Key findings

- The 2021 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 2020.
- Spain’s regulatory environment for services has been relatively stable over the past years.
- Telecommunications is the most open sector in Spain, whereas air transport is the most restricted.

Recommendation

- Innovation and adoption of technology relies on access to knowledge and to the networks, people, goods and services that carry the knowledge around the world. In this context, Spain could benefit from more open markets for services trade.

The 2021 STRI of Spain is relatively low compared to other countries in the STRI sample (Figure 1).

Figure 1. Average STRI across countries, 2021

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 2021. The STRI regulatory database covers the 38 OECD countries, 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.

Source: OECD STRI and TiVA databases (2021).

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 regulatory environment in Spain was relatively stable between 2014 and 2020, with few changes that affected services trade (Figure 2). In 2020 the level of restrictiveness increased for most sectors due to new rules applying to screening of foreign investment. The indicator remained unchanged for 2021.

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

Services Trade Restrictiveness Index, percentage change over the period 2014-2017, 2017-2020 and 2020-2021


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

Note: The traditional STRI indicates the level of restrictiveness on 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).


Commercial banking, telecommunications, logistics cargo-handling and broadcasting are the sectors with the lowest score relative to the average STRI across all countries (Figure 3). Logistics road freight-forwarding, construction, accounting services and air transport services 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. \( \frac{\text{STRI}_{\text{country, sector}} - \text{STRI}_{\text{world average, sector}}}{\text{STRI}_{\text{world average, sector}}} \)


Commercial banking are the least restricted service sectors in Spain compared to Europe and the other best performers elsewhere while air transport are the most restricted (Figure 4).
Figure 4. Spain compared to Europe and World's best performers


### Key reforms

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, Regulation 2020/459 waived the 80/20 grandfathering rule for airport slot allocations between 1 March 2020 and 27 March 2021. Accordingly, airport coordinators are required to consider slots allocated for this period as having been operated by the air carrier to which they were initially allocated.

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.


Finally, the new EU General Data Protection Regulation (Regulation 2016/679) entered into force on 25 May 2018 providing a comprehensive update on the EU data protection regime.
More information

» Access all country notes, sector notes, and interactive STRI tools at [http://oe.cd/stri](http://oe.cd/stri)

» Read more about services trade policies and their impacts in [Services Trade Policies and the Global Economy](http://oe.cd/stri)

» Contact the OECD Trade and Agriculture Directorate with your questions at [stri.contact@oecd.org](mailto:stri.contact@oecd.org)