



# OECD Services Trade Restrictiveness Index (STRI)

## SPAIN – 2022

### Key findings

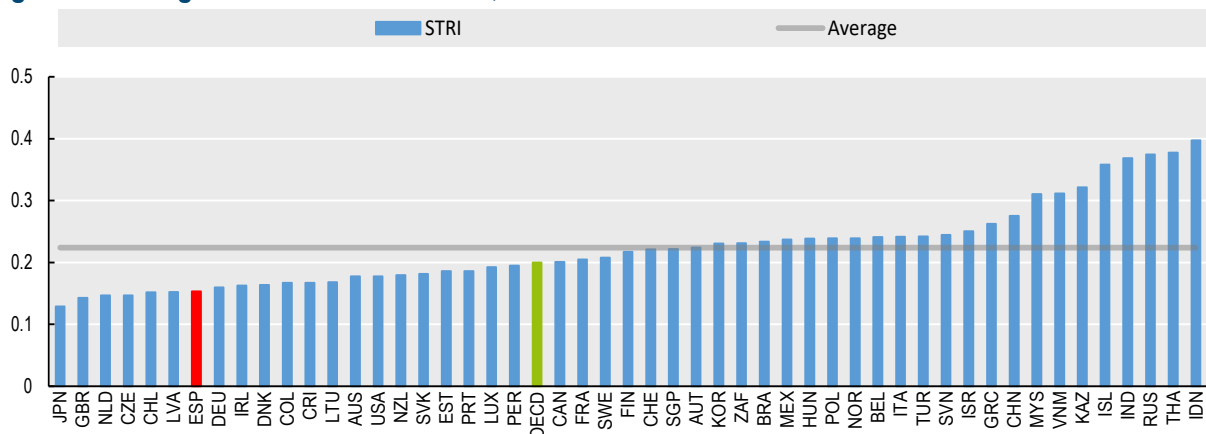
- The 2022 STRI of Spain is below the OECD average and low compared to all countries in the STRI sample. The indices have remained unchanged compared to 2021.
- Spain’s regulatory environment for services has been relatively stable over the past years. Commercial banking, telecommunications and cargo-handling services are the most open services sectors in Spain relative to the average STRI across all countries.
- Despite the overall favourable environment for services trade, restrictions remain in some sectors such as air transport and road freight transport services.

### Recommendation

- Open and well-regulated services markets are essential to facilitate economic recovery, strengthen resilience to future shocks, and promote a more sustainable trading system. To ensure that the benefits of open markets and a rules-based international trading system are preserved, policy makers should focus on minimising barriers that increase trade costs for services providers, weaken the gains from digital transformation and undermine competitiveness.

The 2022 STRI of Spain is relatively low compared to other countries in the STRI sample (Figure 1).

**Figure 1. Average STRI across countries, 2022**



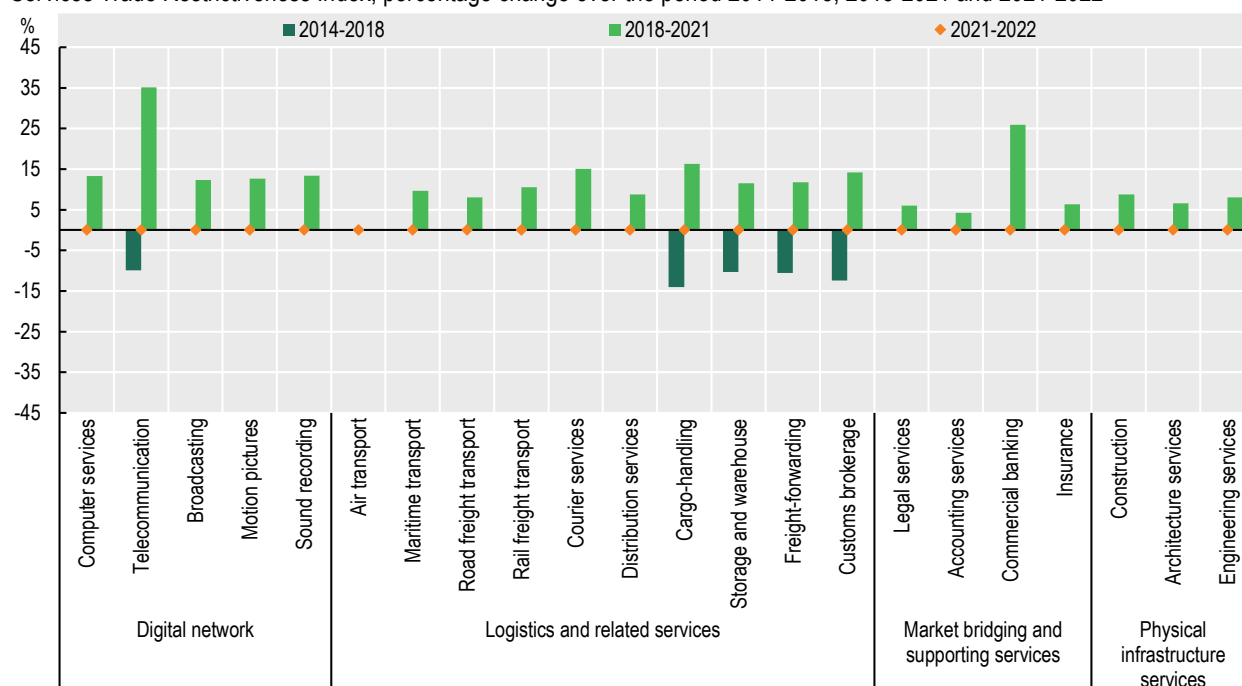
Note: The STRI indices take values between zero and one, one being the most restrictive. The STRI database records measures on a Most Favoured Nation basis. Air transport and road freight cover only commercial establishment (with accompanying movement of people). The indices are based on laws and regulations in force on 31 October 2022. The STRI regulatory database covers the 38 OECD Members, Brazil, China, India, Indonesia, Kazakhstan, Malaysia, Peru, Russia, Singapore, South Africa, Thailand and Viet Nam. The statistical data for Israel are supplied by and under the responsibility of the relevant Israeli authorities. The use of such data by the OECD is without prejudice to the status of the Golan Heights, East Jerusalem and Israeli settlements in the West Bank under the terms of international law. OECD (2022). STRI and TIVA databases.

