f	Are the telecommunications operators required to publish Reference Interconnection Offers (RIO)?	Y/N					
TEL.E.1.3.a	Is unbundled access to the local loop required?	Y/N					Local loop unbundling (LLU) is the process where the incumbent operator(s) makes its local network (the copper cables that run from customers premises to the telephone exchange) available to other companies.
TEL.E.1.3.b	Are local loop unbundled prices regulated?	Y/N					The price of access to unbundled local loops is one aspect of regulating the conditions under which unbundled local loops are offered. Price regulation refers to setting prices based on e.g. costs, or mandating that dominant firms negotiate such prices.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
TEL.E.1.3.c	Are the wholesale access prices for leased lines regulated? - Leasing lines rates	tick					<i>Wholesale access refers to obligations of incumbent owners of public telecommunications networks to provide access to services providers at reasonable prices. Price regulation is typically based on long-run incremental costs and often contains a clause that specifies price reduction over time.</i>
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector. Grandfathering, e.g. although there may be new rules, laws or regulations, certain suppliers may still be subject to previous ones. Or in the context of allocation of air transport slots, companies can retain their slots from one season to the next.
TEL.E.1.5.b	Are contracts for universal service obligations awarded through competitive bidding?	Y/N	?	?			
TEL.E.1.6.a	Is collocation or site sharing mandated?	Y/N					This refers to the obligation of dominant firms to provide physical collocation of equipment necessary for interconnection or access to unbundled network elements where technically feasible.
TEL.E.1.6.d	Are Voice over Internet Protocol (VoIP) operations allowed?	Y/N					
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.2 Conditions on government procurement**

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N					E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
TEL.E.3.3.a	Is dialling parity required from dominant suppliers (i.e. non-discriminatory access to, and comparable quality of, different types of numbers and related services)?	Y/N					This question refers to whether or not regulators ensure that dominant suppliers provide dialling parity to other suppliers of public telecommunications and non-discriminatory access to telephone numbers and related services.
TEL.E.3.3.b	Are telecommunication companies (or operators) required to offer customers' number portability?	Y/N					By number portability is meant that final consumers are entitled to keep their telephone number when switching supplier of public telephone services. The existing supplier is obliged by law to transfer the number to another company upon request from the customer. The measure concerns number portability within an area code when area codes apply.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there at least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then the it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For telecommunications, these would for example cover the standards put forward by the International Telecommunications Union ("ITU-T Recommendations", see <a href="http://www.itu.int/en/ITU-T/Pages/default.aspx">www.itu.int/en/ITU-T/Pages/default.aspx</a> ) which basically define how telecommunication networks operate and interwork, and/or the standards identified by
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
TEL.E.4.7.a	Are licensing agreements publicly available?	Y/N					This question relates to transparency, and should indicate if the information on licensing agreements is made public (e.g. through official releases, posted on a dedicated website). Licensing agreements refer to the agreements/"contracts" signed between the regulatory authority/ministry and the service supplier.
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

**Retail trade**

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

**A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

**B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS****B.1 Form of entry**

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
DIS.B.1.1.4.a	If yes, are there any limits on e-commerce or other forms of non-store retailing/wholesaling that do not require commercial presence?	Y/N		?			Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.2	Are there restrictions on franchising?	Y/N	?	?			

## B.2 Licensing/registration

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

### B.3 Operations

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.5	Is sole foreign proprietorship allowed?	Y/N		?			
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

### C.2 Quantitative limits

RET.C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- For department stores or large stores	Y/N	?	?			If there are limitations to other store formats, make sure you tick the "other store format" option, and indicate below to which other store formats this applies.
	- For other store formats	Y/N	?	?			
	- Other	Y/N	?	?			
RET.C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
	- For department stores or large stores	Y/N	?	?			
	- For other store formats	Y/N	?	?			
	- Other	Y/N	?	?			
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
DIS.C.2.1.2.a	What is the market share of the monopoly? (Please document the type of product(s) using the comments box)	Number					

### C.3 Licensing/registration

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
DIS.C.3.2.a	Is a licence specifically needed for e-commerce?	Y/N	?	?			Refers to licenses directed to a commercial presence which engages in e-commerce activities.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
RET.C.4.1.a	Is the range of products a retailer may carry limited?	Y/N	?	?			Regulations may restrict the assortment of goods and services that the retailer may carry. For instance, regulations may require that certain products are sold only in specific store formats or regulations may prohibit that different product

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
DIS.C.4.1.b	Do laws or regulations impose restrictions on the nature or content of contracts?	Y/N	?	?			Restrictions on contracts between retailers and suppliers may limit the possibility of retailers to operate their business model or supply chain model. For instance, retailers and suppliers may not be allowed to specify delivery timelines or the placement of goods on the shelf space in the shop.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
DIS.C.4.2.a	Is there any limitation/restriction on the number of outlets?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select  - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	  tick tick tick tick tick	  ? ? ? ? ?	  ? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	 tick tick tick	 ? ? ?	 ? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	 tick tick tick	 ? ? ?	 ? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
DIS.C.4.9.a	If yes, what is the minimum percentage required of locally sourced goods?	Y/N	?	?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
DIS.C.4.9.b	Are foreign suppliers treated differently regarding zoning regulation?	Y/N		?			Zoning refers to land-use/urban planning with respect to the establishment of retail stores, in particular large-store formats. This question refers to zoning regulation that discriminates foreign suppliers in order to protect local or incumbent suppliers.
DIS.C.4.9.c	Are foreign firms discriminated against on trademark protection?	Y/N		?			Foreign distribution firms have access to trademark registration and protection. Trade marks may also be registered regionally or internationally, e.g. through the Madrid system. If yes, explain
RET.C.4.9.d	Are foreign retailers authorized to set up their own recycling systems?	Y/N		?			E.g. laws or regulations that require distribution firms to contract solely with local recycling companies. Recycling systems for packaging material have often been set up in many jurisdictions and recycling is often handled by one or a few licensed companies, sometimes with monopoly rights. Multinational retailers with an international sourcing strategy may face particular constraints as far as recycling is concerned. For instance, distribution firms may prefer to set up their own recycling systems or to contract with the dominant recycling firms only with a partial amount of recycling. If yes, explain
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
<b>D.2 Quantitative limits</b>							
D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

#### D.4 Operations

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			Given that universal service obligations can be found in multiple sectors, we decided to include this question systematically to make sure that we do not overlook any information, as well as ensure that we obtain comparable information across sectors, as relevant. A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector. Examples for distribution could cover cases where there is an obligation to have some distribution outlets to serve rural areas, or to ensure that on average clients are not living further than 10 kilometers away from a food store).
RET.E.1.6.a	Are there labelling requirements beyond information requirements?	Y/N					Technical regulations and standards as defined in the WTO Technical Barriers to Trade (TBT) Agreement include labelling requirements. Article 2.8 of the TBT Agreement says that "wherever appropriate, Members shall specify technical regulations based on product requirements in terms of performance rather than design or descriptive characteristics. The information content of labelling provisions can be seen as performance characteristics in the sense of informing consumers. Anything that goes beyond (e.g. the exact design of the product or the prohibition of multi-language labels) should be captured here. Please indicate relevant law/regulation/guidelines description and link in your comments
RET.E.1.6.b	Are seasonal sales periods regulated?	Y/N					
RET.E.1.6.d	Are large stores subject to different regulations/requirements than other types of stores (e.g. different tax policies)?	Y/N					For instance, taxes can be based on floor space or turnover with exemption thresholds which implies that only large format retailers pay the tax.
RET.E.1.6.e	What is the minimum floor space to be considered a large format retail outlet (m²)?	Number					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
RET.E.1.6.f	Does regulation impose an upper limit on shop opening hours?	Y/N					
DIS.E.1.6.g	Is the prepackaging of products subject to mandatory nominal quantities?	Y/N					This refers to instances where the regulator mandates nominal quantities, such as the number of products or the weight, regarding the prepackaging of certain food or non-food products.
RET.E.1.6.h	Are consumer credit licences available to foreign retailers?	Y/N		?			Some countries require retailers offering goods or services on credit or for hire (e.g. car dealers, supermarkets) to obtain a specific credit licence. This question seeks to capture whether those specific licences exist. In case retailers are allowed to provide consumer credit without such kind of licence, please clarify that in the Comments box.
RET.E.1.6.i	Is there a limit on direct selling?	Y/N	?	?			Direct selling is the marketing and selling of products directly to consumers away from a fixed retail location, i.e. generally face-to-face or online sales through the Internet. This could cover prohibitions of such ways of supplying services, commercial presence or residency requirements, discriminatory licensing or registration system, or partnership requirements with local firms.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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### E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

### E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
E.3.1.3	Is product bundling/tying regulated?	Y/N					
DIS.E.3.1.4	Is resale price maintenance in vertical agreements subject to regulation?	Y/N					Resale price maintenance (RPM) is an agreement between the supplier and the retailer specifying the product price that retailers charge consumers. Prohibiting RPM is commonly found in competition laws. Please indicate relevant law/regulation/guidelines description and link in your comments

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
DIS.E.3.1.5	With respect to vertical agreements, are territorial or customer group sales restrictions subject to regulation?	Y/N					This refers to agreements where the seller restricts the territory into which the buyer may sell, or the customer group to whom the buyer may sell. Examples are when manufacturers or importers restrict retailers, often exclusive dealers of branded goods, from targeting consumers outside a given geographical area or a given market segment. This appears to be the case for car dealerships, pharmacies and other specialised retailers. However, buyer power has become an issue in the case of supermarket and hypermarket chains.
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
DIS.E.3.3.a	Do laws or regulations explicitly protect confidential information (e.g. trade secrets, know-how)?	Y/N					For example, Governments sometimes require that firms disclose some trade secrets in order to secure public interest (e.g. approval of marketing of new chemical products and investigation of unfair competition affairs). In principle the law should require that the government shall take proper measures to protect such information against unfair commercial use.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					By major firm is meant one of the 10 largest distribution services firms in the country. By government control is meant that government holds at least a blocking minority or a golden share in the company.
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					<p>International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then the it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box.</p> <p>For distribution: For instance, in some jurisdictions, food business operators including at the distribution stage are obliged to introduce and implement risk management systems in order to prevent and eliminate hazards by identifying any possible hazards and critical control points. When the introduction of the above system is mandatory, laws or regulations establishing the system should be based on international standards such as HACCP (The Hazard Analysis Critical Control Point) system under CODEX, ISO 22000, FSSC 22000 and others.</p>

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.3	Do national standards deviate from international standards?	Y/N					In some countries, food business operators including at the distribution stage are obliged to introduce and implement risk management system in order to prevent and eliminate a hazard by identifying any possible hazards and critical control points. When the introduction of the above system is mandatory, laws or regulations establishing the system should be based on international standards such as HACCP (The Hazard Analysis Critical Control Point) system under CODEX, ISO 22000, FSSC 22000 and others.
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					



**Wholesale trade**

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

**A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

**B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS****B.1 Form of entry**

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
DIS.B.1.1.4.a	If yes, are there any limits on e-commerce or other forms of non-store wholesaling that do not require commercial presence?	Y/N		?			Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.2	Are there restrictions on franchising?	Y/N	?	?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**B.3 Operations**

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

## C. COMMERCIAL PRESENCE CONDITIONS

### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.5	Is sole foreign proprietorship allowed?	Y/N		?			
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					
DIS.C.2.1.2.a	What is the market share of the monopoly? (Please document the type of product(s) using the comments box)	Number					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
DIS.C.3.2.a	Is a licence specifically needed for e-commerce?	Y/N	?	?			Refers to licenses directed to a commercial presence which engages in e-commerce activities.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			



Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
DIS.C.4.2.aa	Is there any limitation/restriction on the number of outlets?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick Y/N	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
DIS.C.4.9.aa	If yes, what is the minimum percentage required of locally sourced goods?	Y/N	?	?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
DIS.C.4.9.b	Are foreign suppliers treated differently regarding zoning regulation?	Y/N		?			Zoning refers to land-use/urban planning with respect to the establishment of sales points. This question refers to zoning regulation that discriminates foreign suppliers in order to protect local or incumbent suppliers.
DIS.C.4.9.c	Are foreign firms discriminated against on trademark protection?	Y/N		?			Foreign distribution firms have access to trademark registration and protection. Trade marks may also be registered regionally or internationally, e.g. through the Madrid system. If yes, explain
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above - Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?					Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?		Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?		Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?		Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?		Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not).</p> <p>If so, the answer should be 'yes'.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N					E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
DIS.E.3.3.a	Do laws or regulations explicitly protect confidential information (e.g. trade secrets, know-how)?	Y/N					For example, Governments sometimes require that firms disclose some trade secrets in order to secure public interest (e.g. approval of marketing of new chemical products and investigation of unfair competition affairs). In principle the law should require that the government shall take proper measures to protect such information against unfair commercial use.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					By major firm is meant one of the 10 largest wholesale distribution services firms in the country. By government control is meant that government holds at least a blocking minority or a golden share in the company.
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For distribution: For instance, in some jurisdictions, food business operators including at the distribution stage are obliged to introduce and implement risk management systems in order to prevent and eliminate hazards by identifying any possible hazards and critical control points. When the introduction of the above system is mandatory, laws or regulations establishing the system should be based on international standards such as HACCP (The Hazard Analysis Critical Control Point) system under CODEX, ISO 22000, FSSC 22000 and others.
E.4.3	Do national standards deviate from international standards?	Y/N					In some countries, food business operators including at the distribution stage are obliged to introduce and implement risk management system in order to prevent and eliminate a hazard by identifying any possible hazards and critical control points. When the introduction of the above system
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Maritime freight shipping international

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

#### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			For example, are there licenses or other temporary permissions issued to foreign shipping companies to operate in domestic trades.
MAR.B.2.4	Are there conditions to own and register vessels under the national flag?	Y/N	?	?			This measure captures those cases where there is a nationality requirement or similar requirements (e.g. citizenship) to own and register vessels under the national flag without having a commercial presence in your jurisdiction.

