

INVESTMENT FACILITATION FOR DEVELOPMENT

The table below provides examples of text from different sources (e.g. regional trade agreements, bilateral investment treaties, regional initiatives, as well as WTO Agreements). The core elements are aimed at (1) improving the transparency and predictability of investment measures, and (2) streamlining and speeding up administrative procedures and requirements. Other relevant investment facilitation-related issues have also been included for consideration.

Since it is a new area of potential rule-making, "investment facilitation" has only been covered by very few ad-hoc bilateral agreements. Therefore, some examples have been – approximately – adapted to an "investment facilitation" context.

**List of Agreements/Sources**

**Bilateral Investment Treaties (BITs) and other Investment Agreements**

Agreement between Canada and the Federal Republic of Nigeria for the Promotion and Protection of Investments (Canada-Nigeria BIT)

Agreement between the Oriental Republic of Uruguay and Japan for the Liberalization, Promotion and Protection of Investments (Uruguay-Japan BIT)

Canada-Guinea Bilateral Investment Treaty (Canada-Guinea BIT)

Brazil-Guyana Cooperation and Facilitation Investment Agreement (Brazil-Guyana CFIA)

**Regional Trade Agreements (RTAs)**

ASEAN-Australia-New Zealand

Australia – China Free Trade Agreement

Canada-EU Comprehensive Economic and Trade Agreement (CETA)

Canada – Chile Free Trade Agreement

Comprehensive and Progressive Trans-Pacific Partnership (CPTPP)

EU-Central America Association Agreement

EU-Japan Economic Partnership Agreement (EPA)

EU-Vietnam Free Trade Agreement

Pacific Alliance Partnership Framework

US-Mexico-Canada Agreement (USMCA)

Switzerland-China Free Trade Agreement

Switzerland-Japan Free Trade and Economic Partnership Agreement (FTEPA)

**WTO**

WTO Trade Facilitation Agreement (TFA)

WTO ePing/SPS Notification Alert System

**Other Sources**

APEC Non-binding principles for Domestic Regulation of the Services Sector (Non-binding Principles)





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Topic	Examples	Source
	<p>Article 26.2 – Publication</p> <p>1. Each Party shall ensure that its laws, regulations, procedures and administrative rulings of general application with respect to any matter covered by this Agreement are promptly published or otherwise made available in a manner that enables interested persons and the other Party to become acquainted with them.</p> <p>2. To the extent possible, each Party shall:</p> <ul style="list-style-type: none"> <li>a. publish in advance any measure referred to in paragraph 1 that it proposes to adopt; and</li> <li>b. provide interested persons and the other Party with a reasonable opportunity to comment on those proposed measures.</li> </ul> <p>3. To the extent possible, when introducing or changing the laws, regulations or procedures referred to in paragraph 1, each Party shall endeavour to provide a reasonable period between the date when those laws, regulations or procedures, proposed or final in accordance with its legal system, are made publicly available and the date when they enter into force.</p> <p>4. With respect to a proposed regulation<sup>2</sup> of general application of a Party's central level of government respecting any matter covered by this Agreement that is likely to affect trade or investment between the Parties and that is published in accordance with paragraph 2(a), each Party shall:</p> <ul style="list-style-type: none"> <li>a. publish the proposed regulation in an official journal, or on an official website, preferably online and consolidated into a single portal;</li> <li>b. endeavour to publish the proposed regulation: <ul style="list-style-type: none"> <li>i. no less than 60 days in advance of the date on which comments are due; or</li> <li>ii. within another period in advance of the date on which comments are due that provides sufficient time for an interested person to evaluate the proposed regulation, and formulate and submit comments;</li> </ul> </li> </ul>	<p>CPTPP, Chapter 26 – Transparency and Anti-Corruption</p>

