

Doing Business in Iceland: 2012 Country

# Commercial Guide for U.S. Companies

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# Chapter 1: Doing Business in Iceland

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#### **Market Overview**

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Iceland is a stable democracy with an active consumer economy. The pillars of the Icelandic economy are aluminum smelting, fishing and tourism. Its main material exports are aluminum and ferrosilicon, fish and fish products, and pharmaceuticals. Renewable natural resources are ample and include rich fishing grounds and clean power sources. The services sector includes computer software and biotechnology companies.

The majority of imports to Iceland come from the European Economic Area (EEA), 61% in 2010, mainly from the Scandinavian countries, Germany, the Netherlands and the UK. The U.S.' share of imports was 7.9% in 2010. China accounted for 6.0% of imports, Brazil for 8.7% and Japan for 2.3%. Most of Iceland's exports go to the EEA, 81.8% in 2010. Of those, 33.97% went to the Netherlands; 13.96 went to Germany, 10.1% went to the U.K; 4.0% went to Spain and 4.53% went to the U.S.

With a population of 318,452, the market is small. Icelanders, however, are generally well-educated, with sophisticated tastes and accepting of American consumer goods. Almost all Icelanders speak English, and there is no language barrier for Americans doing business in Iceland. Iceland is one of the most advanced countries in the world in the use of information and telecom technology.

The country suffered an economic crisis in 2008 and the state took over the three largest commercial banks. Protests directed towards the government followed, compelling it to resign. A new government was formed after early elections in May 2009 and continues its efforts to strengthen the economy. Iceland completed its IMF program in August 2011.

Unemployment was 7.3% in December 2011. Since late November 2008, the Central Bank of Iceland has implemented temporary rules restricting capital outflow as a measure to support the Icelandic currency, which depreciated 51 percent against the dollar in 2008. As of February 2012, capital controls remain in effect for all but new investments, though it is anticipated that the Central Bank will continue to gradually lift the restrictions. Transactions involving imports and exports of goods and services, travel, interest payments, contractual installment payments and salaries are still permitted. The Central Bank published its Capital Controls Liberalization Strategy in August 2009, stating that the controls will be lifted in stages. Three steps have been implemented thus far. The outflow of foreign currency for new investments registered

with the Central Bank is now allowed, and the Central Bank has begun the process of buying back offshore kronur.

Iceland's GDP in 2010 was about \$13.36 billion. Real GDP decreased by 4% in 2010 and is expected to have increased by 2.5% in 2011. In 2012 GDP growth is projected to be around 3.1%, according to the Statistics Iceland forecast. The forecast predicts economic growth from 2011 on. GDP per capita in 2010 was \$39,606.

The ISK exchange rate was relatively stable in 2011 with capital controls still in full effect. Iceland is an island nation about the size of the state of Kentucky. It is located in the North Atlantic Ocean between Greenland and Norway. The first settlers arrived from Norway in 874. Iceland achieved full independence from Denmark in 1944, having been ruled by the Norwegians and then Danes for almost 700 years. Iceland is a member of EFTA (1970) and the EEA (1994). It is also a member of NATO but has no armed forces of its own. The U.S., on behalf of NATO, bears primary responsibility for the defense of Iceland under the terms of a 1951 bilateral defense agreement. The U.S. maintained a Naval Air Station in Iceland until September 2006, when the base was closed. The Icelandic government submitted an application to join the EU in the summer of 2009. Once negotiations are concluded the agreement will be subject to a referendum. It remains too early to predict the results of such a referendum.

# Market Challenges

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The main barriers to trade and market entry are:

- Lower purchasing power of households, which creates challenges for U.S. exporters, at least in the short term.
- Increasing adoption of EU product standards and regulations, such as food product labeling.
- High tariffs on most agricultural products.
- Restrictions on import of some products, such as raw meat, for phyto-sanitary reasons.
- Difficulty in obtaining financing for joint ventures.

Temporary capital controls are currently in place in Iceland. Investors must register new investments with the Central Bank of Iceland to repatriate capital derived from those investments.

# **Market Opportunities**

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Some of the attractive sectors in Iceland include:

- Energy intensive sectors: The majority of current U.S. investment in Iceland is in the aluminum sector. Opposition towards heavy industry has increased, however, both within the government and in the general public. The government seeks to diversify Iceland's economic base by attracting clean industries that will employ its educated population.
- The film industry: Iceland offers special tax incentives to attract film production. Key link: http://www.filminiceland.com/

• Consumer products: Iceland is dependent on imported goods. Potential growth areas for exports to Iceland include electric generating equipment, organic foods, fresh produce, wine and beer, computer equipment and software, high-tech fishing equipment, aircraft and furniture.

Iceland's first large-scale data center opened in February 2012. Exclusive oil and gas exploration licenses in the Dreki-area Northeast of Iceland were auctioned in May 2009, which generated limited interest. A second auction of exclusive oil and gas exploration licenses is currently underway. Results of the auction are expected to be completed by April 2012.

# Market Entry Strategy

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In Iceland's small society, people refer to each other by first name and personal relationships matter. A personal visit will go a long way in establishing a successful business relationship. As the market is small, it is very common that Icelandic companies act as agents for foreign exporters, handling importation, distribution and marketing.

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# **Chapter 2: Political and Economic Environment**

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

http://www.state.gov/r/pa/ei/bgn/3396.htm

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# Chapter 3: Selling U.S. Products and Services

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#### Using an Agent or Distributor

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Importation and distribution of consumer and industrial goods in Iceland is generally handled by Icelandic wholesalers or agents, who often also handle the marketing of products, or by regional sales offices elsewhere in Europe. Retailers in Iceland often contact manufacturers and distributors in the U.S. directly. For U.S. business representatives visiting Iceland, a direct approach to importers and wholesalers is usually the best way to introduce a new consumer product to the Icelandic market. The Embassy's Economic and Commercial Section can provide lists of importers and sellers of particular products. Iceland has adopted EU Directive 86/653/EEC which establishes certain minimum standards of protection for self-employed commercial agents who sell or purchase goods on behalf of their principals. In essence, the Directive establishes the rights and obligations of the principal and its agents; the agent's remuneration; and the conclusion and termination of an agency contract, including the notice to be given and indemnity or compensation to be paid to the agent. U.S. companies should be particularly aware that the Directive states that parties may not derogate certain requirements. Accordingly, the inclusion of a clause specifying an alternate body of law to be applied in the event of a dispute will likely be ruled invalid by European courts.

# Key Link:

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31986L0653:EN:HTML

Iceland has adopted EU Directive 2000/35/EC that covers all commercial transactions, whether in the public or private sector, primarily dealing with the consequences of late payment. Transactions with consumers, however, do not fall within the scope of this Directive. In sum, the Directive entitles a seller who does not receive payment for

goods/services within one month of the payment deadline to collect interest and to receive compensation for recovery costs. The seller may also retain the title to goods until payment is completed.

Key Link: http://ec.europa.eu/enterprise/policies/single-market-goods/documents/latepayments/index\_en.htm

#### **Establishing an Office**

The most common enterprises in Iceland are limited liability companies, either public or private. Branches of foreign limited liability companies can also be established. For an outline of the procedure see Invest in Iceland Agency's publication "Doing Business in Iceland". It is available at http://www.invest.is/publications/.

#### Franchising

Icelanders are open to American franchises. U.S. fast food franchises in Iceland include KFC, Taco Bell, Subway, Pizza Hut, Dominos and Quiznos. Non-food U.S. franchises include Avis, Curves, Hertz, Office One and RE/MAX. Other U.S. companies that have franchise-like relationships in Iceland include, PricewaterhouseCoopers, Deloitte, Microsoft, and KPMG.

#### **Direct Marketing**

Direct marketing is practiced in Iceland but not to the same extent as in the U.S. Methods include delivering leaflets to homes, television infomercials and telemarketing. The best source of contact information for telemarketers is the Icelandic phonebook. It is published annually in book form and can also be found online (http://en.ja.is/hradleit/). Entries are listed by first name. Some listed entities are marked with a white cross on a red background to denote they prefer not to be contacted by telemarketers. The EU's Directive on distance selling to consumers (97/7/EC and amendments) has been implemented in Iceland. It sets out a number of obligations for companies doing business at a distance with consumers. Direct marketers must provide clear information on their identity as well as that of their supplier, full details on prices including delivery costs, and the period for which an offer remains valid before a contract is concluded. Customers generally have the right to return goods without any required explanation within seven days, and retain the right to compensation for faulty goods thereafter.

Financial services are the subject of EU Directive 2002/65/EC. This legislation is designed to ensure that consumers are appropriately protected in respect to financial transactions taking place where the consumer and the provider are not face-to-face. In addition to prohibiting certain abusive marketing practices, the Directive establishes criteria for presenting contract information. Given the special nature of financial markets, specifics are also laid out for withdrawal of a contract.

