

restrictions on the types of legal establishment allowed, foreign ownership rules, lack of transparency in financial sector regulation, restrictions on permitted business lines and denial of national treatment in regulation, such as discriminatory capital requirements.

Canada's priority in the Doha Round of the GATS negotiations on financial services is to seek greater market access and national treatment opportunities, while encouraging further progress by certain trading partners in providing increased regulatory transparency for the financial sector. Where we have made market access requests to members, we have encouraged them to schedule their financial services commitments according to the Understanding on Commitments in Financial Services. Canada has also submitted financial services requests for more transparency to over a dozen WTO members.

## REGULATORY TRANSPARENCY

The need to improve the transparency and predictability of regulatory conditions under which international business is conducted has been repeatedly emphasized by Canadian industry. As part of its various negotiations and discussions, the Government of Canada is exploring current best practices with members with respect to regulatory transparency to better determine whether existing GATS provisions can be enhanced.

The Government of Canada is a proponent of transparency and predictability in regulatory policy, in recognition of its wide-ranging benefits ([www.pco-bcp.gc.ca/raoics-srdc/default.asp?Language=e&Page=Home](http://www.pco-bcp.gc.ca/raoics-srdc/default.asp?Language=e&Page=Home)). Many elements of the government's regulatory policy address directly, or otherwise encourage, transparency. The policy requires that stakeholders—industry, labour, consumer groups, professional associations, other governments and interested individuals—be consulted at all stages, from the identification of problems to the development of regulatory solutions.

The official news bulletin of the Government of Canada is the *Canada Gazette*. *Canada Gazette Part I*, published weekly, contains all formal public notices, official appointments, proposed regulations from the government and miscellaneous public notices from the private sector that are required to be published by a federal statute or regulation. *Canada*

*Gazette Part II*, published every two weeks, contains regulations that are enacted and other statutory instruments. Only government departments and agencies publish in Part II. *Canada Gazette Part III*, published as soon as is reasonably practicable after legislation receives Royal Assent, contains the most recent public acts of Parliament and their enactment proclamations.

The need for additional trade disciplines to improve regulatory transparency is an issue of growing importance in a number of ongoing services trade negotiations and discussions. In the context of the WTO General Agreement on Trade in Services, in bilateral trade negotiations, and in APEC discussions, several proposals have been tabled that seek to establish a higher transparency standard for trade in services.

Canada is actively engaged in discussions of the GATS Working Party on Domestic Regulation, a subsidiary body of the Services Council. It was established in 1999 to continue work on the development of disciplines that would ensure that measures relating to qualification requirements and procedures, technical standards, and licensing requirements and procedures do not constitute unnecessary barriers to trade. Discussions continue to date on concepts relating to the development of disciplines including the development of the disciplines specific to professional services.

Canada has been recognized internationally for its high standards in regulatory transparency. In its 2003 Trade Policy Review of Canada, the WTO concluded that Canada's trade and investment regime remains one of the world's most transparent. "Transparency and accountability in policy-making are enhanced by evaluation requirements for all federal and most sub-federal government programmes." Further, members recognized that Canada's efforts in implementing economic reforms, as well as the openness and transparency of its trade regime, have enabled it to achieve strong economic performance despite the global economic slowdown. The OECD also praised Canada for its work in this area. In 2002, the OECD Review of Regulatory Reform in Canada concluded that this country is a world leader in good regulatory practice and an innovator in regulatory reform.