Index

accountability 15–16, 18, 19, 125
adverse selection 212–13
aflatoxin levels regulations 54
Africa 1, 3
patents 89
regulation 179, 180, 182
telephone subscriber base 291, 292
see also Ghana, SMEs (small and medium enterprises) and changing regulatory environment; South Africa, privatization and regulation; South Africa, SMEs (small and medium enterprises) and regulation; South Africa, telecommunications industry
Africa, comparative analysis of performance of public and private water utilities 198–9, 216–17
assessing performance in privatized utilities 202–6
competition 211
data envelopment analysis (DEA) and cost function analysis 205–10, 215–16, 221–2
existing evidence 199–202
regulation, effect of 214–16
transaction costs and water concessions 210–16
Agreement on Subsidies and Countervailing Measures (SCM) 56
Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) 48–50, 51–2
Andrade, M.L.A. 164
Antons, C. 86
apple regulations (Japan) 54
appointees (to regulators) 117, 123–4
Argentina 144–5
Aryeetey, E. 240
asbestos case 55
Asia 1
auctions
Brazil 133, 139–40, 157, 158–60, 167
water concessions 212, 213
Averch, H. 13
bankruptcy laws 231
borders to entry 277–9, 284
formal sector 229, 230
barriers to trade 39–41, 43, 44–5
Technical Barriers to Trade (TBT) Agreement 47–8, 50
Barro, R.J. 20
Battese, G.E. 222
beef hormone case 39, 43, 51–2
Berry, A. 225
Besant-Jones, J.E. 138
Bhatia, A. 16
Bhorat, H. 225
boards, decision-making 138
Braithwaite, J. 73, 77, 82, 83
Bräutigam, D. 89–90
Brazil 2–3, 101, 111
achievements and failures of regulation 107–9
economic influence of regulatory state 105–6
intellectual property rights 80
ten pension funds 104, 157, 158–60, 166, 170, 171
political change, implications of 106–7
privatization 103–4, 117–19, 126, 127–8, 136–7, 153
regional distribution of telecoms operators 133–5
regulatory state, current and future status 109–11
state, role as regulator 104–5
state enterprises, decadence of 109–11
Brazil (cont.): state participation, 1930–80 101–3 see also Brazil, steel industry privatization
Index