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Topic	Examples	Source
	<p>c. to the extent possible, include in the publication under subparagraph (a) an explanation of the purpose of, and rationale for, the proposed regulation; and</p> <p>d. consider comments received during the comment period, and is encouraged to explain any significant modifications made to the proposed regulation, preferably on an official website or in an online journal.</p> <p>5. Each Party shall, with respect to a regulation of general application adopted by its central level of government respecting any matter covered by this Agreement that is published in accordance with paragraph 1:</p> <p>a. promptly publish the regulation on a single official website or in an official journal of national circulation; and</p> <p>b. if appropriate, include with the publication an explanation of the purpose of and rationale for the regulation.</p> <p><sup>(2)</sup> A Party may, consistent with its legal system, comply with its obligations that relate to a proposed regulation in this Article by publishing a policy proposal, discussion document, summary of the regulation or other document that contains sufficient detail to adequately inform interested persons and other Parties about whether and how their trade or investment interests may be affected.</p> <p>Article 15.3 - Publication</p> <p>1. Each Party shall ensure, according to its legislation, that its laws, regulations, procedures and administrative rulings of general application with respect to any matter covered by this Agreement, are promptly published or made available for interested persons and the other Parties.</p> <p>2. Each Party shall, to the extent possible:</p> <p>(a) publish in advance any measure referred to in paragraph 1 that it proposes to adopt, and</p> <p>(b) provide a reasonable opportunity for interested persons and other Parties to comment on the proposed measures.</p>	<p>Pacific Alliance,  Partnership Framework,  Chapter 15 – Transparency</p>



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Topic	Examples	Source
<p>Information to be published where an authorization is required to invest in a country</p>	<p>Article 15.8: Development and Administration of Measures            ...            6. If a Party requires authorization for the supply of a service <del>to invest in its territory</del>, the Party shall provide to <del>a service supplier or person seeking to supply a service</del> <del>[an investor or person seeking to invest]</del> the information necessary to comply with requirements or procedures for obtaining, maintaining, amending, and renewing that authorization. That information must include:</p> <ul style="list-style-type: none"> <li>(a) any fee;</li> <li>(b) the contact information of a relevant competent authority;</li> <li>(c) any procedure for appeal or review of a decision concerning an application;</li> <li>(d) any procedure for monitoring or enforcing compliance with the terms and conditions of licenses;</li> <li>(e) any opportunities for public involvement, such as through hearings or comments;</li> <li>(f) any indicative timeframe for processing of an application;</li> <li>(g) any requirement or procedure; and</li> <li>(h) any technical standard.</li> </ul>	<p>USMCA, Chapter 15 – Cross-border trade in services</p>

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Topic	Examples	Source
	<p>D. Transparency            (...)                       13. If an APEC Economy requires authorization for supply of a service [<b>to invest in its territory</b>] the Economy should promptly publish<sup>6</sup> the information necessary for <del>service suppliers or persons seeking to supply a service</del> [<b>investors or persons seeking to invest</b>] to comply with the requirements and procedures for obtaining, maintaining, amending and renewing such authorization. Such information should include, inter alia, where it exists:</p> <ul style="list-style-type: none"> <li>a. the requirements and procedures;</li> <li>b. contact information of relevant competent authorities;</li> <li>c. fees;</li> <li>d. technical standards;</li> <li>e. procedures for appeal or review of decisions concerning applications;</li> <li>f. procedures for monitoring or enforcing compliance with the terms and conditions of licenses or qualifications;</li> <li>g. opportunities for public involvement, such as through hearings or comments; and</li> <li>h. indicative timeframes for processing of an application.</li> </ul> <p><sup>(6)</sup> For purposes of these principles, "publish" means to include in an official publication, such as an official journal or on an official website. APEC Economies are encouraged to consolidate electronic publications into a single portal.</p>	<p>APEC Non-binding Principles, Section D - Transparency</p>