Key Link:

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002L0065:EN:NOT

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#### **Joint Ventures/Licensing**

The 1993 competition laws were reviewed in 2001 and in 2005 with amendments on joint ventures and the obligation on reporting on mergers. Iceland has adopted EU regulation (EC) No. 139/2004 on control of concentrations between undertakings. Joint ventures are subject to merger control.

#### Selling to the Government

Iceland is a member of the WTO Government Procurement Agreement (GPA). On the national level, most procurement is the responsibility of the State Procurement Office (Ríkiskaup), an agency of the Icelandic Government. As an EEA member, Iceland is obligated to follow EU procurement practices, which require that any public procurement in excess of a certain price limit must be tendered for competitive bidding through EU procedures. Accordingly, gualifying Icelandic tenders are posted in English on the Tenders Electronic Daily (TED) website of the EU (www.ted.europa.eu) and are also accessible via the website of the U.S. Mission to the EU (www.buyusa.gov/europeanunion). The chief difficulty with the public tender process is that the bid deadline is often very short, which gives prospective U.S. bidders little time to respond, particularly if tender documents need to be translated from Icelandic.

Additional material on State tenders can be obtained from the State Procurement Office (www.rikiskaup.is), but it is not always available in English.

#### **Distribution and Sales Channels**

The majority of Icelanders live in the capital city of Revkjavik and the suburbs surrounding it, extending out to the International Airport on the Reykjanes Peninsula. There are other populated towns on the coast, with Akureyri, the second largest town in the north. There are no population centers in the middle of the country. Distribution is concentrated around the capital, but cargo to other areas can be transported by air, boat or truck. There are no railroads in Iceland.

#### Selling Factors/Techniques

There are many U.S. products on the Icelandic market and Icelanders are very familiar with leading U.S. brand names. Numerous U.S. franchise businesses operate, particularly in the fast food/restaurant sector. Popular U.S. television programs are broadcast in Iceland and first-run U.S. films play in Icelandic cinemas (in English with Icelandic subtitles). Many Icelanders have worked, studied, or traveled in the U.S. and have a first-hand familiarity with American tastes and life-styles. Although Icelandic culture is unique, the consumption habits of Icelanders resemble those of Americans in many ways. There is typically only a single wholesaler or agent for a particular brand or product. Most communities outside the Reykjavík area are small, and the country can be considered a single market area.

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#### **Electronic Commerce**

Iceland follows European e-commerce regulations. E-commerce consists of online banking and shopping, including sales of airline tickets, hotel lodging and events tickets. An Icelandic online service company coordinates delivery and shipping of U.S. products to Iceland: www.shopusa.is.

Icelanders have very high internet usage. 99.5% of Icelanders have a computer that can connect to the internet and 83% of the population has a facebook page. Internet shopping is growing in Iceland. In 2011 just over 51% of internet users did some of their shopping online, up from 47% in 2010.

A new tax for electronic media was implemented in 2011. Vendors must register with the Icelandic tax authorities if they sell more than \$8,000 in products per year to Icelandic customers. Amazon has signed up so far and the first payments are expected to be received in the middle of February 2012.

#### **Trade Promotion and Advertising**

All major types of advertising media are available in Iceland. There are four commercial television channels and numerous private radio stations, in addition to the Governmentowned Radio and TV stations which also do advertising. CNN, Fox News, Sky News, BBC News, AI Jazeera and other international channels are available via a widelysubscribed cable system. For a list of advertising agencies contact the Society of Icelandic Advertising Agencies (www.sia.is).

Newspaper readership in Iceland is very high. There are two principal newspapers: Morgunblaðið, a subscription publication and Fréttablaðið which is distributed free of charge to households in the capital area. Three additional newspapers are: DV, which is a tabloid-style paper currently publishing three times a week; Viðskiptablaðið, a business journal published only on Thursdays; and, Frettatiminn, a weekend paper that is published once a week. All the newspapers have online editions as well.

# Pricing

Retail prices in Iceland can be high, reflecting the cost of shipping to an isolated location, the need to import most industrial inputs, tariffs and regulatory costs for certain items, and a general 25.5% Value Added Tax (VAT) for most items (it is 7% for food, books, magazines and a few other items).

The extent of the service and support provided is directly linked to the product in mind. A common service/support method is a response to customers' questions and follow up to requests. E-mails and phone calls are the usual form of communication. Some services are offered overnight and all year round.

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## Protecting Your Intellectual Property

# IPR Climate in Iceland

There are several marks that indicate the importance for effective management of intellectual property rights in Iceland as Iceland adheres to key international agreements on property rights. The Icelandic legal system provides protection to property rights, including intellectual property. As a 1994 participant to the EEA agreement, Iceland has undertaken to obtain adherence with a series of multilateral conventions on industrial, intellectual, and commercial property.

- Iceland is an EEA country and therefore accepts jurisdiction of the EEA Court.
- As a member of the EEA, Iceland has implemented all relevant EU regulations and directives in the field of IPR. Furthermore, Iceland is bound by bilateral EFTA free-trade agreements which include provisions on IPR.

Since 1962, Iceland has been a member of the "Paris Union" International Convention for the Protection of Intellectual Property (patents, trademarks, commercial names, and industrial design) to which the United States and about 80 other countries adhere. American business executives and inventors are therefore entitled to receive national treatment in Iceland (treatment equal to that accorded Iceland citizens), under laws regarding the protection of patents and trademarks. American nationals are also entitled to certain other benefits, such as the protection of patents against arbitrary forfeiture for non-working and a one-year "right of priority" for filing a patent application. The "right of priority" period for trademarks is six months. Applications or inquiries pertaining to intellectual property as well as industrial property should be addressed to:

Director Einkaleyfastofan -- Icelandic Patent Office Engjateigi 3, IS-150 Reykjavík Tel: +354 580-9400 Website: http://www.els.is E-mail: postur@els.is

Copyright and related rights should be addressed to:

Secretary General Ministry of Education, Science and Culture Sölvhólsgötu 4 IS-150, Reykjavík Tel: +354 545-95-00 Website: http://eng.menntamalaraduneyti.is/ E-Mail: postur@mrn.stjr.is

The Icelandic Patent Office handles all patent disputes in Iceland. The legal framework concerning intellectual property rights (IPR) in Iceland is in all respects equivalent to that of other industrialized countries in Europe. Under Icelandic law, trademarks, copyrights, trade secrets and industrial designs are all protected. The Icelandic Constitution protects Property Rights.

# Patents

Patents are protected under the terms of the EU/EEA agreement, which states that the participant countries comply in their law with the substantive provisions of the European Patent Convention of 1973, which Iceland ratified in 2004. Patent applications are examined for inventiveness and, if accepted, published for opposition for 3 months. If no opposition is filed or it is successfully overcome, the application is allowed and a patent is granted. Iceland's patent laws date from 1991. A patent issued by the Icelandic Patent Office is valid only in Iceland. The Icelandic Patent Office acts as the receiving office for international patent applications from Icelandic applicants. An application for a European patent can be filed with the EPO in Munich, the Hague and Berlin for example. Also, an applicant can file an application with the Icelandic Patent Office.

- Iceland adheres to the European Patent Convention of 1973 since 2004.
- Iceland has been part of the Patent Cooperation Treaty (PCT) since 1995.
- Iceland is a member of the European Patent Organization.
- Iceland is a member of WIPO since 1986 and a party to most WIPO administered agreements.

# Copyrights

The Copyright Act from 1972, with later amendments, protects copyrights in Iceland. The term of copyright protection of a work is for the author's life plus 70 years after the author's death. It includes all literary, dramatic, musical, and artistic works. Copyright includes the sole right to produce and reproduce the work or a translation of it; to publish such a work or translation; to perform it in public; and to authorize others to do so.

Iceland is a signatory to various conventions for the protection of copyrights. It is a member of the Universal Copyright Convention to which the United States and about 60 other countries adhere. Works of American authors copyrighted in the United States are entitled to automatic protection in Iceland. Authors need only show on such works their name; year of publication and the symbol "C" in a circle to obtain copyright protection. Iceland is also a member of the "Berne Union" Copyright Convention since 1947 and member and signatory of the WTO's Trade Related Intellectual Property (TRIPS) Convention since 1995. Iceland is generally effective against conventional hard goods piracy. There has been one legal case against a web site devoted to Bit Torrent file sharing, at the request of an Icelandic copyright holder association. The district court ruled in favor of the association and the site was closed down. The Supreme Court confirmed the ruling in February 2010. The Icelandic government has signaled to police and prosecutors that it wants to see them step up their effort to reduce Internet piracy. Iceland has access to the Swedish, infamous, Pirate Bay, the world's largest Bit Torrent tracker and other top sites. Iceland is a World Trade Organization (WTO) member, and Icelandic legislation complies with WTO TRIPS requirements.