**B.3 Operations**

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector (cabotage, quotas-reservations, types of vessels, repositioning of equipment, feeding, chartering etc.) If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
MAR.B.3.2.a	Is cabotage limited by way of excluding foreign-flagged ships (or other criteria e.g. excluding foreign-built ships)?	Y/N		?			Services between domestic ports (cabotage), that is coastal transport, are reserved for domestic fleets. This question should capture the extent to which foreign-flagged vessels can provide services between domestic ports. Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".
MAR.B.3.2.b	Are there restrictions on feeding?	Y/N		?			The feeding or relay of international cargoes through a national hub port is exempt from the cabotage restrictions. In some jurisdictions, it may be exempt from such restrictions for being recognized as non-domestic cargoes. Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".
MAR.B.3.2.c	Are there restrictions on the repositioning of equipment?	Y/N		?			Foreign suppliers of maritime services are able to move and reposition their equipment (notably, empty containers) between two ports of the same country. Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
MAR.B.3.2.d	Are there any cargo reservation or other preference schemes relating to the share or type of cargo transported?	Y/N		?			Cargo reservations are also known as flag restrictions. Certain types or share of cargo traded by a jurisdiction are transported by ships registered under the flag of that jurisdiction or ships interpreted as national by other criteria (e.g. a foreign flag ship chartered by a national shipping line). The distinctions made can relate to the type or quantity of goods transported; government (which can cover for instance food aid, government procurement or military goods) versus private ownership of the goods (which can include goods benefitting from export credits); liner or bulk transport; or exports or imports of goods. Cargo reservations and preferences can be imposed unilaterally, bilaterally, or plurilaterally. Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".
MAR.B.3.2.d.i	<p>If yes, are the quotas or preferences granted for:</p> <ul style="list-style-type: none"> <li>- private cargo in bulk?</li> <li>- private cargo in liner?</li> <li>- government cargo in bulk?</li> </ul> <p>- government cargo in liner?</p>	<p>Y/N</p> <p>Y/N</p> <p>Y/N</p> <p>Y/N</p> <p>Y/N</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Government cargo reservations can cover for instance food aid, government procurement or military goods. Private cargo reservations concern privately-owned goods (which can include goods benefitting from export credits).</p> <p>Government cargo reservations can cover for instance food aid, government procurement or military goods. Private cargo reservations concern privately-owned goods (which can include goods benefitting from export credits).</p>
MAR.B.3.2.d.ii	Are there bilateral or plurilateral cargo sharing agreements?	Y/N		?			
MAR.B.3.2.d.iii	Has your jurisdiction ratified the UNCTAD Liner Code of Conduct?	Y/N					
MAR.B.3.2.d.iv	Are there other cargo reservations or preferential schemes?	Y/N		?			
MAR.B.3.2.e	Are there restrictions on the type of cargo transported (other than cargo reservations)?	Y/N	?	?			Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".
MAR.B.3.2.f	Are there restrictions on the quantity of cargo transported (other than cargo reservations)?	Y/N	?	?			Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".
MAR.B.3.2.g	Are there restrictions on the admissible type of vessels?	Y/N	?	?			Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
MAR.B.3.2.h	Are there restrictions on the chartering of vessels?	Y/N	?	?			This measure relates to the obligation to charter national-flag vessels. In certain cases, a shipping company can only charter vessels with a national flag. In other cases, companies can only charter vessels with foreign flags if and only if there are no vessels with national flag of the requisite capacity. Note that if the answer is "yes", then the answer to B.3.2 should also be "yes".
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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### C. COMMERCIAL PRESENCE CONDITIONS FOR OPERATING A FLEET UNDER THE NATIONAL FLAG

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

## C.2 Quantitative limits

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
MAR.C.3.1.a	Are there conditions to own and register vessels under the national flag?		?	?			This measure captures those cases where there is a nationality requirement or similar requirements (e.g. citizenship) to own and register vessels under the national flag, in the context of establishing a commercial presence for operating a fleet under the national flag.
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.a COMMERCIAL PRESENCE CONDITIONS FOR OTHER FORMS OF COMMERCIAL PRESENCE (i.e. other than for the purpose of operating a fleet under the national flag of your ju**

**C.1 Form of entry**

C.a.1.1	Is foreign commercial presence allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.a.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.a.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.a.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.a.1.1.4	Is establishment of a new locally incorporated company allowed?	Y/N		?			
C.a.1.1.4.1	If yes, what is the maximum foreign ownership allowed (%)?	Y/N		?			
C.a.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			
C.a.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	tick		?			
C.a.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	tick		?			
C.a.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.a.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired (%)	tick		?			
C.a.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	tick		?			
C.a.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.a.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.a.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services
C.a.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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**C.a.2 Quantitative limits**

C.a.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N		?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an economic needs test the answer should be "yes".
C.a.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N		?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.a.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N		?			

**C.a.3 Licensing/registration**

C.a.3.1	Is registration required to enter the market (i.e. establish a company)?	Y/N		?			
C.a.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.a.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.a.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick		? ?			
C.a.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N		?			
C.a.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N		?			
C.a.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.a.3.2.7	<i>If a licence is needed, is there a fee to be paid?</i>	Y/N		?			
C.a.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N		?			
C.a.3.2.9	Is there a single window for submission of applications?	Y/N		?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.a.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N		?			
C.a.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N		?			
C.a.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N		?			
C.a.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**C.a.4 Operations**

C.a.4.1	Are there limits imposed on the scope of the service?	Y/N		?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered.
C.a.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N		?			
C.a.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.a.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick		? ? ? ? ?			
C.a.4.5	Are there any of the following requirements for managers? Please select						

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	<ul style="list-style-type: none"> <li>- Managers must be nationals</li> <li>- Managers must be residents</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick		? ? ?			
C.a.4.6	Is a minimum number or share of national employees required? Please select <ul style="list-style-type: none"> <li>- Minimum number required</li> <li>- Minimum percentage required</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick		? ? ?			
C.a.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.a.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.a.4.8	Are suppliers subject to export performance requirements?	Y/N		?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.a.4.9	Is the production of services subject to local content requirements?	Y/N		?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.a.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N		?			In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.a.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.a.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- <i>Independent professionals (IP)</i>	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
<b>D.2 Quantitative limits</b>							
D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <ul style="list-style-type: none"> <li>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</li> <li>- Independent professionals (IP)</li> <li>- Intra-Corporate Transferees (ICT)</li> <li>- Other foreign natural persons to work as employees of a local firm</li> </ul>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	<p>Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?</p> <ul style="list-style-type: none"> <li>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</li> </ul>	<p>tick</p>		?			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
MAR.E.1.6.a	Are there any restrictions on access and use of port services?	Y/N	?	?			E.g. Restrictions on pilotage and towing, tug and tow services, serving own ships, discriminatory port tariffs, ports services serving own ships, obligation to use local services.
MAR.E.1.6.a.i	Are there restrictions to use local personnel or equipment in	Y/N	?	?			
MAR.E.1.6.a.ii	Is there an obligation to use local tug and tow services?	Y/N	?	?			
MAR.E.1.6.a.iii	Are port tariffs and other port-related fees identical for domestic and foreign service providers?	Y/N		?			
MAR.E.1.6.a.iv	Is there an obligation to use local maritime and port services?	Y/N	?	?			
MAR.E.1.6.a.v	Are port services serving own-ships allowed?	Y/N	?	?			
MAR.E.1.6.b	Are there any restrictions on maritime auxiliary services?	Y/N	?	?			Restrictions on cargo-handling, storage and warehouse services, container station and depot services, auxiliary services serving own-ships, obligation to use local maritime port agent, restrictions on sales and marketing and organising the ship's call.
TRA.E.1.6.b	Are there restrictions on cargo-handling?	Y/N	?	?			A shipping company is required to use local cargo handling equipment (cranes) and on-shore labour, instead of its own equipment and personnel.
MAR.E.1.6.b.ii	Are there restrictions on storage and warehouse services?	Y/N	?	?			
MAR.E.1.6.b.iii	Are there restrictions on container-station and depot services	Y/N	?	?			
MAR.E.1.6.b.iv	Are there other restrictions on auxiliary services?	Y/N	?	?			
MAR.E.1.6.b.v	Are auxiliary services serving own-ships allowed?	Y/N	?	?			
MAR.E.1.6.b.vi	Is there an obligation to use a local maritime port agent?	Y/N	?	?			This refers to the need to appoint a local agent. In some countries, maritime company is either assigned a local port agent, or is required to appoint a local port agent, precluding the ability of the local or foreign operator to have his own maritime agent at the port.
MAR.E.1.6.b.vii	Are there restrictions on sale & marketing and organising the ship's call?	Y/N	?	?			There are measures that hinder the ability of companies (local or subsidiary/branches of foreign companies) to engage in marketing and sales activities though direct contact with customers, from quotation to invoicing. Combined with the sales activity, this also captures whether companies can undertake the task of organising the ship's calls, or whether this is restricted.
MAR.E.1.6.c	Are there restrictions on the ability to rent/hire/charter other forms of transport for the purpose of providing multimodal transport services?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
MAR.E.1.7	Are there discriminatory environmental and/or security standards?	Y/N		?			This question captures whether international or national standards are applied in a discriminatory manner against foreign suppliers of maritime transport services. In particular, national standards could be designed in a way that differentiates between foreign and domestic operators with respect to environmental or security rules. It concerns cases where the national/international standard applied by a country discriminates in its treatment between national and foreign vessels, or among foreign vessels depending upon the flag they fly or other elements of operational or commercial control. It does not consider national standards that, while exceeding international standards are applied equally to national and foreign ships calling at the national port. For instance, countries that implement the requirements of MARPOL may wish to include additional protection applicable to all vessels calling their ports, irrespective of the flag-state under which they fly.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