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Topic	Examples	Source
Information available through the Internet	<p>Information Available through Internet</p> <p>2.1 Each Member shall make available, and update to the extent possible and as appropriate, the following through the internet:</p> <p>(a) a description<sup>(1)</sup> of its procedures <del>for importation, exportation, and transit</del> [applicable to investors] including procedures for appeal or review, that informs governments, <del>traders,</del>[investors], and other interested parties of the practical steps needed <del>for importation, exportation, and transit</del> [to invest in its territory];</p> <p>(b) the forms and documents required <del>for importation into, exportation, and transit through the territory of that Members</del> [to invest in its territory];</p> <p>(c) contact information on its enquiry point(s).</p> <p>2.2 Whenever practicable, the description referred to in subparagraph 2.1(a) shall also be made available in one of the official languages of the WTO.</p> <p>2.3 Members are encouraged to make available further <del>trade-related</del> [investment-related] information through the internet, including relevant <del>trade-related</del> [investment-related] legislation and other items referred to in paragraph 1.1.</p> <p><sup>(1)</sup> Each Member has the discretion to state on its website the legal limitations of this description.</p>	WTO Trade Facilitation Agreement (TFA), Article 1 - Publication and Availability of Information
<b>1.2 Notification to the WTO (Access to Information notified to the WTO)</b>		
Mechanisms to allow (stakeholders) timely access and search of notified information	<p>ePing SPS &amp; TBT Notification Alert System: <a href="http://www.epingalert.org/en">http://www.epingalert.org/en</a></p> <p>ePing is an online alert system for WTO notifications made pursuant to the Agreement on Technical Barriers to Trade (TBT) and the Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures, in cooperation with other organizations. ePing aims to assist public and private sector stakeholders, including SMEs, in benefitting from the SPS/TBT transparency framework of the WTO. By registering on ePing, users can receive daily or weekly email alerts containing SPS/TBT notifications covering products/markets of interest to them. In addition, ePing's web-based platform allows users to search for specific SPS/TBT notifications of the previous three years based on criteria such as notifying member, products covered, and objectives of the measure.</p>	WTO ePing SPS & TBT Notification Alert System

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Topic	Examples	Source
<b>1.3 Enquiry Points</b>		
<p>Response to requests for information/enquiries from stakeholders</p>	<p>Enquiry Points</p> <p>14. Each APEC Economy should maintain or establish appropriate mechanisms for responding to enquiries from interested persons regarding the measures referred to in its laws, regulations, procedures, and administrative rulings of general application respecting matters concerning supply of a service [investments].</p> <p>Article 10.11: Transparency</p> <p>1. Each Party shall maintain or establish appropriate mechanisms for responding to inquiries from interested persons regarding its regulations that relate to the subject matter of this Chapter.</p> <p>...</p> <p>3. Enquiry Points</p> <p>3.1 Each Member shall, within its available resources, establish or maintain one or more enquiry points to answer reasonable enquiries of governments, traders [investors], and other interested parties on matters covered by paragraph 1.1 (publication) and to provide the required forms and documents referred to in subparagraph 1.1(a).</p> <p>(...)</p> <p>3.3 Members are encouraged not to require the payment of a fee for answering enquiries and providing required forms and documents. If any, Members shall limit the amount of their fees and charges to the approximate cost of services rendered.</p> <p>3.4 The enquiry points shall answer enquiries and provide the forms and documents within a reasonable time period set by each Member, which may vary depending on the nature or complexity of the request.</p>	<p>APEC Non-binding Principles, Section D - Transparency</p> <p>CPTPP, Chapter 10 – Cross-border trade in services</p> <p>TFA, Section I, Article 1.3</p>

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Topic	Examples	Source
<p>Any other issue(s) relating to the "transparency and predictability of investment measures" that should be considered in the IF discussions?</p> <p>Could you provide any example(s) to illustrate the issue(s)?</p>		

2. SPEED UP AND STREAMLINE ADMINISTRATIVE PROCEDURES AND REQUIREMENTS

	Examples	Source
<b>2.1 Reduce and simplify administrative procedures and requirements</b>		
Reduce and/or simplify administrative procedures and documentation requirements	<p>Article 12.3 – Licensing and qualification requirements and procedures</p> <p>7. Each Party shall ensure that licensing procedures or qualification procedures it adopts or maintains are as simple as possible, and do not unduly complicate or delay the supply of a service [investment], or the pursuit of any other economic activity.</p> <p>Article 25.5.4 – Implementation of core good regulatory practices</p> <p>4. Each Party should ensure that new covered regulatory measures are plainly written and are clear, concise, well organised and easy to understand, recognising that some measures address technical issues and that relevant expertise may be needed to understand and apply them.</p> <p>Article 18.10 – Opportunity to submit comments</p> <p>The regulatory authority of each Party shall, without prejudice to the pursuit of each Party's public policy objectives, provide an opportunity for any person to submit comments for improvements of regulatory measures in force, including suggestions for simplification or reduction of unnecessary burdens.</p>	<p>CETA, Chapter 12 – Domestic regulation</p> <p>CPTPP, Chapter 25 – Regulatory Coherence</p> <p>EU-Japan EPA, Chapter 18 - Good Regulatory Practices and Regulatory Cooperation</p>
Clear criteria and requirements for administrative procedures	<p>Article 8.19 Conditions licensing and qualification</p> <p>1. Each Party shall ensure that measures relating to licensing requirements and procedures, as well as qualification requirements and procedures are based on criteria which are:</p> <p>(a) clear;</p> <p>(b) objective and transparent; and</p> <p>(c) pre-established and accessible to the public and interested persons.</p>	EU-Vietnam FTA