# Trademarks

Iceland protects trademarks under the Trademark Act, No.45 from 1997 and has undertaken to adhere to the 1989 Madrid protocol since 1997. Trademark protection is gained by registering or using a trademark. Trademark applications in Iceland are filed with the Icelandic Patent Office. A trademark registration is valid for 10 years at a time and can be renewed as often as the trademark's owner wishes. Trademark right is limited to each state, i.e. a registration in Iceland only gives protection locally and not in other countries. It is possible to apply for an international registration system. To be registered, trademarks must fulfill certain conditions set forth in the Trademarks Act nr. 45/1997 (http://www.els.is/media/banners/Trade-Marks-Act.pdf). Trademarks may not be of a general nature or descriptive for the goods or services they are supposed to be registered for. Trademarks may not be registered if they are identical to or closely resemble trademarks that have already been registered for similar goods or services. A trademark application must specify which goods or services the mark will stand for. The specification is made according to the international classification of goods and services, otherwise known as the Nice classification. The Patent Office receives applications and examines their suitability for registration, for example with regard to registered trademarks. Marks which fulfill the conditions of the Trademarks Act are registered and published in the Patent Gazette, a monthly Patent Office publication. Iceland adopted the Nice Agreement on International Classification System for registration purposes in 1995.

# **Protecting Your Intellectual Property in Iceland**

Several general principles are important for effective management of intellectual property ("IP") rights in Iceland. First, it is important to have an overall strategy to protect your IP. Second, IP is protected differently in Iceland than in the U.S. Third, rights must be registered and enforced in Iceland, under local laws. Your U.S. trademark and patent registrations will not protect you in Iceland. There is no such thing as an "international copyright" that will automatically protect an author's writings throughout the entire world. Protection against unauthorized use in a particular country depends, basically, on the national laws of that country. However, most countries do offer copyright protection to foreign works under certain conditions, and these conditions have been greatly simplified by international copyright treaties and conventions.

Registration of patents and trademarks is on a first-in-time, first-in-right basis, so you should consider applying for trademark and patent protection even before selling your products or services in the Icelandic market. It is vital that companies understand that intellectual property is primarily a private right and that the U.S. government generally cannot enforce rights for private individuals in Iceland. It is the responsibility of the rights' holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in Icelandic Iaw. The U.S. Commercial Service can provide a list of local lawyers upon request (reykjavikconsular@state.gov).

While the U.S. Government stands ready to assist, there is little it can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IP in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to legal doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should U.S. Government advice be seen as a substitute for the obligation of a rights holder to promptly pursue a case.

It is always advisable to conduct due diligence on potential partners. Negotiate from the position of your partner and give your partner clear incentives to honor the contract. A good partner is an important ally in protecting IP rights. Consider carefully, however, whether to permit your partner to register your IP rights on your behalf. Doing so may create a risk that your partner will list itself as the IP owner and fail to transfer the rights should the partnership end. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in Iceland require

constant attention. Work with legal counsel familiar with Icelandic laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IP and stop counterfeiting. There are a number of these organizations, both Iceland or U.S.-based. These include:

- The U.S. Chamber and local American Chambers of Commerce
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)
- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)

# **IP Resources**

A wealth of information on protecting IP is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the US and other countries -- call the STOP! Hotline: 1-866-999-HALT or register at www.StopFakes.gov.
- For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the US Patent and Trademark Office (USPTO) at: **1-800-786-9199**.
- For more information about registering for copyright protection in the US, contact the US Copyright Office at: **1-202-707-5959**.
- For more information about how to evaluate, protect, and enforce intellectual property rights and how these rights may be important for businesses, a free online training program is available at www.stopfakes.gov.
- For US small and medium-size companies, the Department of Commerce offers a "SME IP Advisory Program" available through the American Bar Association that provides one hour of free IP legal advice for companies with concerns in Brazil, China, Egypt, India, Russia, and . For details and to register, visit: http://www.abanet.org/intlaw/intlproj/iprprogram\_consultation.html
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: www.StopFakes.gov This site is linked to the USPTO website for registering trademarks and patents (both in the U.S. as well as in foreign countries), the U.S. Customs & Border Protection website to record registered trademarks and copyrighted works (to assist customs in blocking

imports of IP-infringing products) and allows you to register for Webinars on protecting IP.

• The U.S. Commerce Department has positioned IP attachés in key markets around the world. You can get contact information for the IP attaché who covers Iceland at: office.stockholm@trade.gov.

#### **Due Diligence**

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The U.S. Foreign and Commercial Service in Stockholm, in cooperation with the U.S. Embassy in Reykjavík, offers the International Company Profile program which provides you with background reports on potential agents, distributors as well as other Icelandic firms. The report includes:

- Detailed background report on a prospective overseas sales representative or partner
- Listing of the company's key officers
- Banking and other financial information
- Market information, including sales, profit figures and liabilities
- Our insight on the strength of the prospective partner

Credit reports on Icelandic companies can be obtained by contacting information databases on defaults and debtors. Companies offer all kinds of services regarding credit reports and background checks.

For further information please contact Olafur F Sigurgeirsson (ReykjavikEconomic@state.gov).

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The Embassy's Consular Section maintains a list of local attorneys that is available on request along with guidelines on retaining an attorney in Iceland. Please contact the Consular Section at reykjavikconsular@state.gov. Inquiries may also be directed to the Icelandic Bar Association, see website www.Imfi.is

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Ministry of Finance http://www.ministryoffinance.is/

Ministry of Education, Science and Culture http://eng.menntamalaraduneyti.is/

Invest in Iceland Agency www.invest.is

Federation of Trade and Services (SVTH) www.svth.is

Chamber of Commerce www.vi.is

State Procurement Office (Ríkiskaup) www.rikiskaup.is

U.S. Mission to the EU http://www.buyusa.gov/europeanunion/

The Society of Icelandic Advertising Agencies (SÍA) www.sia.is

Morgunblaðið www.mbl.is

Fréttablaðið www.frettabladid.is

Viðskiptablaðið www.vb.is

The Icelandic Patent Office www.patent.is

The Icelandic Bar Association www.lmfi.is

The Association of film rights-holder in Iceland http://smais.co.is/template25024.asp?PageID=4636

Creditinfo Iceland www.creditinfo.is

Nordisk Copyright Bureau www.ncb.dk

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# Chapter 4: Leading Sectors for U.S. Export and Investment

# **Commercial Sectors**

- Energy intensive Industries
- Consumer Goods and Entertainment
- Computer Equipment and Software
- Alcoholic Beverages
- Packaged Food, Organic Foods and Produce
- Fishing Equipment
- Electricity Generation Equipment
- Purchasing Various Assets of the Commercial Banks
- Franchising

# **Agricultural Sectors**

• Agriculture

# **Energy Intensive Industries**

#### **Overview**

Iceland's competitively priced and reliable green energy sources make it an attractive location for energy-intensive industrial activities. The largest energy intensive industry in Iceland is aluminum smelting and three smelters currently operate in the country, two of which are U.S. owned. One large-scale data center has opened up for business and plans for additional data centers are under consideration.

# **Sub-Sector Best Prospects**

The Government of Iceland now views electricity as more of a commodity than before and considers the overall benefits of specific projects for the economy. Therefore, projects that provide well paying jobs and diversify the economy will be viewed more favorably than others.

# **Opportunities**

Projects that have been contemplated by U.S. investors have included steel pipe fabricating, data centers, silicon plants, and petrochemical processing. The Invest in Iceland Agency offers information on investing in energy intensive industry.

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The Ministry of Economic Affairs http://eng.efnahagsraduneyti.is/

Ministry of Industry, Energy and Tourism http://eng.idnadarraduneyti.is

Invest in Iceland Agency www.invest.is Return to top

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## **Consumer Goods and Entertainment**

## Overview

The majority of Icelandic households are dual-income, and there is demand for labor saving devices and the latest gadgets. This market could continue to be attractive on both a category and niche basis, despite the economic downturn.

#### **Sub-Sector Best Prospects**

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Electrical appliances, computer software, computer hardware, gaming products, music products.

#### **Opportunities**

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American consumer products are popular in Iceland. There are numerous examples of U.S. products that have a higher market penetration per capita in Iceland than anywhere else in Europe. Also, the market for U.S. entertainment products remains bright, and exposure to American entertainment products appears to have a synergistic effect on sales of other U.S. goods and services. American music and movies have always had a strong market in Iceland and world premieres of movies are often shown in Iceland. Popular groups perform concerts and computer games from the U.S. have a strong fan base in Iceland. The fact that some companies do not accept Icelandic credit cards and/or ship internationally, and do not allow Icelanders to download from their online stores, limits opportunities.