### E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases? - Domestic tenders - International tenders - Never	tick tick tick					
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
MAR.2.2.1.a	Are local firms explicitly favoured with regard to domestic traffic?	Y/N					
MAR.2.2.1.b	Are local firms explicitly favoured with regard to international traffic?	Y/N					
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
TRA.E.3.1.2.a	Are shipping agreements exempt from competition law?	Y/N	?	?			Relates to instances where the regulation exempts from the national anti-trust law agreements between carriers which may limit competition in the sector. This includes arrangements to collectively set tariffs
MAR.E.3.1.2.b	With respect to shipping agreements, is the right of independent action mandated?	Y/N					This seeks to capture where individual conference members are allowed to offer rates or other terms respecting their services that are different from those that are agreed to by the conference. Hence, this arrangement is not subject to the
MAR.E.3.1.2.c	With respect to shipping agreements, are confidential service contracts mandated?	Y/N					Instances where confidential service contracts between an individual conference line and a shipper are permitted. This allows individual conference members independent contracting rights by reducing the transparency of freight rates between shippers and individuals.
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					I.e. Separation between maritime transportation activities and auxiliary activities or other transportation activities. Vertical separation can take the form of accounting separation, functional separation or legal separation. All three forms should be captured in this question, but the comment box should contain information on which form or separation is required. Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. Maritime freight transport: For maritime freight shipping, this could cover IMO security or safety and environmental standards (e.g. gas emissions, fuel), ILO social standards, or ISO standards dealing with the size of containers (or their weight) as well as standards relating to the ships or vessels set by Classification Societies (e.g. Bureau Veritas, Rina, Deutsche Lloyd, Det North Veritas, American Bureau of Shipping).
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

**Maritime auxiliary services (intermediation): freight forwarding, maritime agency services, customs clearance**

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

**A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

**B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS****B.1 Form of entry**

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**B.3 Operations**

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

## C. COMMERCIAL PRESENCE CONDITIONS

### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select <ul style="list-style-type: none"> <li>- At least one must be national</li> <li>- Majority must be nationals</li> <li>- At least one must be resident</li> <li>- Majority must be residents</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select <ul style="list-style-type: none"> <li>- Managers must be nationals</li> <li>- Managers must be residents</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select						

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	<ul style="list-style-type: none"> <li>- Minimum number required</li> <li>- Minimum percentage required</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

**D. PRESENCE OF NATURAL PERSONS CONDITIONS**

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.1 Form of entry**

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

## D.2 Quantitative limits

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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.1	<p>Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not).</p> <p>If so, the answer should be 'yes'.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

**E.2 Conditions on government procurement**

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as inter-operability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For maritime intermediation services, standards for maritime shipping could also apply.
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

**Maritime auxiliary services (other): maritime cargo handling, container depot station, storage and warehousing**

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

**A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

**C. COMMERCIAL PRESENCE CONDITIONS****C.1 Form of entry**

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

**D. PRESENCE OF NATURAL PERSONS CONDITIONS****D.1 Form of entry**

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

**E.2 Conditions on government procurement**

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N					E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

**E.3 Competition policy**



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there at least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce.

#### E.4 Administrative procedures and regulatory transparency

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. Maritime auxiliary services (cargo handling, container station and depot, storage and warehousing): This could cover for example ISO standards dealing with the size of containers (or their weight) or standards on cranes etc.
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Air passenger domestic services

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - Minimum percentage required for cabin crew - Minimum percentage required for ground staff - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
AIRPdom.C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N	?	?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
AIRPdom.C.4.11	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N	?	?			

#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?					Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?		Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?		Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?		Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?		Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not).</p> <p>If so, the answer should be 'yes'.</p>

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.  Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.  Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the
AIR.E.1.5.a	Are contracts for universal service obligations awarded through competitive bidding?	Y/N	?	?			
AIR.E.1.6.a	How are slots allocated? Please select						This question concerns the administration of airport take-off and landing slots (entitlement to use a runway at a given time), in relation to the initial allocation process (primary allocation).

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	<ul style="list-style-type: none"> <li>- Grandfathering: Air carriers are allowed to retain already allocated slots from one season to the next</li> <li>- First come first served: There is no administrative system in place and air carriers are allowed to schedule their flights simply taking into account expected delays at the busier airports</li> <li>- Auctioning: Slots are given to the highest bidder in an auction scheme organised by the authorities</li> <li>- Discretionary allocation: Slots are allocated at the discretion of airport and other authorities or incumbent carriers</li> <li>- Other allocation: Allocation schemes which cannot be classified under any of the categories above, or combinations of these categories</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick tick tick tick	? ? ? ? ? ?	? ? ? ? ? ?			
AIR.E.1.6.b	Are schedules for airport use restricted?	Y/N	?	?			This question concerns limits on time/schedules for airport use, including total curfews. It is more relevant for all-cargo carriers and integrated express operators since they tend to travel at night.
AIR.E.1.6.c	Is slot trading in the modality of barter trade (i.e. slots exchanged on a one-to-one basis) allowed?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.d	Is slot trading in the modality of monetary trade allowed (i.e. air carriers allowed to commercially exchange slots)?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.e	Are airlines allowed to self-handle?	Y/N	?	?			
AIR.E.1.6.f	Are airlines allowed to mutually-handle?	Y/N	?	?			
AIR.E.1.6.g	Is third-party handling allowed?	Y/N	?	?			
AIR.E.1.6.g.1	If yes, are there limits on the number of third-party handlers (depending on airport's sizes)?	Y/N	?	?			
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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**E.2 Conditions on government procurement**

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).



Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
TRA.E.3.1.2.a	Are carrier alliances/agreements exempt from competition law?	Y/N	?	?			Relates to instances where the regulation exempts from the national anti-trust law agreements between carriers which may limit competition in the sector. This includes arrangements to collectively set tariffs
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Air passenger international services

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

#### B.1 Form of entry

AIR.B.3.2	Is there any BASA that grants 8th and 9th Freedom?	Y/N					Eighth freedom: the right or privilege, in respect of scheduled international air services, of transporting cabotage traffic between two points in the territory of the granting State on a service which originates or terminates in the home country of the foreign carrier or (in connection with the so-called Seventh Freedom of the Air) outside the territory of the granting State (also known as an Eighth Freedom Right or "consecutive cabotage"). Ninth freedom: - the right or privilege of transporting cabotage traffic of the granting State on a service performed entirely within the territory of the granting State (also known as a Ninth Freedom Right or "stand alone" cabotage).
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Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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## C. COMMERCIAL PRESENCE CONDITIONS

### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

## C.2 Quantitative limits

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
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Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - Minimum percentage required for cabin crew - Minimum percentage required for ground staff - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
AIRPint.C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N	?	?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
AIRPint.C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N	?	?			

## D. PRESENCE OF NATURAL PERSONS CONDITIONS

### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	tick		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	tick		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?  - Employees of foreign-based service suppliers or contractual services suppliers (CSS)  - Independent professionals (IP)  - Intra-Corporate Transferees (ICT)  - Other foreign natural persons to work as employees of a local firm	tick  tick  tick  tick		?  ?  ?  ?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.  Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.  Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
AIR.E.1.5.a	Are contracts for universal service obligations awarded through competitive bidding?	Y/N	?	?			
AIR.E.1.6.a	How are slots allocated? Please select  <ul style="list-style-type: none"> <li>- Grandfathering: Air carriers are allowed to retain already allocated slots from one season to the next</li> <li>- First come first served: There is no administrative system in place and air carriers are allowed to schedule their flights simply taking into account expected delays at the busier airports</li> <li>- Auctioning: Slots are given to the highest bidder in an auction scheme organised by the authorities</li> <li>- Discretionary allocation: Slots are allocated at the discretion of airport and other authorities or incumbent carriers</li> <li>- Other allocation: Allocation schemes which cannot be classified under any of the categories above, or combinations of these categories</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick tick tick tick	? ? ? ? ? ?	? ? ? ? ? ?			This question concerns the administration of airport take-off and landing slots (entitlement to use a runway at a given time), in relation to the initial allocation process (primary allocation).
AIR.E.1.6.b	Are schedules for airport use restricted?	Y/N	?	?			This question concerns limits on time/schedules for airport use, including total curfews. It is more relevant for all-cargo carriers and integrated express operators since they tend to travel at night.
AIR.E.1.6.c	Is slot trading in the modality of barter trade (i.e. slots exchanged on a one-to-one basis) allowed?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.d	Is slot trading in the modality of monetary trade allowed (i.e. air carriers allowed to commercially exchange slots)?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.e	Are airlines allowed to self-handle?	Y/N	?	?			
AIR.E.1.6.f	Are airlines allowed to mutually-handle?	Y/N	?	?			
AIR.E.1.6.g	Is third-party handling allowed?	Y/N	?	?			
AIR.E.1.6.g.1	If yes, are there limits on the number of third-party handlers (depending on airport's sizes)?	Y/N	?	?			
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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**E.2 Conditions on government procurement**

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
TRA.E.3.1.2.a	Are carrier alliances/agreements exempt from competition law?	Y/N	?	?			Relates to instances where the regulation exempts from the national anti-trust law agreements between carriers which may limit competition in the sector. This includes arrangements to collectively set tariffs
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Air freight domestic services

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select						
	- At least one must be national	tick	?	?			
	- Majority must be nationals	tick	?	?			
	- At least one must be resident	tick	?	?			
	- Majority must be residents	tick	?	?			
	- None of the above	tick	?	?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
	- Other						
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - Minimum percentage required for cabin crew - Minimum percentage required for ground staff - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
AIRFdom.C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels.
AIRFdom.C.4.11	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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## D. PRESENCE OF NATURAL PERSONS CONDITIONS

### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			

**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.  Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.2.3	Is there a limit on the total number or share of foreigners employed per company supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature

## D.4 Operations

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the
AIR.E.1.5.a	Are contracts for universal service obligations awarded through competitive bidding?	Y/N	?	?			
AIR.E.1.6.a	How are slots allocated? Please select						
	- Grandfathering: Air carriers are allowed to retain already allocated slots from one season to the next	tick	?	?			
	- First come first served: There is no administrative system in place and air carriers are allowed to schedule their flights simply taking into account expected delays at the busier airports	tick	?	?			
	- Auctioning: Slots are given to the highest bidder in an auction scheme organised by the authorities	tick	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Discretionary allocation: Slots are allocated at the discretion of airport and other authorities or incumbent carriers	tick	?	?			
	- Other allocation: Allocation schemes which cannot be classified under any of the categories above, or combinations of these categories	tick	?	?			
	- None of the above	tick	?	?			
	- Other						
AIR.E.1.6.b	Are schedules for airport use restricted?	Y/N	?	?			This question concerns limits on time/schedules for airport use, including total curfews. It is more relevant for all-cargo carriers and integrated express operators since they tend to travel at night.
AIR.E.1.6.c	Is slot trading in the modality of barter trade (i.e. slots exchanged on a one-to-one basis) allowed?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.d	Is slot trading in the modality of monetary trade allowed (i.e. air carriers allowed to commercially exchange slots)?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.e	Are airlines allowed to self-handle?	Y/N	?	?			
AIR.E.1.6.f	Are airlines allowed to mutually-handle?	Y/N	?	?			
AIR.E.1.6.g	Is third-party handling allowed?	Y/N	?	?			
AIR.E.1.6.g.1	If yes, are there limits on the number of third-party handlers (depending on airport's sizes)?	Y/N	?	?			
Air.E.1.6.h	Are there any other restrictions on cargo-handling? If yes please describe if those apply to self, mutual or third-party handling.	Y/N	?	?			
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

### E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
TRA.E.3.1.2.a	Are carrier alliances/agreements exempt from competition law?	Y/N	?	?			Relates to instances where the regulation exempts from the national anti-trust law agreements between carriers which may limit competition in the sector. This includes arrangements to collectively set tariffs
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Air freight international services

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

#### B.1 Form of entry

AIR.B.3.2	Is there any BASA that grants 8th and 9th Freedom?	Y/N					Eighth freedom: the right or privilege, in respect of scheduled international air services, of transporting cabotage traffic between two points in the territory of the granting State on a service which originates or terminates in the home country of the foreign carrier or (in connection with the so-called Seventh Freedom of the Air) outside the territory of the granting State (also known as an Eighth Freedom Right or "consecutive cabotage"). Ninth freedom: - the right or privilege of transporting cabotage traffic of the granting State on a service performed entirely within the territory of the granting State (also known as a Ninth Freedom Right or "stand alone" cabotage).
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Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

### C.2 Quantitative limits

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - Minimum percentage required for cabin crew - Minimum percentage required for ground staff - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
AIRFint.C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N	?	?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
AIRFint.C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N	?	?			