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	<b>Examples</b>	<b>Source</b>
	<p>Article 15.8: Development and Administration of Measures</p> <p>1. Each Party shall ensure that a measure of general application affecting <del>trade in services</del> [investments] is administered in a reasonable, objective, and impartial manner.</p> <p>Article 4.4 - Procedures for import, export and transit</p> <p>1. Each Party shall apply its <del>customs</del> [investment] legislation and <del>other trade-related laws and regulations</del> in a predictable, consistent, transparent and non-discriminatory manner.</p> <p>Article 2</p> <p>1. Each Party shall ensure that measures relating to <del>licensing and qualification requirements and procedures and to technical standards</del> [investments] are pre-established, based on objective and transparent criteria and relevant to the <del>supply of the service</del> [investment] to which they apply.</p>	<p>USMCA, Chapter 15 – Cross-border trade in services</p> <p>EU-Japan EPA, Chapter 4 - Customs matters and trade facilitation</p> <p>Switzerland – Japan FTEPA, Annex IV (Annex to Chapter Services), Article 2)</p>
<b>2.2 Time-frames for administrative procedures</b>		
Period / time-frame to submit an application	<p>Article 12.3 – Licensing and qualification requirements and procedures</p> <p>11. If specific time periods for authorising applications exist, an applicant shall be allowed a reasonable period for the submission of an application. ...</p> <p><u>Application Timeframes</u></p> <p>5. If an APEC Economy requires authorization for the supply of a service [to invest in its territory], the competent authorities of that APEC Economy should, to the extent practicable, permit an applicant to submit an application at any time throughout the year; and if a specific time period for applying exists, allow a reasonable period for the submission of an application.</p>	<p>CETA, Chapter 12 – Domestic regulation</p> <p>APEC, Non-binding Principles, Section B - Administration of measures</p>
Electronic applications and acceptance of copies	<p>Article 12.3 – Licensing and qualification requirements and procedures</p> <p>11. (...) If possible, applications should be accepted in electronic format under similar conditions of authenticity as paper submissions.</p>	<p>CETA, Chapter 12 – Domestic regulation</p>

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	<b>Examples</b>	<b>Source</b>
	12. Authenticated copies should be accepted, if considered appropriate, in place of original documents.	
	<p><u>Electronic applications and acceptance of copies</u></p> <p>6. If an APEC Economy requires authorization for the supply of a service [to invest in its territory], the competent authorities of that Economy should:</p> <p>(a) endeavor to accept applications in electronic format; and</p> <p>(b) accept copies of documents that are authenticated in accordance with that Economy's domestic law, in place of original documents, unless original documents are required to protect the integrity of the authorization process.</p> <p>Article 9.8.4 – Domestic regulation</p> <p>4. If a Party requires authorisation for the supply of a service [to invest in its territory], it [will]:</p> <p>(...)</p> <p>f. if they deem appropriate, accept copies of documents that are authenticated in accordance with the Party's laws in place of original documents;</p> <p>(...)</p> <p>i. taking into account their competing priorities and resource constraints, endeavour to accept applications in electronic format.</p>	<p>APEC, Non-binding Principles, Section B - Administration of measures</p> <p>Australia-Peru FTA – Cross-Border Trade in Services</p>
Timeframes for processing applications	Article 8.19 – Conditions licensing and qualifications	EU – Vietnam FTA

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	Examples	Source
	<p>2. An authorisation or a licence shall, subject to availability, be granted as soon as it is established, on the basis of an appropriate examination that the conditions for obtaining an authorisation or licence have been met.</p> <p>...</p> <p>Article 8.20 – Licensing and qualification procedures</p> <p>3. In case specific time periods for applications exist in each Party's laws and regulations, an applicant shall be allowed a reasonable period of time for the submission of an application. The competent authority shall initiate the processing of an application without undue delay. Where possible, applications should be accepted in electronic format under the same conditions of authenticity as paper submissions. (...)</p> <p>4. Each Party shall ensure that the processing of an application, including the reaching of a final decision, is completed within a reasonable timeframe after the date of the submission of a complete application. Each Party shall endeavour to establish the normal timeframe for processing an application.</p> <p>...</p> <p>8. Each Party shall ensure that a licence or an authorisation, once granted, enters into effect without undue delay in accordance with the terms and conditions specified therein.</p>	