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The Federation of Icelandic Trade (FIS) www.fis.is

# **Computer Equipment and Software**

# Overview

Iceland is among the most computer-savvy countries in the world, and demand for the latest computer hardware and off-the-shelf software reflects this. According to the Global Information Technology Report for 2009-2010 Iceland ranked number 16 of 127 economies in terms of network readiness. The Icelandic software market is sophisticated with several domestic software development companies, and a few global software companies. Icelandic customers are accomplished IT users and are looking for the latest solutions that will increase customer service, cost savings and also enhance business processes. U.S. products are popular in Iceland. Information on investment opportunities in the IT industry in Iceland can be found at Invest in Iceland Agency (www.invest.is).

#### **Sub-Sector Best Prospects**

Demand is expected in the following segments: U.S. manufactured hardware, solutions for information management, applications for increased mobility, e-business, and information security

# **Opportunities**

Iceland has rich energy resources and a cool climate that make it attractive for data storage and processing equipment. Several data storage firms are in the process of establishing infrastructure. Future connectivity capacity to North America will enhance data processing opportunities. Plans are underway for a new high tech data cable to connect Europe, U.K, Iceland and the U.S.

#### Web Resources

Invest in Iceland Agency www.invest.is

Apple: www.epli.is

Nýherji/IBM www.nyherji.is

Opin Kerfi ehf./HP www.opinkerfi.is

Microsoft Iceland www.microsoft.com/iceland/msdk/

EJS/Dell

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www.ejs.is

Skýrr/Oracle www.skyrr.is

World Economic Forum; the Global Information Technology Report http://www3.weforum.org/docs/WEF\_GITR\_Report\_2011.pdf

#### Alcoholic Beverages

# Overview

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There is a state monopoly on the retailing of alcoholic beverages. In addition to selling to the government owned retailer, ÁTVR, wholesalers sell directly to bars, restaurants and hotels. In 2010 ÁTVR alone sold alcoholic beverages worth \$136 million.

Icelanders drinking preferences have steadily changed in recent years from favoring hard liquor to a growing preference for wine and beer. Economic prosperity brought an increased interest in fine wines, but with the economic downturn they have become less popular again. Inexpensive boxed wines are particularly popular. The old-fashioned regulations of Iceland's state alcohol monopoly -- retail sales of alcohol are permitted at a single chain of state-owned stores -- retard competition and complicate the introduction of new labels, but these rules are slowly being liberalized, and this is creating enhanced opportunities for these products.

There are exclusive arrangements for imports of many brands. For example, if one importer imports Heineken, that relationship is exclusive and no other importer imports that brand. This is not governed by any law, but rather is an understood business practice for the small Icelandic market.

The purchase price of all alcohol includes a fee imposed by the Icelandic authorities. Law no. 96/1995 indicates that the fee is to be set on the percentage of alcohol in each liter. All importers of alcohol must pay this fee on top of customs fees.

#### **Sub-Sector Best Prospects**

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Wines, beers and spirits.

#### **Opportunities**

American alcoholic beverages have lost market share in recent years; however, American wines remain popular in Iceland. American beer, particularly micro-brewery beer, is also gaining in popularity.

#### Web Resources

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Wine and beer importers

Ölgerðin Egill Skallagrímsson www.egils.is

RJC: www.rjc.is

Karl K. Karlsson www.karlsson.is

Mekka Wine and Spirits ehf:

www.mekka.is (website only in Icelandic)

Bakkus www.bakkus.is (website only in Icelandic)

HOB www.hob.is (website only in Icelandic)

Elgur ehf. (no active website) Silungahvisl 11, 110 Reykjavik

Retailers

Vinbúðin (owned by ÁTVR): www.vinbud.is

# Packaged Food, Organic Food and Produce

# **Overview**

In 2010, imports of food and drink products to Iceland were above \$382.2 million. The majority of this included packaged and processed food. As of January 1<sup>,</sup> 2012, Iceland implemented a new regulation on genetically modified organisms (GMOs) that requires any product from which more than 0.9 percent is produced from GMOs to be labeled and for manufacturers to maintain traceability records for five years.

#### **Sub-Sector Best Prospects**

Organic foods and produce

#### **Opportunities**

U.S. producers can help by being willing to work with Icelandic importers on packaging and labeling requirements. Familiarity with and willingness to try American brands is high. In November 2009 a retail store modeled after box stores such as Costco and Sam's Club opened in Iceland, introducing some U.S products to the market for the first time. Organic products and fresh produce are popular with Icelanders, who are increasingly seeking out such options and demanding more variety.

#### Web Resources

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Ministry of Economic Affairs http://eng.vidskiptaraduneyti.is/

Ministry of Fisheries and Agriculture http://eng.sjavarutvegsraduneyti.is/

The Icelandic Food and Veterinary Authority – MAST http://www.mast.is

The Federation of Icelandic Trade (FIS) www.fis.is

# Major wholesalers of U.S. products

Íslensk Ameríska (ISAM) www.isam.is

Innnes www.innnes.is

John Lindsay ehf www.lindsay.is

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Karl K. Karlsson www.karlsson.is

Dreifing ehf www.dreifing.is

Aðföng www.adfong.is (Icelandic only)

Olgerdin hf www.olgerdin.is

Kostur ehf www.kostur.is

## **Fishing Equipment**

#### **Overview**

Fishing and fish processing are one of the main pillars of the Icelandic economy and annual landings amount to more than one million tons. Aquaculture is also a commercial activity in Iceland.

# **Sub-Sector Best Prospects**

There is a market for specialized and advanced U.S. equipment, especially where U.S. producers can use advantages gained from economies of scale to offer competitive prices. Fly fishing is also very popular and has become a \$16 million industry in Iceland. The demand for fishing gear for fly fishing and sport fishing is steadily growing.

#### **Opportunities**

Producers who want to introduce a product to the Icelandic market should consider finding a local agent or distributor.

#### Web Resources

Ministry of Fisheries and Agriculture http://eng.sjavarutvegsraduneyti.is

The Federation of Icelandic Fishing Vessel Owners www.liu.is/english/

The Icelandic Aquaculture Association TIAA www.lfh.is/english.htm

Federation of Icelandic Fish-processing Plants www.sf.is

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## **Electricity Generating Equipment**

#### **Overview**

Almost 100% of Iceland's electricity is produced in hydro- and geothermal power plants. For statistics see www.os.is. A few power plants and transmission lines are currently under construction -- or in planning stages -- to feed energy intensive industry. There are three main electricity producers: Landsvirkjun, which is state owned; Reykjavík Energy, owned by three municipalities; and HS Energy, owned by local municipalities and private investors, some of whom are foreign.

As Landsvirkjun and Reykjavík Energy are publicly owned, tendering is mandatory if the value exceeds a certain price limit. The price limit depends on the nature of the purchase. Tenders can be found online the European TED database (www.ted.europa.eu).

#### **Sub-Sector Best Prospects**

Turbines for hydro and geothermal power plants, transformers, generators.

#### **Opportunities**

There are opportunities for U.S. companies in selling products to upgrade, maintain and repair power plants.

#### Web Resources

Ministry of Industry, Energy and Tourism http://eng.idnadarraduneyti.is/

Landsvirkjun www.lv.is

Reykjavík Energy (Orkuveita Reykjavíkur) www.or.is

HS Energy www.hs.is

National Energy Authority (Orkustofnun) www.os.is

Tenders Electronic Daily www.ted.europa.eu

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# **Purchasing Various Assets of the Commercial Banks**

# **Overview**

The debts of many Icelandic companies rose considerably with the depreciation of the ISK in 2008, often to the level of being unserviceable. As a consequence, the three big Icelandic commercial banks took over a number of companies and assets and established holding companies to manage these assets. It is not a long term aspiration of the banks to own and run all of these companies and own all these assets, and they are willing to sell some of these assets, although not always at fire sale prices. The Financial Supervisory Authority's guidelines stipulate that banks cannot own companies in unrelated businesses for more than 12 months without applying for exemptions. Currently the banks are operating 125 firms in unrelated businesses that must be sold. 45 of these companies are now in the process of being sold off.

#### **Sub-Sector Best Prospects**

The assets of the banks include parcels of land, underdeveloped and fully developed residential and commercial housing; fully operating companies; shares in companies; and stocks and inventories of companies being liquidated.

## **Opportunities**

There might be opportunities in acquiring underdeveloped housing or the inventories of bankrupt companies. Many of the companies owned by the banks are likely to be sold, though not necessarily at fire sale prices. Information on selling the assets will often be available on the websites of the banks in English.

#### Web Resources

Arion banki http://www.arionbanki.is/English

Kaupthing receivership committee (owns 87% of Arion bank) http://www.kaupthing.com/Pages/4263

Íslandsbanki http://www.islandsbanki.is/english/

Glitnir receivership committee (owns 95% of Islandsbanki) http://www.glitnirbank.com/

Landsbanki http://www.landsbanki.is/english/

Landsbanki receivership committee http://lbi.is/

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The Icelandic Financial Supervisory Authority http://www.fme.is/?PageID=146

Icelandic State Financial Investments http://bankasysla.is/en/frontpage/

# Franchising

#### **Overview**

Over the last decade U.S. fast food franchises have flourished, with at least 12 U.S. franchises in Iceland today, most of them fast-food chains.