and hormone-treated beef 39, 43, 51–2
integration 42–3
and mutual recognition (MR) 45
phytosanitary regulations 252
European Patent Office (EPO) 77, 79–80
Farrell, J. 284
financial sector 17
Finger, J.M. 84
France, asbestos case 55
Galal, A. 115, 182
General Agreement on Tariffs and Trade (GATT) 42–5, 50, 56
and domestic measures 45–7
General Agreement on Trade in Services (GATS) 44, 56–9
Ghana 2
Ghana, SMEs (small and medium enterprises) and changing regulatory environment 237–8, 266, 270
business history 254–8
compliance with regulations 264, 266, 268
credit flows 253
development and scope of SME activity 238–41
enterprise performance 253–66
export performance 258, 260, 263
export regulation 242, 244, 249–50, 253
firm characteristics 258–66
firm size 254, 256–7, 258, 259
institutional developments 241–8
labour regulations 250–51, 264, 265, 266, 268
licensing agencies 266, 267
new forms of regulation and responses by SMEs 248–53
policy development and outcomes, private sector involvement 243–4
previous occupation of firm owners 260, 262, 264, 265
recent initiatives 241–2
regulatory constraints 265, 269
standards 251–2
start-up capital 254, 255, 260, 261
support services 266, 268
taxation 243, 245–9
Gill, S. 93–4
Gillwald, A. 288
globalization 2–3, 39
and intellectual property rights 90, 91, 92, 94
GM foods 53
Goldstein, A. 170
Gordhan, P. 232–3
governance
global, intellectual property rights 71–7
regulatory 115–16, 144–5
see also regulation/regulatory governance, and economic growth
government effectiveness 18, 19, 24–7, 28, 30
Granger causality test 20
Guasch, J.L. 213
Handley, P. 214
Harris, C. 215
Higgott, R. 91
Hoekman, B.M. 75
Holder, S. 16
incumbent firms, market power of 132, 277–9, 282, 288
India, regulatory structures 16–17
Indonesia, intellectual property rights 80, 84–7, 88
inflation 25–7, 28, 30
informal economy 227, 228, 229–30
information 181, 183
asymmetries 14, 70, 132–3, 140, 211–12
innovation 60, 70
East Asia 88
and essential facilities 277
instability (corporate governance) 167–9
institutional capacity 20
institutional credibility 126–7, 137–8
institutional design 116–17
institutions
building 15
quality of 23
reform and privatization 184–29850
intellectual property rights 65–71, 91–4
capacity building, extent of assistance programmes for 77–83
global governance of 71–7
TRIPs compliance, problems with ‘encouraging’ 83–91
see also Trade-Related Aspects of Intellectual Property Rights (TRIPs)
interconnection charges 278, 281, 285
International Country Risk Guide (ICRG) 18
International Monetary Fund 1
investment 17, 240
Brazil, post-privatization 104, 105–6, 107, 108–9, 164
Ghana 243, 244, 245, 250
Trade-Related Investment Measures (TRIMs) 56
water services 199–200, 201, 214
Italy 144–5
Japan, apple regulations 54
Johnson, H.G. 41
Johnson, L.L. 13
Jonquières, G. de 39
judiciary 127–8, 144, 146
Kalan, K. 66, 84–5, 86
Kane-Berman, J. 225
Katz, M.L. 286
Kaufmann, D. 17, 20, 24, 32
Kingstone, P. 126
knowledge 69–71, 75–6, 88–9
Korean beef case 52–3, 54–5
Kostecki, M.M. 75
Kouassi, E. 202
Kraay, A. 17, 20, 24, 32
Kumar, N. 87–8
Lall, S. 240, 251–2
Landau, G.D. 107, 108
Latin America 1, 3; see also Brazil;
Brazil, regulatory agencies;
Brazil, steel industry privatization;
Mexico
least-cost routing 281
Levy, B. 116
Loftus, A.J. 214
Lowenfeld, A.F. 92
Lucas, R.E. 19
Malawi 17
Malaysia, intellectual property rights 87, 88
Manuel, T. 232
market definition 287–8
market failure 11, 13–14, 182–3, 212–13
market liberalization 11–12
markets 70
Marsden, C.T. 288
Matthews, D. 72
Mbeki, T. 233
McDonough, P. 126
Meggison, W. 161
Melody, W. 294
mergers and acquisitions 288
Mexico
intellectual property rights 80–81
telecommunications policy 59
Mhone, G. 224
Mitlin, D. 214
Moonen, J. 161
most-favoured nation (MFN) principle 43–4, 57, 73
mutual recognition (trade) 44, 45
Namibia 179
national treatment (trade) 44, 45–6
neoclassical growth model 19
network effects/externalities 277–8
non-tariff barriers (NTBs) 40–41, 43, 44–5
Technical Barriers to Trade (TBT) Agreement 47–8, 50
Oddi, A.S. 75
Olson, M. 17, 20, 32
Ougaard, M. 91
outcome of regulatory system, assessing 15
Pargal, S. 214
Parker, D. 15–16
patents 60–61, 67, 68
Africa 89
East Asia 88
European Patent Office (EPO) 77,
regulation/regulatory governance, and economic growth 11–13, 31–2
data and regression results 24–31, 38
literature review 13–21
measures of regulatory governance 17–21
modelling 21–4
quality of regulation 15–19, 20–21, 24–7, 28, 30–31
regulatory capture 14, 183
regulatory design 144
regulatory governance 115–16, 144–5
regulatory impact assessments 233
regulatory incentives 116, 118, 121–2, 145
regulatory risk 214
regulatory state model 12
Riedel, J. 240
Romer, P.M. 19
Rossi, M. 201–2, 210
rule of law 18, 19
Russia, privatization 182
Rwanda 179
Sachs, J. 181
Schneider, B.R. 170
Schuler, P. 84
Shapiro, C. 14
shrimp turtle case 53, 61
skills 226, 244
SMEs (small and medium enterprises), see Ghana, SMEs (small and medium enterprises) and changing regulatory environment; South Africa, SMEs (small and medium enterprises) and regulation
Smith, W. 116–17
social welfare 15
Solow, R.M. 19
Soto, H. de 228, 229
South Africa 2–3, 17
South Africa, privatization and regulation 179–80, 193–5
Competition Commission 193, 274, 275
critical success factors 181–4
Independent Communications Authority of South Africa (ICASA) 190–92, 273, 274, 275–6, 285–6, 293–998