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	Examples	Source
	<p>Article 8.31 – Licensing and qualification procedures</p> <p>4. ... The competent authority shall initiate the processing of an application without undue delay. ...</p> <p>5. The competent authority shall complete the processing of an application, including reaching a final decision, within a reasonable period of time from the submission of a complete application. Each Party shall endeavour to establish an indicative time-frame for the processing of an application and shall make publicly available that time-frame, when established. ...</p> <p>9. The competent authority shall grant an authorisation as soon as it is established, in the light of an appropriate examination, that the applicant meets the conditions for obtaining it.</p> <p>10. The competent authority shall ensure that an authorization, once granted, enters into effect without undue delay in accordance with the terms and conditions specified therein.</p> <p><u>Processing of Applications</u></p> <p>7. If an APEC Economy requires authorization for the supply of a service [to invest in its territory], the competent authorities of that APEC Economy should:</p> <p>(a) provide an indicative timeframe for processing of an application;</p> <p>(b) without undue delay, initiate the processing of application and ascertain the completeness of an application for processing under domestic laws and regulations;</p> <p>(c) in the case of an application considered complete for processing under domestic laws and regulations, within a reasonable period of time after the submission of the application, ensure that</p> <p>i. the processing of the application is completed, and</p> <p>ii. the applicant is informed of the decision concerning the application, to the extent possible in writing<sup>2</sup>;</p> <p>(d) at the request of the applicant, provide without undue delay information concerning the status of the application;</p>	<p>EU-Japan EPA, Chapter 8 – Trade in Services, Investment, Liberalization and electronic commerce, Section E- Regulatory framework, Sub-section I – Domestic regulation</p> <p>APEC, Non- binding Principles, Section B – Administration of measures</p>

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	Examples	Source
	<p>...</p> <p>8. The competent authorities of each APEC Economy should ensure that authorization, once granted, enters into effect without undue delay subject to the applicable terms and conditions<sup>4</sup>.</p> <p>(2) Competent authorities can meet this requirement by informing an applicant in advance in writing, including through a published measure, that lack of response after a specified period of time from the date of submission of the application indicates either acceptance or rejection of the application. For greater certainty, "in writing" may include in electronic form.</p> <p>(4) For greater certainty, the authority is not responsible for delays due to reasons outside of its competence.</p>	
<p><b>2.3 Treatment of incomplete and rejection of applications</b></p>		
<p>Treatment of incomplete applications and rejection of applications</p>	<p>Article 8.13 – Domestic Regulation</p> <p>3. Where authorisation is required for the supply of a service on which a specific commitment under this Agreement has been made [to invest], the competent authorities of each Party shall:</p> <p>(a) in the case of an incomplete application, on request of the applicant, identify all the additional information that is required to complete the application and provide the opportunity to remedy deficiencies within a reasonable timeframe;</p> <p>...</p> <p>(c) if an application is terminated or denied, to the maximum extent possible, inform the applicant in writing and without delay the reasons for such action. The applicant will have the possibility of resubmitting, at its discretion, a new application.</p>	<p>Australia-China, Chapter 8 – Services</p>



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	<b>Examples</b>	<b>Source</b>
	<p><u>Processing of Applications</u></p> <p>(e) in the case of an application considered incomplete for processing under domestic laws and regulations, within a reasonable period of time, to the extent practicable:</p> <p>i. inform the applicant that the application is incomplete;</p> <p>ii. at the request of the applicant provide guidance on why the application is considered incomplete; and</p> <p>iii. provide the applicant with the opportunity<sup>3</sup> to provide the additional information that is required to complete the application; however, if none of the above is practicable, and the application is rejected due to incompleteness, ensure that the applicant is informed within a reasonable period of time; and</p> <p>(f) in the case of a rejected application, to the extent possible, either upon their own initiative or upon the request of the applicant in writing, inform the applicant in writing of the reasons for rejection and, where applicable, the procedures for resubmission of an application. An applicant should not be prevented from submitting another application solely on the basis of a previously rejected application.</p>	<p>APEC, Non-binding Principles, Section B – Administration of measures</p>
Fees and charges	<p>Article 12.3 – Licensing and qualification requirements and procedures</p> <p>8. An authorisation fee that an applicant may incur in relation to its application for an authorisation shall be reasonable and commensurate with the costs incurred, and shall not in itself restrict the supply of a service [investment] or the pursuit of any other economic activity.</p> <p>9. Authorisation fees do not include payments for auction, the use of natural resources, royalties, tendering or other non-discriminatory means of awarding concessions, or mandated contributions to provide a universal service.</p> <p>Article 4.10 – Fees and charges</p>	<p>CETA, Article 12 – Domestic Regulation</p> <p>EU-Vietnam FTA, Trade Facilitation, Chapter 4 – Customs and Trade facilitation</p>