#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above - Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?					Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?		Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?		Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?		Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?		Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?  - Employees of foreign-based service suppliers or contractual services suppliers (CSS)  - Independent professionals (IP)  - Intra-Corporate Transferees (ICT)  - Other foreign natural persons to work as employees of a local firm	tick  tick  tick  tick		?  ?  ?  ?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.  Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.  Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
AIR.E.1.5.a	Are contracts for universal service obligations awarded through competitive bidding?	Y/N	?	?			
AIR.E.1.6.a	How are slots allocated? Please select  <ul style="list-style-type: none"> <li>- Grandfathering: Air carriers are allowed to retain already allocated slots from one season to the next</li> <li>- First come first served: There is no administrative system in place and air carriers are allowed to schedule their flights simply taking into account expected delays at the busier airports</li> <li>- Auctioning: Slots are given to the highest bidder in an auction scheme organised by the authorities</li> <li>- Discretionary allocation: Slots are allocated at the discretion of airport and other authorities or incumbent carriers</li> <li>- Other allocation: Allocation schemes which cannot be classified under any of the categories above, or combinations of these categories</li> <li>- None of the above</li> <li>- Other</li> </ul>	      	      	      			This question concerns the administration of airport take-off and landing slots (entitlement to use a runway at a given time), in relation to the initial allocation process (primary allocation).
AIR.E.1.6.b	Are schedules for airport use restricted?	Y/N	?	?			This question concerns limits on time/schedules for airport use, including total curfews. It is more relevant for all-cargo carriers and integrated express operators since they tend to travel at night.
AIR.E.1.6.c	Is slot trading in the modality of barter trade (i.e. slots exchanged on a one-to-one basis) allowed?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.d	Is slot trading in the modality of monetary trade allowed (i.e. air carriers allowed to commercially exchange slots)?	Y/N	?	?			Slot trading concerns secondary trading.
AIR.E.1.6.e	Are airlines allowed to self-handle?	Y/N	?	?			
AIR.E.1.6.f	Are airlines allowed to mutually-handle?	Y/N	?	?			
AIR.E.1.6.g	Is third-party handling allowed?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
AIR.E.1.6.g.1	If yes, are there limits on the number of third-party handlers (depending on airport's sizes)?	Y/N	?	?			
Air.E.1.6.h	Are there any other restrictions on cargo-handling? If yes please describe if those apply to self, mutual or third-party handling.	Y/N	?	?			
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

## E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			
TRA.E.3.1.2.a	Are carrier alliances/agreements exempt from competition law?	Y/N	?	?			Relates to instances where the regulation exempts from the national anti-trust law agreements between carriers which may limit competition in the sector. This includes arrangements to collectively set tariffs
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

Question	Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
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**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					<p>International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box.</p> <p>For air transport, these questions should for instance capture whether your jurisdiction has adopted the international standards and recommended practices adopted by the International Civil Aviation Organisation (ICAO) following Article 37 of the Chicago Convention.</p>
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Rail freight transport domestic and international

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

#### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
RAI.B.2.3	Are there any of the following access rights for rail transport:						<p>Cross-border supply of rail transport requires granting access rights to rail firms from foreign countries. The following types of rights can be granted for the purpose of international transport:</p> <p>Transit rights for international rail transport: rail companies from other countries are granted transit rights (without loading or unloading of goods).</p> <p>Access rights for international combined transport: rail companies from other countries are granted access to the infrastructure for the rail transport leg of the route, which is then continued by other modes of transport. Access rights for international rail transport: Access rights are granted to rail companies from foreign countries to the network of the country in question for the purpose of operating international cargo services. Access rights for rail transport: Access rights are granted to rail companies from foreign countries to the network of the country in question for the purpose of operating domestic cargo services (cabotage).</p>
	- International rail transport	tick	?	?			
	- International combined transport	tick	?	?			
	- Transit rights for international rail transport	tick	?	?			
	- Other access rights	tick	?	?			
	- Other						
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**B.3 Operations**

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels.
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

## C. COMMERCIAL PRESENCE CONDITIONS

### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (If not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time). If yes, explain. In the specific case of railway companies measures leading to the complete or partial cancellation of debts specifically in favour of a domestic carrier are also considered discriminatory towards foreign railway operators. In the context of vertical separation, however, when infrastructure is open to competing operators in a fair and non-discriminatory manner and access rates are regulated, public aid for the infrastructure is not aid to the service providers and thus, it is not considered a rail subsidy.
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			In the specific case of railway companies measures leading to the complete or partial cancellation of debts specifically in favour of a domestic carrier are also considered discriminatory towards foreign railway operators. In the context of vertical separation, however, when infrastructure is open to competing operators in a fair and non-

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D. PRESENCE OF NATURAL PERSONS CONDITIONS****D.1 Form of entry**

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?					Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?		Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?		Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?		Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?		Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	tick		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?  - Employees of foreign-based service suppliers or contractual services suppliers (CSS)  - Independent professionals (IP)  - Intra-Corporate Transferees (ICT)  - Other foreign natural persons to work as employees of a local firm	tick  tick  tick  tick		?  ?  ?  ?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.  Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.  Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			<p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
RAI.E.1.3.a	Are rail fares regulated?	Y/N					
RAI.E.1.3.b	Are confidential contracts allowed?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
RAI.E.1.3.c	Are access fees regulated?	Y/N					In a vertically separated model, this refers to an obligation for the infrastructure manager to charge reasonable and non-discriminatory fees for the use of railway infrastructure, while taking into account infrastructure expenditure by the infrastructure manager. Fees should not discriminate between railway operating companies. This is achieved by ensuring that comparable services in the same market segments are subject to the same charges. In a vertically integrated structure, the measure refers to regulations of fees for running or trackage rights when these are mandated.
RAI.E.1.3.d	Are interswitching rates regulated?	Y/N					he regulation determines the maximum rate for interswitching, or is empowered to regulate rates ex post. This applies in a vertically integrated model.
RAI.E.1.3.e	Are rates for terminal running rights regulated?	Y/N					In a vertically separated model, terminal access rates can be charged separately or can form part of the general access fees. In a vertically integrated structure, the regulatory body adopts regulation that determines the maximum rate for terminal running rights, or is empowered to regulate rates ex post.
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are
MAR.E.1.6.b	Are there any restrictions on maritime auxiliary services?	Y/N	?	?			<i>Restrictions on cargo-handling, storage and warehouse services, container station and depot services, auxiliary services serving own-ships, obligation to use local maritime port agent, restrictions on sales and marketing and organising the ship's call.</i>
TRA.E.1.6.a	Are there restrictions on cargo-handling?	Y/N	?	?			
RAI.E.1.6.b.a	Is interoperability/interlinking required?	Y/N	?	?			By interoperability/interlinking is meant a process aimed at easing technical barriers that can arise from equipment or running of trains between countries. It provides for common technical specifications, compatibility of infrastructure and rolling stocks.



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
RAI.E.1.6.b.b	Is interswitching mandated?	Y/N	?	?			Interswitching refers to a service performed by railway companies amongst themselves, whereby the wagons, in which traffic is carried, are delivered to or picked up from other proximity carriers in the origin or destination of a movement. Interswitching is either required or the regulation provides the transport authority the ability to do so. This applies in a vertically integrated model.
RAI.E.1.6.c	Is track access for supply of services to ports mandated?	Y/N	?	?			Track access is mandated or running rights must be granted to and from ports and related facilities, including feeder lines.
RAI.E.1.6.d	Is track access for supply of services to terminals mandated?	Y/N	?	?			The regulation mandates track access to terminals that can serve more than one final customer and to other facilities, including feeder lines. In a vertically integrated structure, the regulation requires – or provides the regulatory authority the ability to do so – that terminal facilities owned by one carrier be used by another carrier.
RAI.E.1.6.e	Is the publication and filing of rail fares required?	Y/N					
RAI.E.1.6.f	Are access fees and conditions developed and made public in advance?	Y/N					Fee regulation typically calls on infrastructure managers or owners to develop and publish in advance a statement on the nature of the infrastructure that will be made available and the fee terms and conditions for accessing the infrastructure. Such statements should be made available at least three months in advance of the deadline for requests for infrastructure capacity.
RAI.E.1.6.g	Are running rights mandated?	Y/N	?	?			In a vertically integrated model, running or trackage rights require railway companies to permit other railway operators to move over any portion of their tracks. Running rights are either required or the regulation provides the transport authority the ability to do so, for instance, in order to promote competition on the market pursuant a merger between two or more dominant suppliers. This question also captures when running rights are mandated only over segments of another railway's tracks that constitute a bottleneck.
RAI.E.1.6.h	Are terminal running rights imposed?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
RAI.E.1.6.i	Are bottleneck services regulated?	Y/N	?	?			In a vertically integrated model, the bottleneck services issue involves a situation where only one carrier serves a portion of a route, while more than one carrier could be involved in providing rail services from origin to destination. These bottleneck rates are sometimes referred to as 'competitive line rates'. In a vertically separated structure, bottlenecks are regulated as part of the generic regulations on access to the infrastructure, fees, and capacity. Only regulations imposing additional conditions or restrictions specific to bottlenecks will be recorded.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

## E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N		?			This refers to instances where railway agreements are granted anti-trust immunity and therefore exempted from national competition law. Examples of such agreements are those arising between train operators, suppliers of railway services or also between facilities owners to restrict access to third parties, and have as final effect that of preventing, restricting or distorting competition in the railway sector.
TRA.E.3.1.2.a	Are carrier agreements exempt from competition law?	Y/N	?	?			Relates to instances where the regulation exempts from the national anti-trust law agreements between carriers which may limit competition in the sector. This includes arrangements to collectively set tariffs
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners. This entails the separation the management of railway infrastructure and operation from the provision of rail services, and can take the form of accounting separation, organisational or institutional. This is separate from a vertically integrated model, where the undertakings owning the infrastructure are also the ones providing the services. In a vertically separated structure, the management of rail infrastructure is typically entrusted to one or more entities that grant access to operators to the core rail network but do not provide services themselves.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
RAI.E.3.3.a	Is access capacity regulated?	Y/N					Infrastructure managers or owners are required to establish a capacity allocation process which is fair and non-discriminatory. The regulation typically covers matters such as due process in application for capacity by different firms, a coordination process to ensure the best possible matching of capacity requests, and rules to follow in cases of congested infrastructure and capacity enhancement plans.
RAI.E.3.3.b	Is competitive entry or exit allowed?	Y/N		?			
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
RAI.E.3.7.a	Is access to railway infrastructure mandated at national level?	Y/N					In a vertically separated model, regulation ensures that enterprises, including foreign ones, are granted access on equitable conditions to the rail infrastructure for the purpose of operating national rail transport. This is a measure affecting the establishment of foreign companies in the domestic market.
RAI.E.3.7.b	Is there monopoly on the infrastructure?	Y/N					
RAI.E.3.7.c	Is the independence of infrastructure managers required?	Y/N					
RAI.E.3.7.d	Is the transfer of public funds between services and infrastructure management activities prohibited?	Y/N					
RAI.E.3.7.e	Is transfer or trading of infrastructure capacity prohibited?	Y/N					The capacity allocated to one railway operator may not be transferred to another firm or service. This applies in a vertically separated model.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
RAI.E.3.7.f	Are functions relating to infrastructure access provided by rail firms?	Y/N					
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.t. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then the it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box.
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
RAI.E.4.7.a	Can decisions of the infrastructure manager be appealed?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Road freight transport domestic and international

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

#### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**B.3 Operations**

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

## C. COMMERCIAL PRESENCE CONDITIONS

### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - None of the above - Other	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - None of the above - Other	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers. Given that local content requirement can be found in multiple sectors, we decided to include this question systematically to make sure that we do not overlook any information, as well as ensure that we obtain comparable information across sectors, as relevant. A local content requirement would cover cases where companies (e.g. road freight firms) established in your jurisdiction are required to source some of their inputs locally (e.g. locally manufactured trucks or petrol, subcontracting to local companies, use of local transport auxiliary services).
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			



Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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## D. PRESENCE OF NATURAL PERSONS CONDITIONS

### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
ROA.D.1.1.a	Are foreign drivers permitted to transport cargo/passengers in a host country?	Y/N		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
D.1.2.a	<p>Is there a residency requirement for those categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>

**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.</p>
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.4 Operations**

D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
ROA.D.4.2.a	Is there a limitation on a number of days a foreign driver may stay in a host country?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
ROA.E.1.3.a	Are retail prices of road freight services regulated?	Y/N					Price regulation in domestic road transport may be put in place to protect railways from the threat posed by road transport competition. Typically, rates are set or road freight operators cannot charge fees below a certain amount.
ROA.E.1.3.b	Do Government pricing guidelines exist for road freight companies?	Y/N					Although the government ceases to set mandatory prices, it still provides guidelines on recommended prices for operators.
ROA.E.1.3.c	Are freight carriers required to file tariffs?	Y/N					Requirements to file prices with the transport authorities for the transport of freight represent an additional component of price regulation, and it is maintained in some countries.
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
TRA.E.1.6.a	Are there restrictions on cargo-handling?	Y/N	?	?			
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?          - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	tick					E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

### E.3 Competition policy

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N	?	?			
TRA.E.3.1.2.a	Are carrier alliances/agreements exempt from competition law?	Y/N	?	?			Relates to instances where the regulation exempts from the national anti-trust law agreements between carriers which may limit competition in the sector. This includes arrangements to collectively set tariffs
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.3	Is accounting, functional or legal separation of vertically linked services activities required?	Y/N					Separate legal entity: It refers to an entity with some of the same rights in law as a person but that is separate from its owners (shareholders). It is, for example, able to enter contracts in the name of the company, not the shareholders, and it can be sued. Sole traders and partnerships are not separate (legal entities) from the owners.
E.3.4	Does the government control at least one major firm in the sector?	Y/N					
E.3.5	Are publicly-controlled firms excluded or exempt from general competition law?	Y/N					
E.3.5.1	Do national, state or provincial governments have special voting rights (e.g. golden shares) in any firm(s) in the sector?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there a least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce .

