## CONTENTS

|    | List of contributors viii   |
|----|---|
|    | Foreword xx   |
|    | Disclaimer xxi  |
|    | Acknowledgements xxii   |
|    | List of abbreviations xxiii   |
| 1  | An introduction to domestic regulation and GATS 1   |
|    | AIK HOE LIM AND BART DE MEESTER   |
| PA | RT I Impediments to services trade, regulatory theory and principles 23                       |
| 2  | Why regulate? An overview of the rationale and purpose behind regulation 25                   |
|    | TINNE HEREMANS  |
| 3  | Domestic regulation: what are the costs and benefits for international trade in services?  47 |
|    | HILDEGUNN KYVIK NORDÅS  |
| PA | RT II Legal perspectives on WTO principles and domestic regulations 63                        |
| 4  | Reasonableness, impartiality and objectivity 65   |
|    | ANDREW MITCHELL AND TANIA VOON  |
| 5  | Balancing legal certainty with regulatory flexibility 79                                      |
|    | MARKUS KRAJEWSKI  |
| 6  | Who's afraid of necessity? And why it matters? 95   |
|    | PANAGIOTIS DELIMATSIS   |
| 7  | Mutual recognition of services regulation at the WTO 110                                      |
|    | JOEL P. TRACHTMAN   |
|    |   |

## PART III Case studies 127

- 8 Legal services in the United States 129
  ERICA MOESER AND LAUREL S. TERRY
- 9 Telecommunications reform in China: fostering competition through state intervention 142

  HENRY GAO
- Information communications technology: the Mauritian experience of regulation and reform 159

  KRISHNA OOLUN
- 11 Regulation of postal services in a changing market environment: lessons from Australia and elsewhere 181 SIVA SOMASUNDRAM AND IAIN SANDFORD
- Mobile money services provision in East Africa:
  the Ugandan experience 201

  JOAN APECU, IRENE KAGGWA SEWANKAMBO AND YUSUF
  ATIKU ABDALLA
- Financial services liberalization and regulation in Japan: implications for future negotiation on market access and domestic regulations 221

  MASAMICHI KONO, KOICHI IWAI AND YOSHITAKA SAKAI
- 14 Domestic regulations in Malaysia's higher education sector 239

  THAM SIEW YEAN AND NIK AHMAD KAMAL NIK MAHMOD
- Domestic regulations and India's trade in health services: a study of hospital and telemedicine services 254

  RUPA CHANDA AND PRALOK GUPTA
- Operating integrated logistics services in a fragmented regulatory environment: what is the cost? 270 RUOSI ZHANG
- Domestic regulation of retail food distribution services in Israel: the missing link between food prices and social protest 289

  TOMER BROUDE AND LIOR HERMAN

Regulatory impact analysis: addressing the trade and regulatory nexus 307

DARRELL PORTER AND LAUREN WIGHT

## PART IV Concluding remarks 323

- Services liberalization, negotiations and regulation: some lessons from the GATS experience 325

  HAMID MAMDOUH
- Addressing the domestic regulation and services trade interface: reflections on the way ahead 332

  AIK HOE LIM AND BART DE MEESTER

Index 352