Several restrictions contribute to the STRI of Spain in all sectors. Public procurement regulations rely on the principle of non-discrimination, but foreign suppliers are required to present documentation showing that their country of origin grants reciprocity to Spanish companies. There are restrictions on the acquisition of land by foreigners in certain parts of Spain. Moreover, the standards for cross-border transfer of personal data are set at the EU level. Transfers to non-EEA economies can take place when these ensure an adequate level of data protection or, in the absence of this, appropriate safeguards (e.g. binding corporate rules or standard data protection clauses) are in place.

The STRIs of Spain have moderately increased over time across most sectors mostly due to new rules in 2020 applying to screening of foreign investment. (Figure 2). The indicator remained unchanged for 2022.

### Figure 2. Evolution of STRI indices by sector in Spain

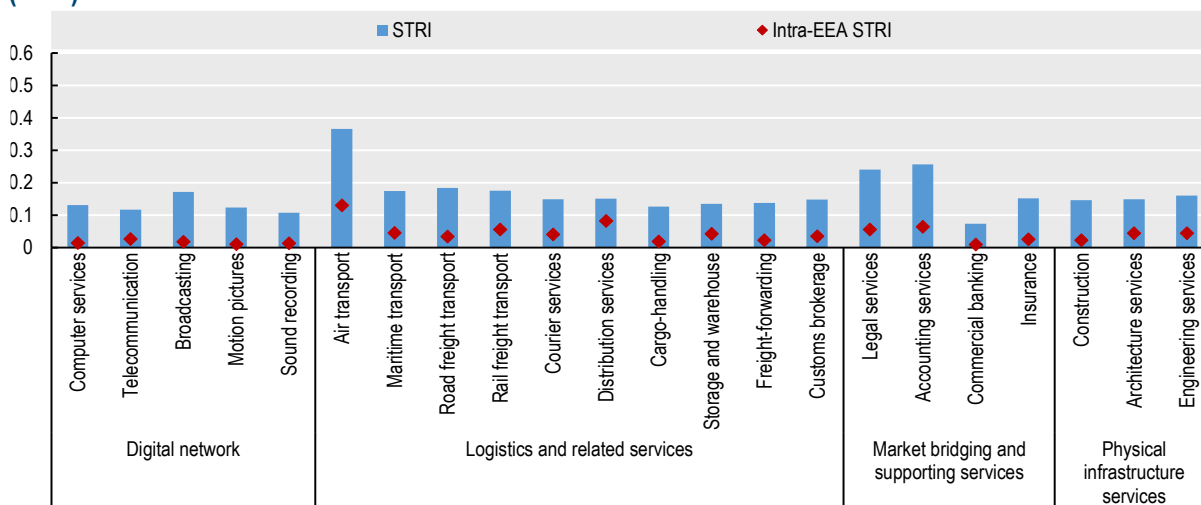
Services Trade Restrictiveness Index, percentage change over the period 2014-2018, 2018-2021 and 2021-2022



OECD (2022). STRI database.

Services trade barriers are significantly lower within the European Economic Area across all services sectors (Figure 2b). Spain maintains an open market for services suppliers from other EU Member States.