#### E.4 Administrative procedures and regulatory transparency

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			



Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. Road freight transport: Permits to undertake road freight transport in the domestic market may be based on qualitative criteria, such as vehicle weights and dimensions or driving times and other safety considerations. Examples of relevant standards for the road freight sector are those stipulated in the context of the United Nations Economic Commission for Europe (UNECE) on dangerous or perishable goods, as well as on driving and rest times. These include the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR); the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such carriage (ATP); and the European
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Accounting services

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

#### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
B.1.2	Are there restrictions on franchising?	Y/N	?	?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**B.3 Operations**

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
PRO.C.1.1.4.3.a	Does the equity restriction apply to non-locally licensed professionals/firms?	Y/N		?			
PRO.C.1.1.4.3.b	Is it required that the majority of shareholders be locally licensed?	Y/N		?			
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.5	Is sole foreign proprietorship allowed?	Y/N		?			
C.1.1.4.6	Is partnership with a foreigner allowed?	Y/N		?			
PRO.C.1.1.4.6.a	Is commercial association prohibited between fully integrated practitioners and other professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives. Can also be referred to restrictions on inter-professional or multidisciplinary cooperation. Entails a prohibition on commercial association with other professions (e.g. lawyers), also named restrictions on inter-professional or multidisciplinary cooperation.
PRO.C.1.1.4.6.b	Is commercial association prohibited between not fully integrated practitioners and fully integrated professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives.
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.1	Is a limited or temporary licensing system available (e.g. for a specific contract)?	Y/N	?	?			Foreign accountants licensed in their home country may establish temporarily to carry out specific projects or to "consult", including on professional business incidental to their regular practice in their home country.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
PRO.C.4.3.a	Is the use of foreign firm names allowed if used alongside that of a local partner?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	<ul style="list-style-type: none"> <li>- Majority must be residents</li> <li>- At least one must be a locally-licensed professional</li> <li>- Majority must be locally-licensed professionals</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick tick	? ? ? ?	? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select <ul style="list-style-type: none"> <li>- Managers must be nationals</li> <li>- Managers must be residents</li> <li>- Manager must be locally-licensed professional</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick tick	? ? ? ?	? ? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select <ul style="list-style-type: none"> <li>- Minimum number required</li> <li>- Minimum percentage required</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick	? ? ?	? ? ?			
PRO.C.4.6.a	Is the hiring of locally-licensed professionals as employees permitted?	Y/N	?	?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

## D. PRESENCE OF NATURAL PERSONS CONDITIONS

### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
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Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above - Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?					Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?		Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?		Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?		Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?		Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	tick		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

### D.3 Licensing/registration/qualifications

D.3.1	Is registration required to enter the market?	Y/N	?	?			
D.3.2	Is a work permit required to supply this service in the domestic market?		?	?			
D.3.3	Is a license required to supply a service in the domestic market (e.g. for a professional to practice)?	Y/N	?	?			If yes, please describe for each category of person which are allowed.  Licence: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. Licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
D.3.3.1	Is a limited or temporary licensing system available (e.g. for a specific consultancy or contract)?	Y/N	?	?			
D.3.3.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					
D.3.3.3	What are the licensing requirements? - Nationality or citizenship requirement - Prior or permanent residency requirement - Domicile requirement - Other licensing requirements	tick tick tick tick	? ? ? ?	? ? ? ?			
D.3.3.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
D.3.3.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
D.3.3.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
D.3.3.6.1	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
D.3.3.7	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.3.3.8	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
D.3.3.9	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
D.3.3.10	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
D.3.3.11	Is there monitoring of compliance with license requirements during the license term?	Y/N					
PRO.D.3.3.a	Do foreign natural persons have to take additional domestic education in order to work or practice in the country?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.b	How many years of training or work experience are required?	Number	?	?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c	Is there recognition of foreign education and training/work experience?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.1	Do laws or regulations establish a process for recognising higher education degrees earned abroad?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.2	Is it necessary for foreign natural persons to pass a professional exam in the host country?	Y/N		?			If yes, please describe for each category of person which are allowed.
D.3.4	Are there other conditions on licensing/permits/registration/qualifications relating to market entry?	Y/N		?			If yes, please describe for each category of person which are allowed.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.4 Operations**

D.4.1	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	<p>Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
PRO.D.4.4.a	Is membership in professional associations closed to foreigners?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.5	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
D.4.5.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N					E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there at least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce. In the case of accountancy, industry representatives could for instance include associations of accountants and accountancy firms.

**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. Accounting services: These include basically those issued by the International Federation of Accountants (IFAC).
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Auditing services

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS

#### B.1 Form of entry

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
B.1.2	Are there restrictions on franchising?	Y/N	?	?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

### B.3 Operations

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

## C. COMMERCIAL PRESENCE CONDITIONS

### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
PRO.C.1.1.4.3.a	Does the equity restriction apply to non-locally licensed professionals/firms?	Y/N		?			
PRO.C.1.1.4.3.b	Is it required that the majority of shareholders be locally licensed?	Y/N		?			
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.5	Is sole foreign proprietorship allowed?	Y/N		?			
C.1.1.4.6	Is partnership with a foreigner allowed?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
PRO.C.1.1.4.6.a	Is commercial association prohibited between fully integrated practitioners and other professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives. Can also be referred to restrictions on inter-professional or multidisciplinary cooperation. Entails a prohibition on commercial association with other professions (e.g. lawyers), also named restrictions on inter-professional or multidisciplinary cooperation.
PRO.C.1.1.4.6.b	Is commercial association prohibited between not fully integrated practitioners and fully integrated professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives.
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

### C.2 Quantitative limits

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

### C.3 Licensing/registration

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.1	Is a limited or temporary licensing system available (e.g. for a specific contract)?	Y/N	?	?			Foreign accountants licensed in their home country may establish temporarily to carry out specific projects or to "consult", including on professional business incidental to their regular practice in their home country.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
PRO.C.4.3.a	Is the use of foreign firm names allowed if used alongside that of a local partner?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - At least one must be a locally-licensed professional - Majority must be locally-licensed professionals - None of the above - Other	tick tick tick tick tick tick tick	? ? ? ? ? ? ?	? ? ? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - Manager must be locally-licensed professional - None of the above - Other	tick tick tick tick	? ? ? ?	? ? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required	tick tick	? ?	? ?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- None of the above - Other	tick	?	?			
PRO.C.4.6.a	Is the hiring of locally-licensed professionals as employees permitted?	Y/N	?	?			
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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#### D. PRESENCE OF NATURAL PERSONS CONDITIONS

##### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

#### D.2 Quantitative limits

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

### D.3 Licensing/registration/qualifications

D.3.1	Is registration required to enter the market?	Y/N	?	?			
D.3.2	Is a work permit required to supply this service in the domestic market?	Y/N	?	?			
D.3.3	Is a license required to supply a service in the domestic market (e.g. for a professional to practice)?	Y/N	?	?			If yes, please describe for each category of person which are allowed.  Licence: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. Licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
D.3.3.1	Is a limited or temporary licensing system available (e.g. for a specific consultancy or contract)?	Y/N	?	?			
D.3.3.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					
D.3.3.3	What are the licensing requirements? - Nationality or citizenship requirement - Prior or permanent residency requirement - Domicile requirement - Other licensing requirements	tick tick tick tick	? ? ? ?	? ? ? ?			
D.3.3.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
D.3.3.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
D.3.3.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
D.3.3.6.1	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
D.3.3.7	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.3.3.8	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
D.3.3.9	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
D.3.3.10	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
D.3.3.11	Is there monitoring of compliance with license requirements during the license term?	Y/N					
PRO.D.3.3.a	Do foreign natural persons have to take additional domestic education in order to work or practice in the country?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.b	How many years of training or work experience are required?	Number	?	?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c	Is there recognition of foreign education and training/work experience?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.1	Do laws or regulations establish a process for recognising higher education degrees earned abroad?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.2	Is it necessary for foreign natural persons to pass a professional exam in the host country?	Y/N		?			If yes, please describe for each category of person which are allowed.
D.3.4	Are there other conditions on licensing/permits/registration/qualifications relating to market entry?	Y/N		?			If yes, please describe for each category of person which are allowed.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.4 Operations**

D.4.1	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	<p>Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
PRO.D.4.4.a	Is membership in professional associations closed to foreigners?	Y/N		?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.5	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
D.4.5.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders '- Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N					E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there at least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce.

**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box. For auditing the international standards on auditing relate directly to the professional practice of auditors. They have the objective to ensure high quality of auditing, review, other assurance, quality control and related services. These include basically those issued by the IAASB.
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## Legal services: advice on domestic law

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### A. REGULATORY AUTHORITY

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### C. COMMERCIAL PRESENCE CONDITIONS

#### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
PRO.C.1.1.4.3.a	Does the equity restriction apply to non-locally licensed professionals/firms?	Y/N		?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
PRO.C.1.1.4.3.b	Is it required that the majority of shareholders be locally licensed?	Y/N		?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.5	Is sole foreign proprietorship allowed?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.6	Is partnership with a foreigner allowed?	Y/N		?			
PRO.C.1.1.4.6.a	Is commercial association prohibited between fully integrated practitioners and other professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives. Can also be referred to restrictions on inter-professional or multidisciplinary cooperation. Entails a prohibition on commercial association with other professions (e.g. accountants), also named restrictions on inter-professional or multidisciplinary cooperation.
PRO.C.1.1.4.6.b	Is commercial association prohibited between not fully integrated practitioners and fully integrated professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives.
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission.
BAN.C.3.2.a	In the licensing and authorization process, is each ATM considered as a separate branch?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.1	Is a limited or temporary licensing system available (e.g. for a specific contract)?	Y/N	?	?			This question covers cases where foreign law firms may be authorised temporary establishment to carry-out a specific project or to advise in some areas of legal services. The entry is "Yes" only where the regulation explicitly provides for such temporary licensing. A limited license generally allows foreign lawyers to provide advisory legal services in home-country law, international law and where qualified third-country law, as well as a right to appear in international commercial arbitration. The right to practice host-country law is generally excluded. Only if a limited or temporary license system exists for advice on host country law exists, indicate "yes".
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
PRO.C.4.3.a	Is the use of foreign firm names allowed if used alongside that of a local partner?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - At least one must be a locally-licensed professional - Majority must be locally-licensed professionals - None of the above - Other	tick tick tick tick tick tick tick	? ? ? ? ? ? ?	? ? ? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - Manager must be locally-licensed professional - None of the above - Other	tick tick tick tick	? ? ? ?	? ? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required	tick tick	? ?	? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- None of the above - Other	tick tick	? ?	? ?			
PRO.C.4.6.a	Is the hiring of locally-licensed professionals as employees permitted?	Y/N	?	?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