# **Sub-Sector Best Prospects**

In the clothing and apparel sector European franchises are dominant, but U.S. brands in clothing and accessories are consistently popular in Iceland and there could be a base for increasing U.S. franchises in that sector to Iceland. Service franchises are also a possibility.

#### **Opportunities**

Icelanders often approach the Embassy with inquiries on how to buy a U.S. franchise. The Embassy co-hosted two seminars on franchise concepts in 2008 and both were fully subscribed, and the Embassy led a 13-member Icelandic trade delegation to the International Franchise Expo in April 2008.

#### Web Resources

Federation of Trade and Services http://www.svth.is/content/view/157/44/

The U.S. Embassy in Iceland http://iceland.usembassy.gov/

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# **Agricultural Sectors**

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Iceland protects agricultural products with high tariffs. For example, 30% ad valorem tariffs are imposed on meat, dairy products and eggs from outside of the EU, plus specific tariffs per pound that vary with types, which for some products can exceed \$5 per pound. Tariffs on certain varieties of vegetables, e.g. tomatoes, cucumbers and bell peppers are significantly higher during the growing season to protect domestic greenhouse producers. Imported meat must be free of growth hormones and antibiotics. No tariffs are imposed on most other food products, such as fruits, fish and grains. It is estimated that food and beverages accounted for 9.7% of Iceland's imports in 2010.

Animal feed can carry tariffs up to 55%, and some ingredients and additives commonly used in U.S. foods are prohibited. In 2007, 10% tariffs were added to 40 kinds of non-EU origin produce, including salads and spinach. All imported meat must be free of growth hormones and antibiotics. Iceland maintains strict phyto-sanitary regulations, since many animal diseases common elsewhere are not present in the country. Iceland is free of hoof-and-mouth disease and BSE.

Effective September 1, 2011 for feed and January 1, 2012 for food, Iceland implemented a new regulation on Genetically Modified Organisms that requires any product from which more than 0.9 percent is produced from GMOs to be labeled and for manufacturers to maintain traceability records for five years.

For further information about agricultural issues see MAST Icelandic Food and Veterinary Authority (www.mast.is).

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# Chapter 5: Trade Regulations, Customs and Standards

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#### **Import Tariffs**

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Iceland uses the Harmonized Commodity Description and Coding System (HS), which indicates the duty that should be applied and whether an import license or permit is required for the commodity in question. Iceland also uses the ISO 9000, a family of standards for quality management systems. ISO 9000 is maintained by the International Organization for Standardization and is administered by accreditation and certification bodies. Since joining the European Economic Area in 1994, Iceland has adopted European product standards and regulations in most areas. Implementation of these new standards, and the accompanying requirement for use of the CE marking to certify that a product has met EU consumer safety, health or environmental requirements, has created occasional difficulties for importers of some U.S.-manufactured goods. Nonetheless, it is still possible to import U.S.-standard products of many kinds into Iceland, and Icelandic regulators seek to be flexible where possible. However, the Embassy has noticed an increase in these types of regulatory barriers as Icelandic regulations become more 'European'. Information about the CE mark is available from U.S. Department of Commerce Export Assistance Centers around the U.S. Information is also available at the Icelandic Standards Office; the national standards body of Iceland (www.stadlar.is).

To sell products on the EU market as well as in Norway, Liechtenstein and Iceland, U.S. exporters are required to apply CE marking whenever their product is covered by specific product legislation. CE marking product legislation offers manufacturers a number of choices and requires decisions to determine which safety/health concerns need to be addressed, which conformity assessment module is best suited to the manufacturing process, and whether or not to use EU-wide harmonized standards. There is no easy way for U.S. exporters to understand and go through the process of CE marking, but hopefully this section provides some background and clarification.

Products manufactured to standards adopted by CEN, CENELEC and ETSI, and published in the Official Journal as harmonized standards, are presumed to conform to

the requirements of EU Directives. The manufacturer then applies the CE marking and issues a declaration of conformity. With these, the product will be allowed to circulate freely within the EU. A manufacturer can choose not to use the harmonized EU standards, but then must demonstrate that the product meets the essential safety and performance requirements. Trade barriers occur when design, rather than performance, standards are developed by the relevant European standardization organization, and when U.S. companies do not have access to the standardization process through a European presence.

The CE marking addresses itself primarily to the national control authorities of the Member States, and its use simplifies the task of essential market surveillance of regulated products. Although CE marking is intended primarily for inspection purposes by Member State inspectors, the consumer may well perceive it as a quality mark.

The CE marking is not intended to include detailed technical information on the product, but there must be enough information to enable the inspector to trace the product back to the manufacturer or the authorized representative established in the EU. This detailed information should not appear next to the CE marking, but rather on the declaration of conformity (which the manufacturer or authorized agent must be able to provide at any time, together with the product's technical file), or the documents accompanying the product.

Quotas for import of agricultural products, exempt from the general tariffs, exist. To comply with GATT and WTO-agreements, the Minister of Agriculture issues quotas for import of various meat and dairy products every year, exempt from general tariffs. There is some flexibility in how the minister can impose tariffs on the products imported under the WTO-quota. In 1995-2008 specific per pound tariffs were issued that were considerably lower than the general tariffs. 2009 marked a change in policy, as the minister issued ad valorem tariffs that were higher than the general quotas. Quotas for importation of 650 tons of meat and 100 tons of cheese from the EU are also issued every year. Because of high demand, the price of quotas determined in auctions of the quota has often exceeded half the general tariffs.

Iceland also maintains tariffs on some categories of consumer goods, including clothing, shoes, and furniture. Most industrial goods are not subject to tariffs since Iceland ratified a trade agreement with the European Community (later named the European Union) leading to the elimination of tariffs on industrial goods. Automobiles are subject to duties based on carbon emissions, with zero emission cars being duty free. There are no special taxes applicable to trade in services. Most goods imported to Iceland are subject to customs duty and also a value-added-tax (VAT). The standard VAT rate is 25.5%, with a reduced rate of 7%, which generally applies to heating costs, printed matter, restaurant bills, hotel stays, and most food.

The newest "Customs Tariffs"-handbook, listing tariffs on all products, is available at the Directorate of Customs' website: www.tollur.is, under "Publications". It is based on the Harmonized Commodity Description and Coding System (HS).

In addition to tariffs, excise duties are imposed on some products.

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Tariffs on meat and dairy products can be considered prohibitive. As a consequence, imported meat and dairy products account for a small part of domestic consumption.

Effective September 1, 2011 for feed and January 1, 2012 for food, Iceland implemented a new regulation on Genetically Modified Organisms that requires any product from which more than 0.9 percent is produced from GMOs to be labeled and for manufacturers to maintain traceability records for five years.

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Icelandic regulations on ingredients, additives and labeling generally follow EU directives. As of January 1, 2012, Iceland implemented a new regulation on Genetically Modified Organisms that requires any product from which more than 0.9 percent is produced from GMOs to be labeled and for manufacturers to maintain traceability records for five years.

Product labels must be in Icelandic, English or one of the Nordic languages, other than Finnish. However, since nutritional labeling standards in the U.S. are different from those in the EU, importers are required to relabel products to meet EU labeling requirements. U.S. labeled products require additional EU-consistent labeling by importers, which increases the shelf price of the products. Iceland maintains tariffs on certain categories of food products from the U.S. that are not applied to similar products from the EU. For further information contact the Icelandic Environmental and Food Agency (Food Division): www.ust.is; and MAST Icelandic Food and Veterinary Authority: www.mast.is.

# **U.S. Export Controls**

Most high-tech technology can be sold to Iceland without U.S. export licenses, but some remain controlled. Depending on the product, export licenses may be issued from the U.S. Department of Commerce's Bureau of Industry and Security, the Department of State, or the Department of Defense. As licensing can be a lengthy process, U.S. firms should ensure that they do not make delivery commitments until an export license has been approved.

Key Links: http://www.bis.doc.gov/licensing/exportingbasics.htm

# **Temporary Entry**

Samples may be imported into Iceland duty free if they are of little or no commercial value, or have been made unfit for use. Otherwise, samples will be subject to duty. Samples carried by a commercial traveler, as well as pattern books or cards, must be declared upon arrival in the country. Goods can be completely exempt from customs duty and/or VAT when they are imported into Iceland temporarily, to be re-exported unmodified. Goods that fall into this category include materials for trade shows and exhibitions, some professional equipment, special tools used for assembling goods to be exported, replacement machinery or equipment during warranty repairs, samples, works of art to be exhibited, some medical, surgical and laboratory and scientific equipment

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used in hospitals, other medical institutions and for teaching and research purposes. The ATA Carnet, which Iceland honors, is an international customs document that allows the holder to temporarily import goods without payment of normally applicable duties and taxes, including VAT. The Carnet eliminates the need to purchase temporary import bonds. So long as the goods are re-exported within the allotted time frame, no duties or taxes are due. Samples may be imported temporarily by using the ATA carnet, a simplified customs document by which commercial samples or professional equipment may be sent to Iceland. About 65 countries participate in the carnet system. Information on the ATA Carnet can be obtained from U.S. Council for International Business. http://www.uscib.org/index.asp?documentID=718

#### Labeling and Marking Requirements

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Electrical equipment sold and used by the public (consumer electronics and household electrical appliances) must carry the CE mark. The electric current in Iceland is 50 cycle, 220-volt AC. Questions can be forwarded to the Icelandic Consumer Agency (www.neytendastofa.is).

