

V/ Questionnaire

For Academics and Researchers

Definitions and issues

It is in 1957 that the Treaty of Rome mentioned for the first time the “Services of general economic interest” (SGEI), a term which existed in any of the Member States. Each of them had defined its own terms or concepts, according to its history, its institutions, its culture, and there is no equivalence between them.

Even if in Europe today there is no fixed definition, within the Union a relative consensus is emerging according to which **the services of general interest (Sgi) include all economic and non-economic services that the public authorities consider to be of general interest and make subject to specific public service obligations and that the services of general economic interest would refer, within the Sgi, to services of an economic nature (cf. glossary in appendix).**

The category of social services of general interest (SSGIs) has recently appeared and covers both economic and non economic services.

Each Member State is confronted today with the coexistence or even the conflict between, on the one hand, their traditional concepts, deriving from centuries-old practice, and on the other hand, the progressive introduction of the Community terms.

At the same time, there is not today a major agreement on the sectors and activities covered by SGIs and SIEGs.

The first part of the study “Mapping of the Public Services” aims to establish a cartography of the SGIs in the 27 Member States of the European Union, by crossing the socio-historical and institutional heritage with the current issues and debates, then by putting these elements in relation to the Community debate that has been developing in particular since the Green Paper of 2003, the White Paper of 2004, the Constitutional Treaty of 2005, the Treaty of Lisbon of 2007.

This questionnaire aims to make an inventory of the conceptions that structure the field and the organisation methods, by stressing the economic, social and industrial relations and as regard the social dialogue in each of the 27 Member States and at the Community level.

the overall aim of this questionnaire is to give an overview of the status of Sgi providers in the Member States of the european union.

2/ Sectors

**For each sector below, which are the current national legal references?
What websites of reference?**

Sector	Legal references	Web sites
Telecommunications		
Postal services		
Production of electricity		
Electric networks (transport-distribution)		
Marketing of electricity		
Gas transport-distribution		
Marketing of gas		
Railway transports of passengers		
Freight rail transport		
Regional and local transport of passengers		
Air transport		
Inland water transport		
Maritime transport		
Water		
Waste water		
Heating		
Broadcasting		
National public administration		
Regional or local public administration		
Hospital health services		
Ambulatory health services		
Primary and secondary education		
Higher education		
Vocational training		
Compulsory social protection		
Complementary social protection		
Social housing		
Childcare services (0-6 years)		
Care of the disabled		
Elderly care		
Financial services (1)		
Cultural services (1)		

Others:

(1) To be mentioned

3/ National and/or sub national law – Competences of definition and organisation

For each sector below, which are the main recent steps that led to the current legal situation?

Which role plays jurisprudence?

Which authorities are competent to define and regulate (central government, regional or local authorities, by distinguishing between centralised States and federal States)?

Sector	Steps of construction of the national law	Competent authorities
Telecommunications		
Postal services		
Production of electricity		
Electric networks (transport-distribution)		
Marketing of electricity		
Gas transport-distribution		
Marketing of gas		
Railway transports of passengers		
Freight rail transport		
Regional and local transport of passengers		
Air transport		
Inland water transport		
Maritime transport		
Water		
Waste water		
Heating		
Broadcasting		
National public administration		
Regional or local public administration		
Hospital health services		
Ambulatory health services		
Primary and secondary education		
Higher education		
Vocational training		
Compulsory social protection		
Complementary social protection		
Social housing		
Childcare services (0-6 years)		
Care of the disabled		
Elderly care		
Financial services (1)		
Cultural services (1)		

Others:

(1) To be mentioned

4/ Statute of SGI providers - Forms of ownership

For each sector below, what are today the main legal forms of Sgi providers (public or private companies, mixed societies, public-public partnerships, co-operatives, services of public authorities, charity organisations, non-profit organisations, etc.)? What are the recent evolutions and tendencies (excepting the effects of the financial and economic crisis) of the ownership of Sgi providers?

Sector	Legal statute of providers	Evolutions of forms of ownership
Telecommunications		
Postal services		
Production of electricity		
Electric networks (transport-distribution)		
Marketing of electricity		
Gas transport-distribution		
Marketing of gas		
Railway transports of passengers		
Freight rail transport		
Regional and local transport of passengers		
Air transport		
Inland water transport		
Maritime transport		
Water		
Waste water		
Heating		
Broadcasting		
National public administration		
Regional or local public administration		
Hospital health services		
Ambulatory health services		
Primary and secondary education		
Higher education		
Vocational training		
Compulsory social protection		
Complementary social protection		
Social housing		
Childcare services (0-6 years)		
Care of the disabled		
Elderly care		
Financial services (1)		
Cultural services (1)		

Others:

(1) To be mentioned

5/ Market structure – Modes of regulation

For each sector below, how is the market structured, what degree of competition, etc.? the role of the public authorities in the regulation, the existence of agencies or independent authorities of regulation, the role of the competition authorities, etc.

Sector	Market structure	Modes of regulation
Telecommunications		
Postal services		
Production of electricity		
Electric networks (transport-distribution)		
Marketing of electricity		
Gas transport-distribution		
Marketing of gas		
Railway transports of passengers		
Freight rail transport		
Regional and local transport of passengers		
Air transport		
Inland water transport		
Maritime transport		
Water		
Waste water		
Heating		
Broadcasting		
National public administration		
Regional or local public administration		
Hospital health services		
Ambulatory health services		
Primary and secondary education		
Higher education		
Vocational training		
Compulsory social protection		
Complementary social protection		
Social housing		
Childcare services (0-6 years)		
Care of the disabled		
Elderly care		
Financial services (1)		
Cultural services (1)		

Others:

(1) To be mentioned

6/ Main ways of financing – The setting of pricing policies and tariffs

How are the sectors funded: part of the payment by users, public grants, funds of compensation between operators, cross subsidies, etc.? are there any social tariffs and specific policies or mechanisms for certain categories of users?

Sector	Financing methods	Are there pricing and tariff setting policies, by which authorities?
Telecommunications		
Postal services		
Production of electricity		
Electric networks (transport-distribution)		
Marketing of electricity		
Gas transport-distribution		
Marketing of gas		
Railway transports of passengers		
Freight rail transport		
Regional and local transport of passengers		
Air transport		
Inland water transport		
Maritime transport		
Water		
Waste water		
Heating		
Broadcasting		
National public administration		
Regional or local public administration		
Hospital health services		
Ambulatory health services		
Primary and secondary education		
Higher education		
Vocational training		
Compulsory social protection		
Complementary social protection		
Social housing		
Childcare services (0-6 years)		
Care of the disabled		
Elderly care		
Financial services (1)		
Cultural services (1)		

Others:

(1) To be mentioned

7/ What methods of evaluation of the SGI?

In general, what are the aspects evaluated (price, quality, accessibility, affordability, continuity etc.)? What criteria and indicators are used for the evaluation? It is voluntary or compulsory? How is it carried out?

8/ Forms and organisation of the social dialogue

Are there specific forms of social dialogue for SGIs? If yes, at what level (national, regional, local)? If not, how is the representation of SGI providers in the social dialogue ensured? Who represents the SGI providers in the social dialogue?

9/ Is there a general (horizontal) law framing the SGIs?