## D. PRESENCE OF NATURAL PERSONS CONDITIONS

### D.1 Form of entry

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N		?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country. Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts. Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country. Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.2 Quantitative limits**

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?					Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?		Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?		Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?		Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?		Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			
	- Independent professionals (IP)	tick		?			
	- Intra-Corporate Transferees (ICT)	tick		?			
	- Other foreign natural persons to work as employees of a local firm	tick		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

### D.3 Licensing/registration/qualifications

D.3.1	Is registration required to enter the market?	Y/N	?	?			
D.3.2	Is a work permit required to supply this service in the domestic market?	Y/N	?	?			
D.3.3	Is a license required to supply a service in the domestic market (e.g. for a professional to practice)?	Y/N	?	?			If yes, please describe for each category of person which are allowed.  Licence: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. Licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
D.3.3.1	Is a limited or temporary licensing system available (e.g. for a specific consultancy or contract)?	Y/N	?	?			
D.3.3.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					
D.3.3.3	What are the licensing requirements? - Nationality or citizenship requirement - Prior or permanent residency requirement - Domicile requirement - Domicile requirement for license to practice as a fully integrated lawyer - Other licensing requirements	tick tick tick tick tick	? ? ? ? ?	? ? ? ? ?			
D.3.3.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
D.3.3.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
D.3.3.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
D.3.3.6.1	If a licence is needed, is there a fee to be paid?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.3.3.7	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
D.3.3.8	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
D.3.3.9	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
D.3.3.10	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
D.3.3.11	Is there monitoring of compliance with license requirements during the license term?	Y/N					
PRO.D.3.3.a	Do foreign natural persons have to take additional domestic education in order to work or practice in the country?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.b	How many years of training or work experience are required?	Number	?	?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c	Is there recognition of foreign education and training/work experience?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.1	Do laws or regulations establish a process for recognising higher education degrees earned abroad?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.2	Is it necessary for foreign natural persons to pass a professional exam in the host country?	Y/N		?			If yes, please describe for each category of person which are allowed.
D.3.4	Are there other conditions on licensing/permits/registration/qualifications relating to market entry?	Y/N		?			If yes, please describe for each category of person which are allowed.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.4 Operations**

D.4.1	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?  - Employees of foreign-based service suppliers or contractual services suppliers (CSS)  - Independent professionals (IP)  - Intra-Corporate Transferees (ICT)  - Other foreign natural persons to work as employees of a local firm	  tick  tick  tick  tick		  ?  ?  ?  ?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.  Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.  Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.  Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	<p>Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
PRO.D.4.4.a	Is membership in professional associations closed to foreigners?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.5	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
D.4.5.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there at least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce.

**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box.
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

## **Legal services: representation services on domestic law**

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

### **A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

### **C. COMMERCIAL PRESENCE CONDITIONS**

#### **C.1 Form of entry**

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
PRO.C.1.1.4.3.a	Does the equity restriction apply to non-locally licensed professionals/firms?	Y/N		?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
PRO.C.1.1.4.3.b	Is it required that the majority of shareholders be locally licensed?	Y/N		?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (if not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.5	Is sole foreign proprietorship allowed?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.6	Is partnership with a foreigner allowed?	Y/N		?			
PRO.C.1.1.4.6.a	Is commercial association prohibited between fully integrated practitioners and other professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives. Can also be referred to restrictions on inter-professional or multidisciplinary cooperation. Entails a prohibition on commercial association with other professions (e.g. accountants), also named restrictions on inter-professional or multidisciplinary cooperation.
PRO.C.1.1.4.6.b	Is commercial association prohibited between not fully integrated practitioners and fully integrated professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives.
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.1	Is a limited or temporary licensing system available (e.g. for a specific contract)?	Y/N	?	?			This question covers cases where foreign law firms may be authorised temporary establishment to carry-out a specific project or to advise in some areas of legal services. The entry is "Yes" only where the regulation explicitly provides for such temporary licensing. A limited license generally allows foreign lawyers to provide advisory and/or representation legal services in home-country law, international law and where qualified third-country law, as well as a right to appear in international commercial arbitration. The right to practice host-country law is generally excluded. Only indicate "yes" if a limited or temporary license system exists for representation on host country law.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

**C.4 Operations**

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
PRO.C.4.3.a	Is the use of foreign firm names allowed if used alongside that of a local partner?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select - At least one must be national - Majority must be nationals - At least one must be resident - Majority must be residents - At least one must be a locally-licensed professional - Majority must be locally-licensed professionals - None of the above - Other	tick tick tick tick tick tick tick	? ? ? ? ? ? ?	? ? ? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select - Managers must be nationals - Managers must be residents - Manager must be locally-licensed professional - None of the above - Other	tick tick tick tick	? ? ? ?	? ? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select - Minimum number required - Minimum percentage required - None of the above - Other	tick tick tick	? ? ?	? ? ?			
PRO.C.4.6.a	Is the hiring of locally-licensed professionals as employees permitted?	Y/N	?	?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D. PRESENCE OF NATURAL PERSONS CONDITIONS****D.1 Form of entry**

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other	tick		?			
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to capture any requirement that these persons be resident in the country for a certain period of time (e.g. 3 months, 6 months, 12 months) before being allowed to supply services in your jurisdiction (e.g. independent professionals and contractual service suppliers) or to work as an intra-corporate transferees or other types of employees of firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
<b>D.2 Quantitative limits</b>							
D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	tick		?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.3 Licensing/registration/qualifications**

D.3.1	Is registration required to enter the market?	Y/N	?	?			
D.3.2	Is a work permit required to supply this service in the domestic market?		?	?			
D.3.3	Is a license required to supply a service in the domestic market (e.g. for a professional to practice)?	Y/N	?	?			If yes, please describe for each category of person which are allowed.  Licence: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. Licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
D.3.3.1	Is a limited or temporary licensing system available (e.g. for a specific consultancy or contract)?	Y/N	?	?			This question covers cases where foreign lawyers may be authorised temporary entry to carry-out a specific project or to advice in some areas of legal services. The entry is "Yes" only where the regulation explicitly provides for such temporary licensing. A limited license generally allows foreign lawyers to provide advisory legal services in home-country law, international law and where qualified third-country law, as well as a right to appear in international commercial arbitration. The right to practice host-country law is generally excluded. Only if a limited or temporary license system exists for advice on host country law exists, indicate "yes".
D.3.3.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					
D.3.3.3	What are the licensing requirements? - Nationality or citizenship requirement - Prior or permanent residency requirement - Domicile requirement	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Domicile requirement for license to practice as a fully integrated lawyer	tick	?	?			
	- Other licensing requirements	tick	?	?			
D.3.3.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
D.3.3.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
D.3.3.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
D.3.3.6.1	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
D.3.3.7	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
D.3.3.8	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
D.3.3.9	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
D.3.3.10	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
D.3.3.11	Is there monitoring of compliance with license requirements during the license term?	Y/N					
PRO.D.3.3.a	Do foreign natural persons have to take additional domestic education in order to work or practice in the country?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.b	How many years of training or work experience are required?	Number	?	?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c	Is there recognition of foreign education and training/work experience?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.1	Do laws or regulations establish a process for recognising higher education degrees earned abroad?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.2	Is it necessary for foreign natural persons to pass a professional exam in the host country?	Y/N		?			If yes, please describe for each category of person which are allowed.
D.3.4	Are there other conditions on licensing/permits/registration/qualifications relating to market entry?	Y/N		?			If yes, please describe for each category of person which are allowed.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.4 Operations**

D.4.1	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
D.4.2	<p>What is the duration of stay initially allowed for the following categories of foreign natural persons?</p> <ul style="list-style-type: none"> <li>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</li> <li>- Independent professionals (IP)</li> <li>- Intra-Corporate Transferees (ICT)</li> <li>- Other foreign natural persons to work as employees of a local firm</li> </ul>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	<p>Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
PRO.D.4.4.a	Is membership in professional associations closed to foreigners?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.5	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
D.4.5.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there at least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce.

**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					

**Legal services: advice on foreign law**

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
GEN	Is this sector covered by a specific policy or regulation in your country? Please choose one of the following and provide the names of the applicable regulation or policy						
GEN.a	- This sector is primarily regulated by the following policy or regulation (name and date): (Please complete this section based on this policy/regulation)	Y/N					
GEN.b	- This sector is primarily regulated by the country's overall Foreign Direct Investment law or other general laws (name and date): Please complete this section based on this policy/regulation	Y/N					
GEN.c	- No regulation or policy governs this sector; but in practice foreign service providers CAN provide services	Y/N					
GEN.d	- No regulation or policy governs this sector; but in practice foreign service providers CANNOT provide services	Y/N					
GEN.e	- Other: (Please explain your choice)	Y/N					

**A. REGULATORY AUTHORITY**

A.1	Does a regulatory authority exist for the sector?	Y/N					
A.2	Is the regulatory authority independent from service supplier(s)?	Y/N					
A.3	Is the regulatory authority independent from the sector ministry?	Y/N					

**B. CROSS-BORDER SUPPLY AND FRANCHISING CONDITIONS****B.1 Form of entry**

B.1.1	Is cross-border supply of services in this sector allowed? (if only one or few services are allowed, please reply "yes").	Y/N		?			Even if only some foreign services or foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be Yes. Cross-border supply of services (Mode 1): this is analogous to trade in goods, and arises when a service crosses a national frontier (i.e. neither the supplier nor the consumer move). For example, it covers cases where a consumer in your jurisdiction purchases software or insurance from a provider located abroad. It would also include the purchase by a consumer in your jurisdiction of transport services - such as a train ride or flight - from a provider located abroad.
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.1.1.1	If yes, can <u>all</u> services in this sector be supplied cross-border? If no, please indicate in the comments which services (from those in the definition of the sector provided) are not allowed.	Y/N		?			
B.1.1.2	If cross-border supply of services in this sector is allowed, are consumers required to demonstrate domestic unavailability of a service to be allowed to source it from abroad?	Y/N		?			
B.1.1.3	If cross-border supply of services in this sector is allowed, are consumers required to use services of a resident intermediary (such as agents, brokers etc)?	Y/N		?			
B.1.1.4	If cross-border supply of services in this sector is allowed, is commercial presence required to provide cross-border services (e.g. directly from headquarters)?	Y/N		?			Commercial presence is required in order to provide cross-border services.  This measure covers restrictions for cross-border provision of services (Mode 1) when services can only be supplied directly from headquarters or other affiliate abroad if there is a commercial presence in the host country. Commercial presence is understood here in a broad sense, ranging from an establishment set up in accordance with domestic law for the purposes of supplying a service or perform an economic activity that is capable of generating profits, regardless of the legal form (branch, limited liability company, S.A, etc..) to 'lighter' forms of presence, such as a place/address for notifications, the existence of a local server, or a local representative.
B.1.1.4.1	If yes, are there exceptions to the commercial presence requirement if services are domestically unavailable?	Y/N		?			
B.1.2	Are there restrictions on franchising?	Y/N	?	?			

**B.2 Licensing/registration**

B.2.1	Is registration required for foreign service suppliers to supply their services from abroad?	Y/N		?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.2.2	Is a license or a permit required for foreign service suppliers to supply their services from abroad?	Y/N		?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
B.2.4	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

### B.3 Operations

B.3.1	Are there any limitations imposed on the consumers purchasing/paying for services abroad on a cross-border basis? (e.g. through electronic means, limits on payments by credit cards)	Y/N		?			
B.3.2	Are there limits imposed on the scope of the service?	Y/N	?	?			At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
B.3.3	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
B.3.3.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
B.3.4	Are foreign service providers supplying on a cross-border basis required to give financial guarantees?	Y/N		?			
B.3.5	Are foreign service suppliers supplying on a cross-border basis required to contract liability insurance before starting operations?	Y/N		?			
B.3.6	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign services or service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your services or suppliers?