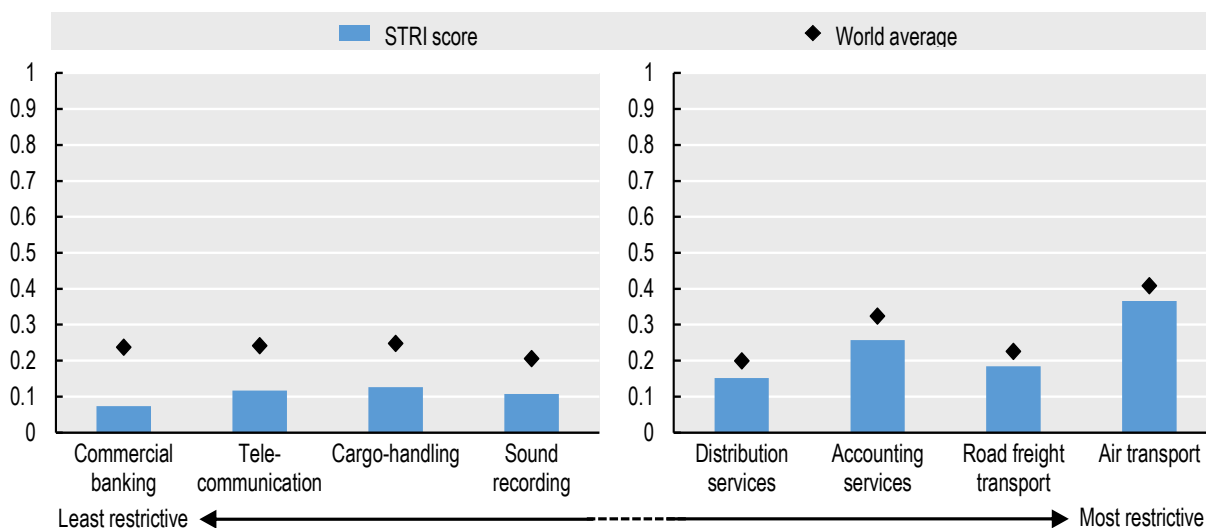
**Figure 2b. Regulatory barriers affecting services trade within the European Economic Area (EEA)**



Note: The traditional STRI indicates the level of restrictiveness on a Most-Favoured Nation basis towards third countries, and the intra-EEA STRI indicates the level of restrictiveness towards EEA members. Intra-EEA STRI covers 24 countries (Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden).  
Source: OECD (2022). STRI database.

Commercial banking, telecommunication, logistics cargo-handling and sound recording are the sectors with the lowest score relative to the average STRI across all countries (Figure 3). Distribution services, accounting services, road freight transport and air transport are the sectors with the highest score relative to the average STRI across all countries.