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	Examples	Source
	<p>1. (...) information on fees and charges (...). This information shall include the fees and charges that will be applied, the reason for the fees or charges for the service provided, the responsible authority, and when and how payment is to be made.</p> <p>2. Each Party shall not impose new or amended fees and charges until the information in accordance with paragraph 1 is published and made readily available.</p>	
	<p>Article 10.8 – Domestic Regulation</p> <p>5. Each Party shall ensure that any authorisation fee charged by any of its competent authorities is reasonable, transparent and does not, in itself, restrict the <del>supply of the relevant service</del> <b>[investment]</b>.<sup>7</sup></p> <p><sup>(7)</sup> For the purposes of this paragraph, authorisation fees do not include fees for the use of natural resources, payments for auction, tendering or other non-discriminatory means of awarding concessions, or mandated contributions to universal service provision.</p> <p>Article 2</p> <p>Each Party shall ensure that licensing requirements and procedures do not act as barriers to market access and are not more trade restrictive than necessary. <del>In sectors where specific commitments are undertaken,</del> e[E]ach Party shall ensure that:</p> <p>(...)</p> <p>d) any fees charged, excluding fees determined through auction or a tendering process, shall be commensurate with the administrative cost of processing an application;</p> <p><u>Fees</u></p> <p>9. Each APEC Economy should ensure that the authorization fees charged by its competent authorities are reasonable, transparent, and do not in themselves restrict the <del>supply of the relevant service</del> <b>[investment]</b>.</p>	<p>CPTPP, Chapter 10 – Cross-border trade in services</p> <p>Switzerland-China FTA – Annex VI (Chapter Services), Section I</p> <p>APEC, Non- binding Principles, Section B – Administration of measures</p>

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	Examples	Source
<p>One-stop shop / single window types of mechanisms</p>	<p><u>Submission of applications</u></p> <p>4. APEC Economies should to the extent practicable, avoid requiring an applicant to approach more than one competent authority for each application for authorization. An APEC Economy may require multiple applications for authorization where a service <b>[an investment]</b> is within the jurisdiction of multiple competent authorities.</p> <p>Article 15.8: Development and Administration of Measures</p> <p>2. If a Party adopts or maintains a measure relating to licensing requirements and procedures, or qualification requirements and procedures, affecting <del>trade in services</del> <b>[investments]</b>, the Party shall, with respect to that measure:</p> <p>...</p> <p>(d) to the extent practicable, avoid requiring an applicant to approach more than one competent authority for each application for authorization.<sup>4</sup></p> <p>(<sup>4</sup>) For greater certainty, a Party may require multiple applications for authorization if a service is within the jurisdiction of multiple competent authorities.</p>	<p>APEC, Non-binding principles, Section B – Administration of measures</p> <p>USMCA, Chapter 15 – Cross-border trade in services</p>

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	Examples	Source
	<p>4 Single Window</p> <p>4.1 Members shall endeavour to establish or maintain a single window, enabling traders [investors] to submit documentation and/or data requirements for <del>importation, exportation or transit of goods</del> [investment procedures] through a single entry point to the participating authorities or agencies. After the examination by the participating authorities or agencies of the documentation and/or data, the results shall be notified to the applicants through the single window in a timely manner.</p> <p>4.2 In cases where documentation and/or data requirements have already been received through the single window, the same documentation and/or data requirements shall not be requested by participating authorities or agencies except in urgent circumstances and other limited exceptions which are made public.</p> <p>4.3 Members shall notify the Committee of the details of operation of the single window.</p> <p>4.4 Members shall, to the extent possible and practicable, use information technology to support the single window.</p>	<p>TFA, Article 10 – Formalities connected with Importation, Exportation and Transit</p>