## C. COMMERCIAL PRESENCE CONDITIONS

### C.1 Form of entry

C.1.1	Is establishment of foreign service suppliers allowed?	Y/N		?			Even if only some foreign service suppliers originating in specific jurisdictions/countries are allowed, the answer should be yes.
C.1.1.1	Is demonstration of domestic unavailability of a service required before allowing foreign commercial presence?	Y/N		?			
C.1.1.2	Are there restrictions on establishing or operating representative offices?	Y/N		?			
C.1.1.3	Are foreigners allowed to establish a branch as the primary form of commercial presence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4	Are foreigners allowed to establish a new locally incorporated company?	Y/N		?			any type of investment in a new locally incorporated company is covered by the question (not only cases of control)
C.1.1.4.1	If the establishment of a new locally incorporated company is allowed, what is the maximum foreign ownership that is allowed?	Number		?			
C.1.1.4.1.1	Are foreign entities required to establish a joint venture (JV)?	Y/N		?			A joint venture is a contractual business undertaking between two or more parties. This question focuses on incorporated joint ventures (in fact the question seeks to identify if joint ventures are a requirement, as a follow-up to the question on the establishment of a locally incorporated company; then we ask the maximum foreign ownership allowed in a joint venture)
C.1.1.4.1.1.1	If JV is required, what is the maximum foreign ownership allowed (%)?	Number		?			
C.1.1.4.2	Are there restrictions on cross-border mergers and acquisitions?	Y/N		?			
C.1.1.4.3	Is foreign investment allowed in an existing locally incorporated company?	Y/N		?			
C.1.1.4.3.1	If yes, what is the maximum foreign ownership allowed when a domestic entity is acquired? (%)	Number		?			
C.1.1.4.3.2	If yes, are foreigners allowed to acquire a controlling stake in a domestic entity?	Y/N		?			A controlling stake or share is one that allows the foreign investor/service supplier to decide on strategic issues and/or give the general direction to the subsidiary/affiliate established in your jurisdiction. In many jurisdictions/sectors this "automatically" occurs by owning more than 50% of the capital of the subsidiary/affiliate. However in some jurisdictions/sectors this can occur while owning less than 50% of the capital. If the latter is the case, please use the comments box to explain how this takes place in your jurisdiction.
PRO.C.1.1.4.3.a	Does the equity restriction apply to non-locally licensed professionals/firms?	Y/N		?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
PRO.C.1.1.4.3.b	Is it required that the majority of shareholders be locally licensed?	Y/N		?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.1.1.4.4	What is the maximum foreign ownership allowed in a state-controlled firm? (If not allowed simply indicate 0)	Number		?			What we want to capture here is the level of foreign ownership of capital/shares allowed in a state-controlled enterprise, in other words if foreign investors can invest in a state-controlled firm, was is maximum allowed. If not allowed, simply indicate 0
C.1.1.4.5	Is sole foreign proprietorship allowed?	Y/N		?			
C.1.1.4.6	Is partnership with a foreigner allowed?	Y/N		?			
PRO.C.1.1.4.6.a	Is commercial association prohibited between fully integrated practitioners and other professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives. Can also be referred to restrictions on inter-professional or multidisciplinary cooperation. Entails a prohibition on commercial association with other professions (e.g. accountants), also named restrictions on inter-professional or multidisciplinary cooperation.
PRO.C.1.1.4.6.b	Is commercial association prohibited between not fully integrated practitioners and fully integrated professionals?	Y/N		?			The expression "Commercial association" casts the net broadly to cover the different interpretations of this term in different jurisdictions, ranging from a limited cooperation of two legally separate entities to achieve a shared objective, to the joint establishment of an affiliate company without limitation in terms of duration or objectives.
C.1.1.4.7	Are there restrictions on the type of shares or bonds held by foreign investors?	Y/N		?			
C.1.1.4.8	What is the maximum foreign ownership in local investment companies (%)?	Number		?			Countries that have foreign equity limits often distinguish between direct and indirect ownership. The purpose of this question is to capture cases where direct ownership is restricted, but non-residents are allowed to invest in local services firms (e.g. a local telecommunication company or a local bank) through minority shares in local investment companies. Maximum foreign equity limits in such investment companies should be recorded.
C.1.1.4.9	Are there other restrictions on the legal form of entry?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**C.2 Quantitative limits**

C.2.1	Are there quantitative limit(s) on the total number of suppliers or firms?	Y/N	?	?			If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
C.2.1.1	Is an ENT applied to determine the number of suppliers (including if implemented through licensing process)?	Y/N	?	?			Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.
C.2.1.2	If there are quantitative limits, are all or some of the services in this sector subject to a statutory monopoly or exclusively reserved for a specific service supplier (including government-owned)?	Y/N					

**C.3 Licensing/registration**

C.3.1	Is registration required to establish a commercial presence?	Y/N	?	?			
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Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2	Is a license or a permit required to supply a service/establish a commercial presence in the domestic market (e.g. establish a company, operating concessions)?	Y/N	?	?			Licence and permit: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. The terms license and permit are often used interchangeably, but generally, a permit describes a lighter and more temporary form of permission, while licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. For example, if a homeowner seeks to make structural additions to her property, she may have to apply for permits from local land-use and Zoning boards. These permits expire on a certain date or when the work is finished. By contrast, the contractor who completes the work will likely hold a local license that allows her to operate her business for a certain number of years. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
C.3.2.1	Is a limited or temporary licensing system available (e.g. for a specific contract)?	Y/N	?	?			This question covers cases where foreign law firms may be authorised temporary establishment to carry-out a specific project or to advise in some areas of legal services. The entry is "Yes" only where the regulation explicitly provides for such temporary licensing. A limited license generally allows foreign lawyers to provide advisory legal services in home-country law, international law and where qualified third-country law, as well as a right to appear in international commercial arbitration. The right to practice host-country law is generally excluded.
C.3.2.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					Business Plan, Minimum capital requirement, Residency requirement for board of directors and/or senior management...
C.3.2.3	What are the licensing requirements? - Minimum capital requirement - Other licensing requirements - Other	tick tick	? ?	? ?			
C.3.2.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
C.3.2.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
C.3.2.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
C.3.2.7	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
C.3.2.8	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
C.3.2.9	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
C.3.2.10	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
C.3.2.11	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
C.3.2.12	Is there monitoring of compliance with license requirements during the license term?	Y/N					
C.3.3	Are there other conditions on licensing/permits/registration relating to market entry?	Y/N		?			

#### C.4 Operations

C.4.1	Are there limits imposed on the scope of the service (i.e. than can be provided through commercial presence)?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
C.4.2	Is there any limitation/restriction on the expansion of operations (e.g. offices, outlets, sub-branches)?	Y/N	?	?			
C.4.3	Is the use of foreign firm names prohibited?	Y/N		?			
PRO.C.4.3.a	Is the use of foreign firm names allowed if used alongside that of a local partner?	Y/N		?			
C.4.4	Are there any of the following requirements for members of board of directors? Please select						

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	<ul style="list-style-type: none"> <li>- At least one must be national</li> <li>- Majority must be nationals</li> <li>- At least one must be resident</li> <li>- Majority must be residents</li> <li>- At least one must be a locally-licensed professional</li> <li>- Majority must be locally-licensed professionals</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick tick tick tick tick	? ? ? ? ? ? ?	? ? ? ? ? ? ?			
C.4.5	Are there any of the following requirements for managers? Please select <ul style="list-style-type: none"> <li>- Managers must be nationals</li> <li>- Managers must be residents</li> <li>- Manager must be locally-licensed professional</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick tick	? ? ? ?	? ? ? ?			
C.4.6	Is a minimum number or share of national employees required? Please select <ul style="list-style-type: none"> <li>- Minimum number required</li> <li>- Minimum percentage required</li> <li>- None of the above</li> <li>- Other</li> </ul>	tick tick tick	? ? ?	? ? ?			
PRO.C.4.6.a	Is the hiring of locally-licensed professionals as employees permitted?	Y/N	?	?			Hereafter, a "locally licensed" lawyer means a lawyer licensed in the host country to provide both domestic and international law. "Not locally licensed" means a professional licensed or otherwise allowed to practice only international law.
C.4.7	Are foreign suppliers subject to transfer of technology or knowledge obligations?	Y/N		?			This question seeks to capture any requirement imposed on foreign service suppliers in this sector (or through general policy/regulation) to transfer technology or knowledge to local partners or the government.
C.4.7.1	Are foreign suppliers subject to training (of local staff) requirements?	Y/N		?			
C.4.8	Are suppliers subject to export performance requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector to export a certain level of their services production.

Question		Answer	Difference in treatment as compared to national services/ suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/ regulation/ guidelines (Text/link)	Guidelines
C.4.9	Is the production of services subject to local content requirements?	Y/N	?	?			This question seeks to capture any requirement imposed on service suppliers in this sector (or through general policy/regulation) to source (some) inputs locally or to give preferences to local suppliers. A local content requirement would cover cases where companies (e.g. road freight firms) established in your jurisdiction are required to source some of their inputs locally (e.g. locally manufactured trucks or petrol, subcontracting to local companies, use of local transport auxiliary services).
C.4.10	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
C.4.11	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
C.4.11.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D. PRESENCE OF NATURAL PERSONS CONDITIONS****D.1 Form of entry**

D.1.1	Can the following categories of foreign natural persons work, practice or consult in the country?						Even if only some foreign service suppliers originating from in specific jurisdictions/countries are allowed, the answer should be yes. Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. Presence of natural persons (Mode 4): the temporary presence of foreign individuals for the purpose of providing services directly to firms or consumers of your jurisdiction or for intra-corporate movement/employment in foreign service providing firms established in your jurisdiction.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.
	- None of the above	tick		?			
	- Other						
D.1.2	Is demonstration of domestic unavailability of a service required before allowing foreign natural persons?	Y/N	?	?			
D.1.2.a	Is there a residency requirement for those categories of foreign natural persons?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

#### D.2 Quantitative limits

D.2.1	Are there quantitative limit(s) on the total number of foreign natural persons in the sector for the following categories?						Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. If there is a strict quantitative limitation, a monopoly or exclusive service suppliers, or if the number is determined by administrative procedure or an Economic Needs Test (ENT), or Labor Market Test for natural persons (Mode 4), i.e. LMT the answer should be "yes". Also note that in the case of mode 3, the number of suppliers can be restricted by the limitation on the number of licences.
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.2	Is an ENT or LMT applied to determine the number of foreign natural persons (including if implemented through licensing process)?						<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.</p> <p>Economic Needs Tests (ENTs): A set of criteria the government applies to foreign suppliers to assess their economic contribution to a sector and the country as a whole. These criteria may include but are not limited to: the belief that the foreign supplier will directly create domestic income or jobs for citizens, the assurance that the supplier will transfer technology or knowledge to citizens, and other measures of the suppliers' economic impact.</p> <p>Labor Market Tests (LMTs): Labor market tests are a sub-field of the ENTs specified in many countries. They attempt to gauge whether the labor market requires the particular skills of a foreign worker. The criteria may include but are not limited to: evidence that the employer made an attempt to recruit citizens before offering the job to the foreign worker and the existence of a worker shortage in the area of the job offer.</p>
	- Employees of foreign-based service suppliers or contractual services suppliers (CSS)	tick		?			Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.
	- Independent professionals (IP)	tick		?			Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.
	- Intra-Corporate Transferees (ICT)	tick		?			Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.
	- Other foreign natural persons to work as employees of a local firm	tick		?			Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.2.3	Is there a limit on the total number or share of foreigners <u>employed per company</u> supplying those services (covering ICTs and other foreign employees of companies established in the country, whether locally- or foreign-controlled)?	Y/N	?	?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly.