Icelandic intellectual property laws are TRIPS-compliant. All applications for trademark/patent/intellectual property protection in the Icelandic market must be registered with the Icelandic Patent Office (www.patent.is). Iceland does not require country of origin marking for imports. However, goods carrying incorrect designations of origin are prohibited, and products made to appear as produced or manufactured in Iceland may not be imported unless the correct foreign origin is clearly and durably marked thereon.

Special marking regulations and labeling requirements exist for pharmaceuticals, chemicals, food products and other product categories. Iceland has health, sanitary and labeling rules and capabilities for monitoring product quality.

A retail-size food package must show the name of the manufacturer, packer or importer, commercial name of the product, net metric weights or volume, ingredients in descending order of weight, last recommended date of consumption, and storage instructions if perishable or intended for infants. Effective September 1,' 2011 for feed and January 1, 2012 for food, Iceland implemented a new regulation on genetically modified organisms (GMOs) that requires any product from which more than 0.9 percent is produced from GMOs to be labeled and for manufacturers to maintain traceability records for five years. More information can be obtained with the Environment Agency of Iceland (www.ust.is) and at The Icelandic Food and Veterinary Authority (www.mast.is).

# **Prohibited and Restricted Imports**

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Suppliers of chemical substances and products must provide a composition declaration. The Icelandic importer, in cooperation with the foreign manufacturer, is responsible for labeling the product. Labeling requirements generally follow EU regulations. Questions regarding importing, packaging and labeling of toxic substances or chemicals may be directed to the Environmental and Food Agency of Iceland (www.ust.is). Regulations on duty free importation by tourists indicate no exemptions from specific importing requirements for certain products, regulations or any other instructions by Icelandic authorities. Examples of such products include telephones and other telecommunication equipment, fishing equipment/gear and rider's equipment, firearms, ammunition and other related equipment.

## Customs Regulations and Contact Information Return to top

U.S. exporters may request an advance ruling on customs classification from the Icelandic Directorate of Customs. The application should describe the product in complete detail. Samples, catalogues, photographs, or other descriptive literature should be submitted whenever possible. The manufacturer, the exporter, or the representative in Iceland should sign the application. While the customs authorities will not in all cases give a binding decision, the preliminary ruling will usually be considered binding if the goods are found to correspond to the sample or description. Importers can access the Icelandic Customs Tariff Manual in English on the Customs website (www.tollur.is).

# Standards

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## Overview

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Products tested and certified in the United States to American standards are likely to have to be retested and re-certified to EU requirements. Where products are not regulated by specific EU technical legislation, they are always subject to the EU's General Product Safety Directive as well as to possible additional national requirements.

European Union standards created under the New Approach are harmonized across the EU Member States and European Economic Area countries to allow for the free flow of goods. A feature of the New Approach is CE marking. For a list of new approach legislation, go to http://ec.europa.eu/enterprise/policies/european-standards/documents/harmonised-standards-legislation/list-references/index\_en.htm.

While harmonization of EU legislation can facilitate access to the EU Single Market, manufacturers should be aware that regulations and technical standards might also function as barriers to trade if U.S. standards are different from those of the European Union.

#### **Standards Organizations**

Icelandic Standards (IST) is the national standards body of Iceland. It is an independent association whose role, by law, is the publication of Icelandic standards and the representation of Iceland in international and regional standards bodies. Four sector committees operate under the auspices of Icelandic Standards: BSTR, in the building sector, FIF in the fishing sector, FUT in the information technology sector, and RST in the electro-technical sector. IST is a member of the European standards organizations CEN, CENELEC and ETSI and of the international standards organizations ISO and IEC. Their address is:

Icelandic Standards Skúlatun 2 IS-105 Reykjavík, Tel: +354 520-7150 Fax: +354-520-7171 Web site: www.stadlar.is

#### NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL: http://www.nist.gov/notifyus/

#### **Conformity Assessment**

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Electrical equipment sold and used by the public (consumer electronics and household electrical appliances) must carry the CE mark to certify that the products have met EU consumer safety, health or environmental requirements. The electric current in Iceland is 50 cycle, 220-volt AC. Questions can be forwarded to the Icelandic Consumer Agency (www.neytendastofa.is).

Icelandic intellectual property laws are TRIPS-compliant. All applications for trademark/patent/intellectual property protection in the Icelandic market must be registered with the Icelandic Patent Office (www.patent.is). Iceland does not require country of origin marking for imports. However, goods carrying incorrect designations of origin are prohibited, and products made to appear as produced or manufactured in Iceland may not be imported unless the correct foreign origin is clearly and durably marked thereon.

Special marking regulations and labeling requirements exist for pharmaceuticals, chemicals, food products and other product categories. Iceland has health, sanitary and labeling rules and capabilities for monitoring product quality.

A retail-size food package must show the name of the manufacturer, packer or importer, commercial name of the product, net metric weights or volume, ingredients in descending order of weight, last recommended date of consumption, and storage

instructions if perishable or intended for infants. As of January 1, 2012 any product from which more than 0.9 percent is produced from genetically modified organisms must be labeled as such. More information can be obtained from the Environment Agency of Iceland (www.ust.is) and at The Icelandic Food and Veterinary Authority (www.mast.is).

# **Product Certification**

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To sell products on the EU market as well as Iceland, U.S. exporters are required to apply CE marking whenever their product is covered by specific product legislation. CE marking product legislation offers manufacturers a number of choices and requires decisions to determine which safety/health concerns need to be addressed, which conformity assessment module is best suited to the manufacturing process, and whether or not to use EU-wide harmonized standards.

Products manufactured to standards adopted by CEN, CENELEC and ETSI, and published in the Official Journal as harmonized standards, are presumed to conform to the requirements of EU Directives. The manufacturer then applies the CE marking and issues a declaration of conformity. With these, the product will be allowed to circulate freely within the EU/EEA district. A manufacturer can choose not to use the harmonized EU standards, but then must demonstrate that the product meets the essential safety and performance requirements. Trade barriers occur when design, rather than performance, standards are developed by the relevant European standardization organization, and when U.S. companies do not have access to the standardization process through a European presence.

The CE marking addresses itself primarily to the national control authorities of the EU member states, and its use simplifies the task of essential market surveillance of regulated products. Although CE marking is intended primarily for inspection purposes by EU member states inspectors, the consumer may well perceive it as a quality mark.

The CE marking is not intended to include detailed technical information on the product, but there must be enough information to enable the inspector to trace the product back to the manufacturer or the authorized representative established in the EU. This detailed information should not appear next to the CE marking, but rather on the declaration of conformity, the certificate of conformity (which the manufacturer or authorized agent must be able to provide at any time, together with the product's technical file), or the documents accompanying the product.

Icelandic Standards (IST) is accredited for certification in the fields of environment (ISO14000 series), quality (ISP9000 series), Information technology, Security technology and Information safety (ISO/IEC 17799 -ISO 27002 and ISO/IEC 27001 series) and products (CE marking).

# Accreditation

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The Icelandic Consumer Agency is, among other things, the national accreditation organization under the auspices of Icelandic Ministry of Interior. The Icelandic Consumer Agency provides companies and institutions with expert accreditation and metrological services and is to ensure compliance with requirements for the safety and interests of Icelandic consumers. The Accreditation Division performs accreditation of inspection, testing and certification bodies to the EN 45000 series of standards, which entails international recognition of their activities. It also handles communications and training concerning accreditation issues and B-accreditation of workshops for re-inspection of motor vehicles, testing and installation of tachopraphs. Accreditation involves the formal recognition of competence to perform specific tasks, e.g. motor vehicle inspections, testing of the bacteriological content of water or certification of quality systems.

Independent certification bodies, known as notified bodies, have been officially accredited by competent authorities to test and certify to EU requirements. However, under the Agreement on Mutual Recognition between the U.S. and the EEA and EFTA states, notified bodies based in the United States and referred to as conformity assessment bodies, are allowed to test in the United States to EEA and EFTA specifications, and vice versa.

The National Institute of Standards and Technology (NIST), has a link on its website to American and European Conformity Assessment bodies operating under a mutual recognition agreement (http://ts.nist.gov/Standards/Global/upload/US-EEA\_EFTA\_States\_MRA\_Oct\_17\_051.pdf)

Notified bodies in Iceland can be found at http://ec.europa.eu/enterprise/newapproach/nando.