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	Examples	Source
National Focal Point/Ombudsperson types of mechanisms (including relations with stakeholders)	<p>Article 19 - National Focal Points or Ombudsperson</p> <ol style="list-style-type: none"> <li>1. Each Party shall designate and notify each other an Agency or Authority to act as a National Focal Point, or Ombudsperson, whose main responsibility shall be to support investors from the other Party in its territory and also be charged with the administration and monitoring the implementation of this Agreement. The designated authorities shall coordinate the implementation of the Agreement in accordance with their respective mandates under the relevant legislation in the respective territories.</li> <li>2. In the Federative Republic of Brazil, the National Focal Point or Ombudsperson shall be the Ombudsman of Direct Foreign Investment (OID) of the Foreign Trade Board (CAMEX).</li> <li>3. In the Co-operative Republic of Guyana, the National Focal Point or Ombudsperson shall be the Guyana Office for Investment (GO-Invest).</li> <li>4. The National Focal Point/Ombudsperson, among other responsibilities, shall: <ol style="list-style-type: none"> <li>a) endeavour to follow the recommendations of the Joint Committee and interact with the National Focal Point of the other Party, in accordance with this Agreement;</li> <li>b) follow up on requests and enquiries of the other Party or of investors of the other Party with the competent authorities of the Party and inform the stakeholders on the results of its actions;</li> <li>c) assess, in consultation with relevant government authorities, suggestions and complaints of the Party received from the other Party or investors of the other Party and recommend, as appropriate, actions to improve the investment environment;</li> <li>d) seek to prevent differences in investment matters, in collaboration with government authorities of the Party and relevant private entities;</li> <li>e) provide timely and useful information on regulatory issues on general investment or on specific projects; and</li> <li>f) provide information regarding its activities and actions to the Joint Committee when requested.</li> </ol> </li> </ol>	Brazil - Guyana CFIA

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	Examples	Source
	<p>5. The National Focal Points or Ombudspersons shall cooperate with each other and with the Joint Committee with a view to helping in the prevention of disputes between the Parties.</p> <p>6. Each Party shall determine time limits for the implementation of each of its functions and responsibilities, which shall be communicated to the other Party.</p>	
<p>Need for consistent, objective and impartial administration of measures, and opportunity to present facts and arguments in support of an application prior to a final decision</p>	<p>Article 26.3 - Administrative Proceedings</p> <p>1. With a view to administering in a consistent, impartial and reasonable manner all measures of general application with respect to any matter covered by this Agreement, each Party shall ensure in its administrative proceedings applying measures referred to in Article 25.2.1 to a particular person, good or service of the other Party in specific cases that:</p> <ul style="list-style-type: none"> <li>a. whenever possible, a person of the other Party that is directly affected by a proceeding is provided with reasonable notice, in accordance with domestic procedures, of when a proceeding is initiated, including a description of the nature of the proceeding, a statement of the legal authority under which the proceeding is initiated and a general description of any issue in question;</li> <li>b. a person of the other Party that is directly affected by a proceeding is afforded a reasonable opportunity to present facts and arguments in support of that person's position prior to any final administrative action, when time, the nature of the proceeding and the public interest permit; and</li> <li>c. the procedures are in accordance with its law.</li> </ul>	<p>CPTPP Chapter - 26            Transparency and Anti-Corruption</p>





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	Examples	Source
	<p>2. Each Party shall ensure that, with respect to the tribunals or procedures referred to in paragraph 1, the parties to a proceeding are provided with the right to:</p> <p style="padding-left: 40px;">(a) a reasonable opportunity to support or defend their respective positions; and</p> <p style="padding-left: 40px;">(b) a decision based on the evidence and submissions of record or, where required by its law, the record compiled by the relevant authority.</p> <p>3. Each Party shall ensure, subject to appeal or further review as provided for in its domestic law, that the decision referred to in paragraph 2(b) shall be implemented by, and shall govern the practice of, the office or authority with respect to the administrative action at issue.</p> <p><sup>(3)</sup> For greater certainty, review need not include merits (<i>de novo</i>) review, and may take the form of common law judicial review. The correction of final administrative actions may include a referral back to the body that took that action.</p> <p>Article 27.4 – Review and appeal</p> <p>1. Each Party shall establish or maintain judicial, quasi-judicial or administrative tribunals or procedures for the purpose of the prompt review and, if warranted, correction of final administrative actions regarding matters covered by this Agreement. Each Party shall ensure that its tribunals are impartial and independent of the office or authority entrusted with administrative enforcement and that they do not have any substantial interest in the outcome of the matter.</p> <p>2. Each Party shall ensure that, in any tribunals or procedures referred to in paragraph 1, the parties to the proceeding are provided with the right to:</p> <p style="padding-left: 40px;">a. a reasonable opportunity to support or defend their respective positions; and</p> <p style="padding-left: 40px;">b. a decision based on the evidence and submissions of record or, if required by its law, the record compiled by the administrative authority.</p> <p>3. Each Party shall ensure, subject to appeal or further review as provided in its law, that such decisions are implemented by and govern the practice of the offices or authorities with respect to the administrative action at issue.</p>	<p>CETA Chapter 27 – Transparency</p>