**D.3 Licensing/registration/qualifications**

D.3.1	Is registration required to enter the market?	Y/N	?	?			
D.3.2	Is a work permit required to supply this service in the domestic market?	Y/N	?	?			
D.3.3	Is a license required to supply a service in the domestic market (e.g. for a professional to practice)?	Y/N	?	?			If yes, please describe for each category of person which are allowed.  Licence: this question seeks to capture any obligation to obtain permission from a competent authority to supply a service, the absence of which would constitute an illegal act. Licenses are of a more permanent nature and are granted after fulfilling specific criteria directed at demonstrating competence in the area or service concerned. The existence of any form of authorization, regardless of the actual terminology used in your country, should be reported as answer to these questions.
D.3.3.1	Is a limited or temporary licensing system available (e.g. for a specific consultancy or contract)?	Y/N	?	?			This question covers cases where foreign lawyers may be authorised temporary entry to carry-out a specific project or to advice in some areas of legal services. The entry is "Yes" only where the regulation explicitly provides for such temporary licensing. A limited license generally allows foreign lawyers to provide advisory legal services in home-country law, international law and where qualified third-country law, as well as a right to appear in international commercial arbitration. The right to practice host-country law is generally excluded.
D.3.3.2	Are the criteria that a supplier must fulfill to obtain a license publicly available?	Y/N					
D.3.3.3	What are the licensing requirements? - Nationality or citizenship requirement - Prior or permanent residency requirement - Domicile requirement	tick tick tick	? ? ?	? ? ?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
	- Domicile requirement for license to practice as a fully integrated lawyer	tick	?	?			
	- Other licensing requirements	tick	?	?			
D.3.3.4	Is the licence allocation method/system mandated or described in any law or policy?	Y/N	?	?			
D.3.3.5	If a licence is needed, is it given automatically if publicly available criteria are fulfilled?	Y/N	?	?			
D.3.3.6	If a licence is needed, is there automatic recognition of a foreign licence?	Y/N		?			
D.3.3.6.1	If a licence is needed, is there a fee to be paid?	Y/N	?	?			
D.3.3.7	If a licence is needed are there restrictions related to the duration and renewal of licences?	Y/N	?	?			
D.3.3.8	Is there a single window for submission of applications?	Y/N	?	?			Single window is understood as a centralized place/website where the complete licence application can be filed, irrespective of the number of agencies involved in the licensing process.
D.3.3.9	Is the licensing authority required to make the licensing decision within a certain period of time?	Y/N	?	?			
D.3.3.10	Is the authority that issues the license or authorization obliged by law or its own rules to inform applicants of the reasons for rejection of a license?	Y/N					
D.3.3.11	Is there monitoring of compliance with license requirements during the license term?	Y/N					
PRO.D.3.3.a	Do foreign natural persons have to take additional domestic education in order to work or practice in the country?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.b	How many years of training or work experience are required?	Number	?	?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c	Is there recognition of foreign education and training/work experience?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.1	Do laws or regulations establish a process for recognising higher education degrees earned abroad?	Y/N		?			If yes, please describe for each category of person which are allowed.
PRO.D.3.3.c.2	Is it necessary for foreign natural persons to pass a professional exam in the host country?	Y/N		?			If yes, please describe for each category of person which are allowed.
D.3.4	Are there other conditions on licensing/permits/registration/qualifications relating to market entry?	Y/N		?			If yes, please describe for each category of person which are allowed.

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**D.4 Operations**

D.4.1	Are there limits imposed on the scope of the service?	Y/N	?	?			Note: the scope of the service is understood as involving all the activities covered in the definition of the sector. If yes please indicate what is not covered. At the top of each questionnaire in the web based forms, in the instructions that were sent with the invitation to participate in the survey (together with token), as well as the discussion forum we provide the definition of the sector. If in any way the regulation for a specific mode excludes part of things covered under this definition, or the way those services are provided, then that would entail a "limit on the scope of the service". See in addition the guideline provided in questionnaires. Please, bear in mind that this question seeks to capture cases where certain services/products the supplier is not allowed to provide or the supplier is limited in the way he/she can provide the service (technology, types of vessels, etc.) - whether the LICENCE is necessary or not.
D.4.2	What is the duration of stay initially allowed for the following categories of foreign natural persons?  - Employees of foreign-based service suppliers or contractual services suppliers (CSS)  - Independent professionals (IP)  - Intra-Corporate Transferees (ICT)  - Other foreign natural persons to work as employees of a local firm	tick  tick  tick  tick		?  ?  ?  ?			Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.  Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.  Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.  Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.3	<p>Is there a minimum wage/salary or wage parity requirement for the following categories of foreign natural persons?</p> <p>- Employees of foreign-based service suppliers or contractual services suppliers (CSS)</p> <p>- Independent professionals (IP)</p> <p>- Intra-Corporate Transferees (ICT)</p> <p>- Other foreign natural persons to work as employees of a local firm</p>	<p>tick</p> <p>tick</p> <p>tick</p> <p>tick</p>		<p>?</p> <p>?</p> <p>?</p> <p>?</p>			<p>Questions on restrictions on the movement of natural persons are raised for consistency reasons across all sectors covered by this survey. Such restrictions may not be part of sector-specific legislation/regulation. However, even if regulation (e.g. immigration legislation) is of a general nature, insofar as it applies to the sector, information should be reported in this section accordingly. This question seeks to identify cases where foreigners are imposed minimum wages or wage parity requirements (whether these apply also to nationals or not). If so, the answer should be 'yes'.</p> <p>Contractual services suppliers (CSS): employees of foreign-based service suppliers that enter the country to supply services in the country to fulfill a contract in that country.</p> <p>Independent professionals: individuals that enter the country to sell services directly to firms, people, or government agencies, including to fulfill contracts.</p> <p>Intra-corporate transferees: an employee of a multinational firm transferred from an office in one country to an office in another country.</p> <p>Foreign employees: individuals that enter into an employer-employee relationship with a service firm in the host country.</p>
D.4.4	Is there a reciprocity requirement (unrelated to mutual recognition)?	Y/N					In other words, are conditions applicable to foreign service suppliers in your jurisdiction contingent upon the same treatment granted by the foreign jurisdiction to your suppliers?
PRO.D.4.4.a	Is membership in professional associations closed to foreigners?	Y/N		?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
D.4.5	Are foreign suppliers treated differently regarding taxation or subsidies? If yes, explain	Y/N		?			Discriminatory tax treatment relates to higher direct or indirect taxes charged to foreign providers of the services under consideration. Subsidies refer to government support granted only or more favorably to domestic firms. They are typically in the form of: (i) grants, (ii) loans at preferential rates, (iii) direct and indirect tax incentives, and (iv) provisions of goods or services by the government at prices below market levels. Withholding taxes should not be considered unless above the applicable tax rate. Note that in the forms we ask the questions separately for those measures that discriminate against suppliers supplying their services from abroad (e.g. cross-border or through the movement of independent professionals or contractual service suppliers), and those foreign suppliers established in the domestic market (e.g. commercial presence, or independent professionals who may be staying for long periods of time).
D.4.5.1	Are foreign suppliers treated less favourably regarding eligibility to subsidies?	Y/N		?			
D.4.6	Are there other restrictions on the movement of natural persons supplying services?	Y/N					

## E. OTHER MEASURES AFFECTING THE SUPPLY OF SERVICES

### E.1 Other market conditions on the supply of services

E.1.1	Is the approval by the regulatory authority required for new products or services?	Y/N					
E.1.2	Are there legal provisions or regulatory requirements that impose conditions on the setting of prices, fees or rates? If yes, explain	Y/N					
E.1.2.1	Is approval by the regulatory authority required for setting new rates or fees?	Y/N					
E.1.2.2	Are there recommended minimum and/or maximum prices?	Y/N					
E.1.2.3	Are there mandatory minimum and/or maximum prices?	Y/N					
E.1.4	Is advertising prohibited or otherwise subject to restrictions?	Y/N	?	?			

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.1.5	Are there universal service obligations?	Y/N	?	?			A universal service obligation would refer to cases where there are obligations (whether profitable or non-profitable) to ensure a certain level of access to services to serve the population as a whole or specific parts of the population (e.g. serve rural areas, ensure that certain vulnerable parts of the population have access to some services). These are often found for infrastructure services, but are not necessarily limited to those. Often these (universal) services obligations are a pre-condition to be able to supply other types of services in the same sector.
E.1.9	Are there subsidies or incentives for the sector?	Y/N	?	?			
E.1.10	Are there limitations on cross-border transfers by customers (e.g. for services payments or for depositing money abroad)?	Y/N		?			
E.1.11	Are there other forms of restrictions affecting operations?	Y/N	?	?			

## E.2 Conditions on government procurement

E.2.1	Is there any threshold above which tender is mandated in the following cases?  - Domestic tenders - International tenders - Never	tick tick tick					Question E.2.1 asks about the threshold above which public tenders are mandated in cases of domestic and international projects. It refers to the treatment accorded whether suppliers are national or foreign, or whether they are privately or state-owned suppliers. The term "threshold" in this case refers to the value of the contract. It asks for separate responses for domestic and international projects.
E.2.2	Are there limitations on or discrimination against foreign participation in public procurement?	Y/N		?			E.2.2 is geared towards access barriers or broader discrimination.
E.2.2.1	If yes, are these limitations explicitly stated in law or regulation?	Y/N		?			
E.2.2.2	Does the procurement process affect conditions of competition in favour of local firms?	Y/N		?			
E.2.3	Are there any preferences granted to national suppliers in government procurement?	Y/N					E.2.3 is more geared to price preferences or selection of local suppliers in case of equality of offers.
E.2.4	Is commercial presence required for supply of services for government procurement?	Y/N					The term "commercial presence" in this question refers to the presence of a foreign service supplier in the host country (i.e. in your jurisdiction).

Question	Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
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**E.3 Competition policy**

E.3.1	Does competition policy apply to activities in this sector?	Y/N					
E.3.1.1	If yes, are some of the following practices subject to penalties? - Cross-subsidisation - Price-fixing - Dumping practices - Product-tying practices - Other	tick tick tick tick tick					
E.3.1.2	Do foreign firms have redress when business practices are perceived to restrict competition?	Y/N					
E.3.1.3	Is product bundling/tying regulated?	Y/N					
E.3.2	Are proposed M&A assessed from a competition perspective?	Y/N					
E.3.5.2	Can the Government overrule decisions by the regulator?	Y/N					
E.3.6	Is a dispute resolution mechanism available?	Y/N					
E.3.7	Are there other barriers to competition?	Y/N					
E.3.7.a	Is there at least one dominant firm in the market segment considered?	Y/N					A dominant supplier is a supplier that by its size, share of the market or other particular feature, may dictate or decisively influence the terms of market transactions, e.g. prices to be charged for the supply of services. In general you may consider in the context of this questionnaire that a dominant firm is meant to be a firm which is one of the largest 10 companies in the sector in your jurisdiction, except for insurance or commercial banking where such a firm could be part of the 5 major players (more information is provided in the threads for these 2 sectors).
E.3.8	Are industry representatives involved in setting entry and pricing regulations?	Y/N					We have used 'industry representatives' in a generic way to make reference to entities (or persons) representing the position of private sector suppliers and practitioners, e.g. industry associations, professional bodies, or even chambers of commerce.

**E.4 Administrative procedures and regulatory transparency**

E.4.1	Are there procedures that give suppliers prior notice of and allow them to comment on proposed regulatory changes?	Y/N	?	?			
E.4.1.a	Are public comments procedures open to interested persons, including foreign suppliers?	Y/N		?			



Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.2	Is there a formal requirement to consider international standards/rules before setting new domestic standards?	Y/N					International/national standards refer to those of specific relevance for the sector considered. International standards have the objective of ensuring the quality of the service, as well as the fulfillment of other policy objectives, such as interoperability of suppliers or even financial stability. Modifications/adaptations introduced at the national level to cater for the specificities in a jurisdiction, provided they are within the range foreseen in the standard itself and do not therefore modify the substance of the standard, should be considered as the standard being "based on" or "similar to" the international standard. If domestic regulation do not follow the international standard in any way, then it should be considered that the national standards do not follow the international ones (i.e. that international standards are not adopted). If convergence with international standards is an objective but the convergence process is at an early stage then it should also be considered that international standards are not followed. But regulations consistent with, but going above international standards should be considered as following international standards. Any clarifications should be indicated in the comments box.

Question		Answer	Difference in treatment as compared to national services/suppliers	Preferential treatment applied to certain countries	Comments of law firm	Relevant law/regulation/guidelines (Text/link)	Guidelines
E.4.3	Do national standards deviate from international standards?	Y/N					
E.4.4	Do service suppliers have the right to appeal regulatory decisions?	Y/N	?	?			
E.4.5	Are appeal procedures publicly available?	Y/N					
E.4.6	Is there an independent authority to which an appeal could be launched?	Y/N					
E.4.7	Are there other conditions related to administrative procedures applying to foreign service providers?	Y/N		?			
E.4.8	Are there other restrictions on regulatory transparency?	Y/N					