Accreditation is handled at Member State level. "European Accreditation" (http://www.european-accreditation.org/default\_flash.htm) is an organization representing nationally recognized accreditation bodies. Membership is open to nationally recognized accreditation bodies in countries in the European geographical area that can demonstrate that they operate an accreditation system compatible with EN45003 or ISO/IEC Guide 58.

ISAC - Iceland Accreditation ISAC, Einkaleyfastofan Engjateigur 3 IS-150, Reykjavík Tel: +354 580 9400 Fax: +354-580-9401 Web site: http://www.isac.is

#### Publication of Technical Regulations

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When it comes to technical regulations and standards, Iceland is a member of the EEA and bound by the same regulations as EU countries. For further information see:

The Icelandic Council for Standardization Skulatun 2,

IS-105 Reykjavík, Tel: +354 520 7150 Web site: www.stadlar.is The National Gazette in Iceland is called Stjórnartiðindi (www.stjornartidindi.is) and is Iceland's official gazette. It contains three parts: Part A - Statutes, ordinances and regulations; Part B - Subordinate legislation; and Part C - International agreements. It provides free access to the full text of all three sections of Stjórnartíðindi in Icelandic that have been finalized.

#### Labeling and Marking

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Icelandic regulations for labeling generally follow EU directives. In EU member states it is mandatory to label the products if they are genetically modified. Effective September 1, 2011 for feed and January 1, 2012 for food, Iceland implemented a new regulation on Genetically Modified Organisms that requires any product from which more than 0.9 percent is produced from GMOs to be labeled and for manufacturers to maintain traceability records for five years.

See more information in Labeling and Marking Requirements in chapter 5. Special marking regulations and labeling requirements exist for some product categories. For pharmaceuticals, chemicals and food products more information on labeling can be obtained from the following sources: Ministry of Welfare at (www.velferdarraduneyti.is); Medicines Control Agency (www.imca.is); The Environment Agency of Iceland (www.ust.is).

#### Contacts

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U.S. Embassy Reykjavík Laufásvegi 21 IS-101, Reykjavík Tel: +354 562-9100 Web site: http://iceland.usembassy.gov/

IST -- Icelandic Standards Skúlatún 2 IS-105 Reykjavík Tel: +354 520-7150 Web site: http://stadlar.is/english/ E-mail: stadlar@stadlar.is

The Icelandic Consumer Agency (Neytendastofa) Borgartúni 21 IS-105 Reykjavík Tel: +354 510-1100 Web site: www.neytendastofa.is

Iceland Accreditation ISAC -- Einkaleyfastofan, Engjateigi 3, IS-150 Reykjavík Tel: +354 580-9400 Web site: www.els.is E-mail: postur@els.is Ministry of Welfare Hafnarhusid, Tryggvagata IS-150 Reykjavík Tel: +354 545-8100 Web site: http://eng.velferdarraduneyti.is/ E-mail: postur@vel.is

Icelandic Medicines Control Agency Vínlandsleið 14 IS-113, Reykjavik Tel: +354 520-2100 Web site: http://www.imca.is/

The Environment Agency of Iceland Suðurlandsbraut 24 IS-108, Reykjavík Tel: +354 591-2000 Web site: http://english.ust.is/

#### **Trade Agreements**

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Iceland is a member of the Agreement on the European Economic Area (EEA) that unites members of the European Union (EU) and the three EFTA EEA states (Iceland, Liechtenstein and Norway) into one single market governed by the EU basic rules. Iceland is also bound by Free Trade Agreements (FTA) with the following countries through its membership in the European Free Trade Association (EFTA): Canada, Chile, Croatia, Egypt, Israel, Jordan, Korea, Lebanon, Macedonia, Mexico, Morocco, Palestinian Authority, the South African Customs Union, Singapore, Tunisia and Turkey.

Iceland does not have a bilateral investment treaty or an FTA with the U.S. There is a U.S.-Iceland bilateral taxation treaty and a Trade and Investment Framework Agreement (TIFA) with the United States.

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The Ministry of Welfare http://eng.velferdarraduneyti.is/

The Icelandic Environmental and Food Agency (Food Division): www.ust.is

The Icelandic Food and Veterinary Authority www.mast.is

U.S. Council for International Business http://www.uscib.org/ The Icelandic Consumer Agency http://www.neytendastofa.is/English

The Icelandic Patent Office www.einkaleyfastofan.is

Directorate of Customs www.tollur.is

Icelandic Standards www.stadlar.is

The National Gazette www.stjornartidindi.is

Medicines Control Agency www.lyfjastofnun.is

The Environment Agency of Iceland www.ust.is

The National Institute of Standards and Technology http://ts.nist.gov/Standards/Global/upload/US-EEA\_EFTA\_States\_MRA\_Oct\_17\_051.pdf

NANDO (New Approach Notified and Designated Organisations) http://ec.europa.eu/enterprise/newapproach/nando/

All contact information for Icelandic Government institutions, other institutions and associations mentioned in this chapter can be found in chapter 9.

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# **Chapter 6: Investment Climate**

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# **Openness to Foreign Investment**

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The Icelandic government professes it welcomes foreign investment in most sectors, but has been criticized for its lack of support for certain potential projects and for a deteriorating investment climate. The majority of past investment has been in energy-intensive industries, such as aluminum smelting, that take advantage of the country's abundant renewable energy resources. The current coalition government is less receptive to heavy industry and seeks to attract green projects that provide a large number of high paying jobs. As part of its investment promotion strategy, the state operates the "Invest in Iceland Agency," which facilitates foreign investment and provides information to potential investors.

The government continues to reevaluate the role of foreign direct investment (FDI), particularly anything related to the use of natural resources. There is considerable interest in further diversification from the fishing and aluminum industries, but beyond debating the merits of individual investment projects the Icelandic leadership has not articulated a clear growth strategy or signaled what its priorities are for foreign investment. Electricity is viewed less as a commodity than previously, as politicians now consider the effects that specific energy-intensive projects would have on the economy as a whole, in terms of job creation and environmental impact. The attempted purchase by a non-EEA citizen of a large parcel of land to develop the tourist industry was the subject of considerable debate regarding foreign investment in Iceland and highlighted

significant differences of opinion within the government. Ultimately, the government denied the individual's request for an exemption, which would have allowed the sale.

Icelandic laws regulating and protecting foreign investments are consistent with OECD and European Union (EU) standards. As Iceland is a member of the European Economic Area (EEA), most EU commercial legislation and directives are in effect in Iceland. The major law governing foreign investment is the 1996 Act on Investment by Non-residents in Business Enterprises, which grants national treatment to non-residents of the EEA (including U.S. citizens). The law dictates that foreign ownership of businesses is generally unrestricted, but limited in the fishing, energy and aviation sectors. Only entities with at least 51 percent Icelandic ownership can hold fishing rights. Non-EEA residents cannot hold hydro and geothermal power harnessing rights; cannot manufacture or distribute energy; and cannot own more than 49 percent of aviation companies. However, there are precedents of such restrictions being circumvented by non-EEA companies that establish holding companies somewhere within the EEA. Icelandic law also restricts the ability of non EEA-citizens to own land, but this may be waived by the Ministry of Justice and Human Rights Affairs. The managers and the majority of the board of directors in an Icelandic enterprise must be domiciled in Iceland or another EEA member state, though exemptions from this provision can be granted.

Icelandic courts uphold the sanctity of contracts as a matter of course. Depending on the turnover of the companies in question, the Icelandic Competition Authority shall be notified of mergers and acquisitions. The Authority may annul mergers or set conditions with the objective of preventing harmful oligopolies and the restriction of competition.

There is no automatic screening of foreign investors, although bidders in privatization sales may have to go through a pre-qualification process. Potential U.S. bidders in privatization auctions need to follow the process closely, since the procedures are often ad hoc and deadlines can be short.

The U.S. does not have a bilateral investment treaty (BIT) with Iceland. A Trade and Investment Framework Agreement (TIFA) was signed in January 2009.

The Icelandic Krona (ISK), which depreciated 60 percent against the dollar during the 2008 economic crisis, has been relatively stable since 2009. Capital controls remain in effect for all but new investments and have been put into a law that is set to expire at the end of 2013.