Index
South Africa, privatization and regulation (cont.):
National Electricity Regulator (NER) 192–3
privatization and restructuring programme 184–90
South Africa, SMEs (small and medium enterprises) and regulation 223–4, 233–4
administrative and regulatory environment 226–30
apartheid, legacy of 224–5
future perspectives 232–3
government support 226
macroeconomic policy 225–6
regulatory drag, examples of 230–32
South Africa, telecommunications industry 186–7, 188–9, 272–3, 299–300
corvergence 285–9
deregulation versus re-regulation 288–9
fixed-line market 276–7
licensing 284
market conduct 284–5
market definition 287–8
market structure and competition issues 276–84
mobile market 280–81
number portability 285
possible remedies 283–5
private telecommunications networks 282–3
regulatory regime 190–92, 273–6
second network operator 279–80, 282, 283
Telkom, performance of 289–99
universal access 289–90
value-added network services (VANS) 281–2, 284
vertical separation 283–4
Spiller, P. 116, 127
Sri Lanka 17
Steel, W.F. 239
steel industry, Brazil, see Brazil, steel industry privatization
Stern, J. 16
Stevenson, R. 208
subsidies 41, 56
sunk costs 214
Tamayo, G. 214
tariffs 40, 41, 252; see also General Agreement on Tariffs and Trade (GATT)
taxation 228, 229
Ghana 243, 245–9
South Africa 231–3
and trade 41–2, 43, 46
Technical Barriers to Trade (TBT) Agreement 47–8, 50
technical regulation 40–41, 43, 44–5, 274–5
telecommunications industry, South Africa, see South Africa, telecommunications industry
Telkom 272, 299–300
as continuing monopoly 189, 191, 276, 282–3
performance 289–9 performance
prices 191–2, 293–5, 296
productivity 297–9
profitability 295–7
quality of service 291, 293
roll-out targets 290–91
subscriber base 291, 292
universal access 289–90
and value-added network services (VANS) 282
see also South Africa, telecommunications industry
Tenenbaum, B.W. 138
trade and regulation 39–40, 61–2
Agreement on Subsidies and Countervailing Measures (SCM) 56
Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) 48–50, 51–2
domestic policy 41–2, 45–7
General Agreement on Trade in Services (GATS) 56–9
integration 42–5
non-tariff barriers (NTBs) 40–41
Technical Barriers to Trade (TBT) Agreement 47–8, 50
Trade-Related Aspects of Intellectual Property Rights (TRIPs)
Trade-Related Investment Measures (TRIMs) 56
WTO jurisprudence 50–55
trade liberalization 42, 240
Trade-Related Aspects of Intellectual Property Rights (TRIPs) 59–61,
65–7, 73–7, 91–4
capacity building, extent of assistance programmes for 77–83
compliance, problems with ‘encouraging’ 83–91
patents process 68
and USA 72
Trade-Related Investment Measures (TRIMs) 56
trademarks 69
training 244
transaction costs 117, 211–14
transparency 16, 125, 182

UK 144–5
United Nations Conference on Trade and Development (UNCTAD) 82
US Patent and Trademark Office (USPTO) 81
USA
and apple sales to Japan 54
and hormone-treated beef 39, 51–2
and intellectual property rights 65–6,
72, 75, 81–2, 83, 90, 93, 94
shrimp turtle case 53, 61
and telecommunications policy, Mexico 59
USAID 81
values 126

Wallsten, S.J. 202
water utilities, see Africa, comparative analysis of performance of public
and private water utilities
Webster, L. 239
Weiler, J.H.H. 43
Welsh, J. 230
White, J. 230
Willig, R.D. 14
Woo-Cummings, M. 87
World Bank 1, 80–81
World Intellectual Property Organisation (WIPO) 65, 71, 72, 76
and capacity building 77, 78–9
World Trade Organisation (WTO) 39,
44–5, 50
Agreement on Subsidies and Countervailing Measures (SCM) 56
Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) 48–50, 51–2
creation of 47
dispute settlement 48, 50–55, 61–2
and intellectual property rights 65–6,
72–3, 74, 79, 84
jurisprudence on trade in goods 50–55
Technical Barriers to Trade (TBT) Agreement 47–8, 50
Trade-Related Investment Measures (TRIMs) 56
see also General Agreement on Tariffs and Trade (GATT);
Trade-Related Aspects of Intellectual Property Rights (TRIPs)

Woroch, G.L. 286