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	Examples	Source
	<p>Article 13.5 – Review and Appeal</p> <p>1. Each Party shall establish or maintain judicial, quasi-judicial, or administrative tribunals or procedures for the purposes of the prompt review and, where warranted, correction of final administrative actions regarding matters covered by this Agreement. Such tribunals shall be impartial and independent of the office or authority entrusted with administrative enforcement and shall not have any substantial interest in the outcome of the matter.</p> <p>2. Each Party shall ensure that, in any such tribunals or procedures, the parties to the proceeding are provided with the right to:</p> <p>(a) a reasonable opportunity to support or defend their respective positions; and</p> <p>(b) a decision based on the evidence and submissions of record or, where required by the law of the Party, the record compiled by the administrative authority.</p> <p>3. Each Party shall ensure, subject to appeal or further review as provided in its law, that such decision shall be implemented by, and shall govern the practice of, the office or authority with respect to the administrative action at issue.</p>	<p>Australia – China, Chapter 13 - Transparency</p>
<p>Any other issue(s) relating to "streamlining and speeding up administrative procedures and requirements" that should be considered in the IF discussions?</p> <p>Could you provide any example(s) to illustrate the issue?</p>		

**3. Other investment-facilitation related issues**

	<b>Examples</b>	<b>Source</b>
The investment facilitation framework and micro-, small and medium-size enterprises (MSMEs)	<p>Article 17.2</p> <p>Recognising the impact which its regulatory environment may have on trade and investment between the Parties, each Party shall provide for a transparent regulatory environment, which is effective and predictable for persons including economic operators, especially small and medium-sized enterprises.</p>	EU-Japan EPA
Role of the investment facilitation framework in combating corruption	<p>Article 14 – Measures against Corruption</p> <p>Each Contracting Party shall ensure that measures and efforts are taken to prevent and combat corruption in relation to the matters covered by this Agreement in accordance with its laws and regulations.</p>	Uruguay – Japan BIT
Role of the investment facilitation framework in promoting corporate social responsibility (CSR)	<p>Article G-14 bis – Corporate Social Responsibility</p> <p>The Parties reaffirm their commitment to internationally recognized standards, guidelines and principles of corporate social responsibility that have been endorsed or are supported by the Parties, including the OECD Guidelines for Multinational Enterprises, and each Party should encourage enterprises operating within its territory or subject to its jurisdiction to voluntarily incorporate these standards, guidelines and principles into their business practices and internal policies. These standards, guidelines and principles address issues such as labour, environment, gender equality, human rights, community relations, and anti-corruption.</p> <p>Article 16 Corporate Social Responsibility</p> <p>Each Party should encourage enterprises operating within its territory or subject to its jurisdiction to voluntarily incorporate internationally recognized standards of corporate social responsibility in their practices and internal policies, such as statements of principle that have been endorsed or are supported by the Parties. These principles address issues such as labour, the environment, human rights, community relations and anti-corruption.</p>	<p>Canada – Chile FTA</p> <p>Canada – Guinea BIT</p>

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	<b>Examples</b>	<b>Source</b>
	<p>Article 9.17 - Corporate Social Responsibility</p> <p>The Parties reaffirm the importance of each Party encouraging enterprises operating within its territory or subject to its jurisdiction to voluntarily incorporate into their internal policies those internationally recognised standards, guidelines and principles of corporate social responsibility that have been endorsed or are supported by that Party.</p>	<p>CPTPP, Chapter 9 - Investment</p>