**Figure 3. Sectoral breakdown - The least and most restricted sectors in Spain**



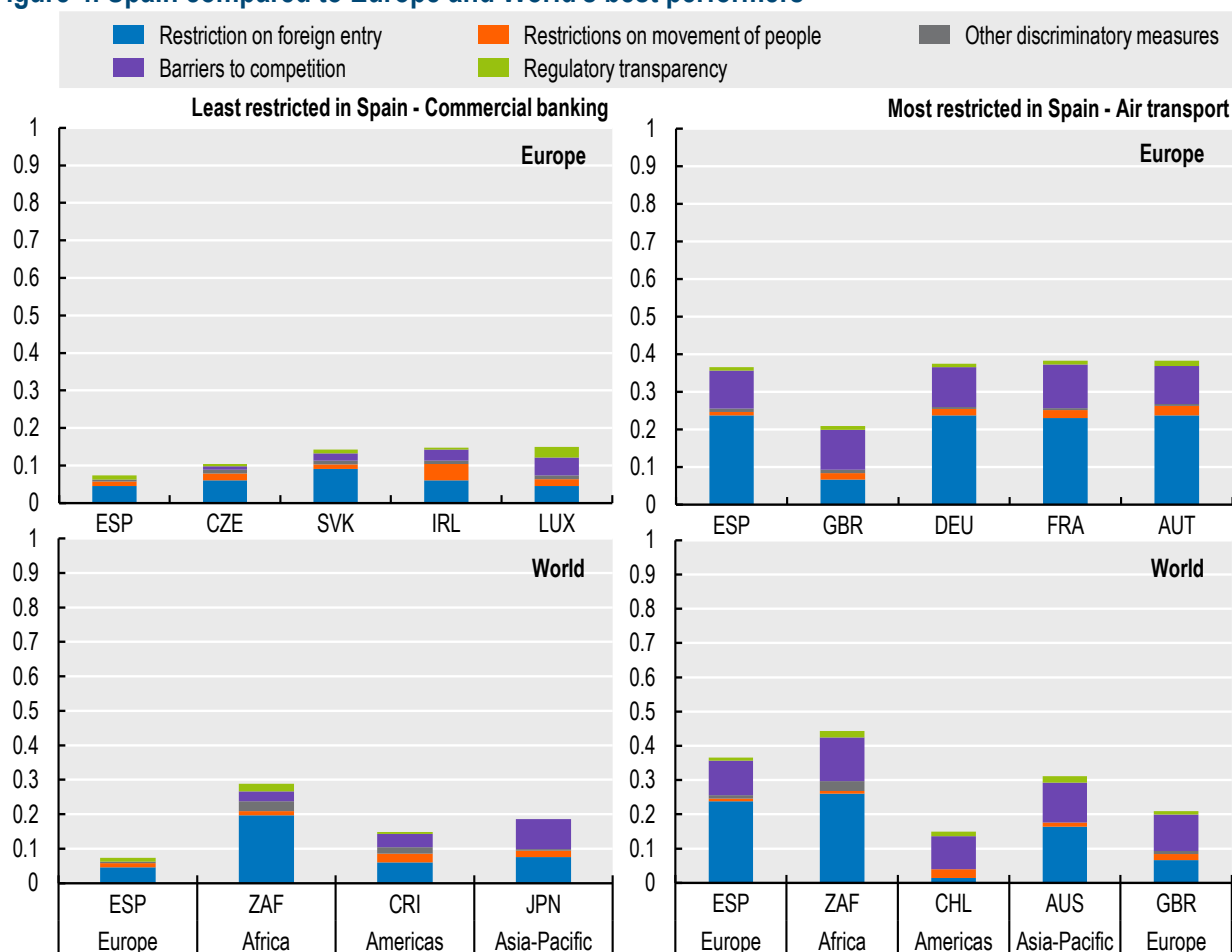
Note: Selection was made based on how far the sectors' score were from the world average score, as a percentage difference  
i.e.  $(STRI_{country, sector} - STRI_{world average, sector}) / STRI_{world average, sector}$   
Source: OECD (2022). STRI database.

Commercial banking is the least restricted in Spain compared to Europe. However restrictions on foreign entry still have an impact in this sector compared to other countries. The measures that contributed to the score include the possibility of considering economic interests in the screening of foreign investment as well as restrictions on the acquisition and use of land and real estate by foreigners.

Air transport is the most restricted services sector in Spain. The restrictions on foreign entry and barriers

to competition are significant compared to best performers. Spain has foreign equity restrictions applying to airlines as a result of common EU regulation on air services. Pursuant to this regulation, non-EU nationals cannot own more than 49% in local airlines. Lease of foreign aircrafts with crew from outside the EU can be refused on grounds of reciprocity or conditioned on approval granted on the basis of economic needs. The EU-wide exemption of certain airline arrangements from competition law and regulations on airport slot allocation and slot trading further contribute to the score in this sector (Figure 4).

**Figure 4. Spain compared to Europe and World's best performers**



Source: OECD (2022). STRI database.

## Recent policy changes

In August 2022, EU Regulation 2022/1031 entered into force aiming to regulate access of third-country (non-EU) goods and services to the EU's public procurement and concession markets. No relevant measure has been adopted by the European Union at this stage. It applies to public procurement and concessions where the EU has not undertaken market access commitments in an international agreement.

In July 2021, the Commission Delegated Regulation (EU) 2021/654 became applicable, setting a maximum Union-wide voice termination rate. These maximum termination rates do not, however, generally apply to calls originated from countries outside the EU.

Several recent changes affecting Spain were due to changes in EU law. From 1 July 2021, the EU abolished the VAT de minimis regime for goods valued under EUR 22. This provision was transposed in Spain by Law 37/1992 (VAT law).

In the context of the COVID-19 pandemic, new rules for the screening of foreign investments introduced in 2020 increased the level of regulatory restrictiveness for most services sectors in the STRI sample.

Also in the context of the pandemic, EU Regulation 2020/459 waived the 80/20 grandfathering rule for airport slot allocations. In December 2021, the Commission adopted an extension to the slot relief rules to cover the 2022 summer scheduling season, running from 28 March 2022 until 29 October 2022.

In maritime transport, Regulation 2020/436 extended the existing block exemption to liner shipping consortia from competition law until April 2024. Moreover, EU-wide requirements on accounting separation entered into force for port authorities in receipt of public funds.

### More information

- » Access all country notes, sector notes, and interactive STRI tools at <http://oe.cd/stri>
- » Read more about services trade policies and their impacts in [Services Trade Policies and the Global Economy](#)
- » Contact the OECD Trade and Agriculture Directorate with your questions at [stri.contact@oecd.org](mailto:stri.contact@oecd.org)