Measure	Year	Index/Ranking
TI Corruption Index	<u>2011</u>	<u>13</u>
Heritage Economic Freedom	<u>2011</u>	<u>14</u>
World Bank Doing Business	<u>2011</u>	<u>15</u>

#### **Conversion and Transfer Policies**

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The Central Bank of Iceland imposed capital controls in October 2008 to prevent a massive capital outflow by foreign investors with stakes in the Icelandic economy after

the collapse of the financial sector. The capital controls are intended to be a temporary measure. The 1996 Act on Investment by Non-residents in Business Enterprises states that "non-residents who invest in Icelandic enterprises shall have the right convert into any currency, for which the Central Bank of Iceland maintains a regular exchange rate any dividends received or other profits and proceeds from sales of investments." Transactions involving imports and exports of goods and services, travel, interest payments, contractual installment payments and salaries are still permitted. The Central Bank published its Capital Controls Liberalization Strategy in August 2009, stating that the controls will be lifted in stages. Three steps have been implemented thus far. The outflow of foreign currency for new investments registered with the Central Bank is now allowed, and the Central Bank has begun the process of buying back offshore kronur.

# **Expropriation and Compensation**

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The Constitution of Iceland proclaims that no one may be obliged to surrender his property unless required by public interests and that such a measure shall be provided for by law and full compensation be paid. A special committee is appointed every five years to review and proclaim the legality of expropriation cases. If the committee proclaims a case to be legal it will negotiate an amount of compensation with the appropriate parties. If an amount cannot be agreed upon, the committee determines a fair value after hearing the case of all parties.

In 2010, the government announced its intention to "retract privatization of the energy sector and ensure that energy companies are owned by public authorities." Expropriatory actions were considered against a foreign firm's purchase of a geothermal power company but were not taken, because a provision in the law on Foreign Investment stipulates that it must occur no later than eight weeks after the purchase. That foreign company, however, subsequently sold about 25% of its shares in the power company after continued public debate and pressure from Icelandic authorities.

As far as the U.S. Embassy is aware, the Icelandic government has never expropriated a foreign investment. Some actions of the Icelandic government before and during the financial crisis in October 2008, such as the takeover of the three major banks with significant foreign investment interests when they were running out of liquidity, have been described by private investors as an expropriation of sorts.

#### **Dispute Settlement**

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Iceland has ratified the major international conventions governing arbitration and the settlement of investment disputes. Iceland accepts binding arbitration of investment disputes.

Economic Surveillance Authorities (ESA) under the European Free Trade Association (EFTA) agreement ruled that the emergency laws put in place when the Icelandic banking sector crashed were legal. Some entities, however, tried to appeal this ruling to change the order of claims in the estates of the old banks but were unsuccessful. In October, Iceland's Supreme Court upheld the legality of the emergency laws, paving the way for the first disbursement of payments to the priority claimants of the former Landsbanki. ESA filed a lawsuit in December against Iceland in the EFTA Court for breach of the Deposit Guarantee Directive. ESA states that Iceland is obligated to

ensure payment of a minimum compensation of 20.887 Euros per depositor. The Embassy is unaware of any other cases of major investment disputes involving foreign investors in Iceland.

The Icelandic civil law system enforces property rights, contractual rights and the means to protect these rights. The Icelandic court system is independent from the parliament and government. Foreign parties must abide by the same rules as Icelandic parties, and they enjoy the same privileges in court; there is no discrimination against foreign parties in the Icelandic court system. When trade or investment disputes are settled, the settlement is usually remitted in the local currency.

Under the Constitution, sentences may be passed by the courts only. The courts are divided into two classes: the lower courts, where most cases are heard, and the Supreme Court, which hears appeals from the lower courts. There are eight lower courts and one Supreme Court, all hearing public and private cases. Iceland has been a member of the International Center for Settlement of Investment Disputes (ICSID) since 1966.

# Performance Requirements and Incentives

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Broadly speaking, Iceland currently does not offer direct subsidies for business investment. Its primary incentives are in providing for a favorable environment for businesses, including relatively low corporate tax rates and low energy prices. However, due to the State's fiscal gap following the financial crash the government has raised taxes to generate revenue. Past investment agreements have been made on a case-bycase basis and have included, among other incentives, some tax exemptions. In 2010, the government created a standardized investment agreement to serve as a template for all future agreements. Local communities may offer certain additional incentives.

As a member of the EEA, Iceland has access to various EU funding programs, including the Seventh Framework Program. Icelandic entities, including companies established in Iceland, can obtain funding from the Program for joint R&D ventures with entities from other EEA countries.

Film and TV production in Iceland are subsidized by the Icelandic state in the form of a rebate of a portion of production costs through 2016. A branch or a representative office must be established in Iceland for these purposes. There are no requirements as to the production budget, but the film should promote Icelandic culture as well as introduce Iceland's history and natural beauty. The film and TV production cost rebate rate for costs incurred over the 2007-2016 period is 20 percent. The program does not provide a rebate for the production of commercials or music videos. More information is available at www.filminiceland.com.

# **Right to Private Ownership and Establishment**

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Foreign entities are free to establish and own any type of business enterprise and engage in all forms of legal remunerative activity other than in fishing, energy, and aviation. Companies established in the EEA, however, are not subject to these limitations in the energy and aviation industries. If a foreign citizen from outside the EEA wishes to purchase land or real estate in Iceland, a permit is required from the Ministry of Internal Affairs. Icelandic law treats public and private enterprises with equality when it comes to market access and other business operations. Foreign investors are permitted to participate in the privatization of government-owned businesses, subject to restrictions imposed by the government.

A foreign party must obtain an identity number (kennitala) before establishing a bank account.

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Iceland adheres to key international agreements on property rights (e.g., Paris Union Convention for the Protection of Industrial Property). Trademarks, copyrights, trade secrets and industrial designs are all protected under Icelandic law. As with many other issues, Iceland is following the European lead in protection of property rights and adheres to the European Patent Convention of 1973. In 2005, Iceland signed the Patent Cooperation Treaty (PCT).

Iceland is a member of the EEA and therefore accepts jurisdiction of the EEA Court. Property rights are recognized and protected in the Constitution of Iceland. Secured interests in property are bound by law and enforced as such and there is a reliable system which records such security interests.

The Icelandic Patent Office -- a governmental agency under supervision of the Ministry of Economic Affairs -- handles all patent disputes in Iceland. The legal framework concerning intellectual property rights (IPR) in Iceland is in all respects equivalent to that of other industrialized countries in Europe. Iceland is a World Trade Organization (WTO) member, and Icelandic legislation complies with WTO TRIPS requirements.

As an EFTA state and member of the EEA, Iceland has implemented all relevant EU regulations and directives in the field of IPR. Furthermore, Iceland is bound by bilateral EFTA free-trade agreements which include provisions on IPR.

Iceland is a member of the European Patent Organization. Iceland is a member of WIPO and a party to most WIPO-administered agreements.

# Transparency of Regulatory System

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Icelandic laws regulating business practices are consistent with those of most OECD member states, and are increasingly based on European Union directives as a result of Iceland's EEA membership. Much of Iceland's financial regulatory system was put in place only in the 1990s, thus transparency is occasionally a concern (i.e. in public procurement, and in privatization sales where the process is established by the government on an ad hoc basis). In response to the financial crisis of 2008, the government is working to increase its regulatory role in the financial sector.

The Competition Authority is responsible for the enforcement of anti-monopoly regulations and the promotion of effective competition in business activities. This includes eliminating unreasonable barriers and restrictions on freedom in business operations, preventing harmful oligopoly and restriction of competition and facilitating the access of new competitors to the market.

The Consumer Agency holds primary responsibility for market surveillance of business operators, transparency of the markets with respect to safety and consumers' legal rights, and enforcement of legislation concerning protection of consumers' health, legal and economical rights.

The system as a whole is transparent, though bureaucratic delays can occur. All proposed laws and regulations are published in draft forms for the public record and are open for comment.

The Icelandic parliament (Althingi) consists of a single chamber of 63 members and a simple majority is required for ordinary bills to become law. All bills that are introduced in the parliament are in draft form. Drafts are open to the public and are published on the parliament's web page. Interested parties can comment on proposed law and regulations.

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All companies have access to regular commercial banking services in Iceland, even if it is likely that financing for large-scale investment projects will largely need to come from abroad. The ISK weakened by 3% in 2011 despite the implementation of capital controls. Iceland has been running a positive trade surplus that has helped in stabilizing the ISK. There is ample demand for foreign currency, but selling large amounts of ISK in a single transaction might be difficult. The Central Bank has often involved itself in the market since the collapse, buying ISK, and those who have been allowed to sell ISK under the capital controls have been able to do so.

The combined assets of Iceland's three largest banks amount to roughly 2.5 times Iceland's GDP in 2010. There are also a number of other smaller financial institutions active in Iceland, notably MP bank, which acquired a commercial banking license in 2008 and has assets valued at 50 billion ISK (\$424 million). MP-Bank is the only Icelandic private bank that has not been recapitalized by the Icelandic state after the economic crash of 2008. Its current capital ratio is 20%, which is above the Financial Supervisory Authority's (FME) 16% capital adequacy requirement. The three large banks in Iceland met this requirement by June 2010. At the end of the second quarter 2011, nonperforming loans in the Icelandic banking system were 39%.

The OMX Nordic Exchange operates the market for securities in Iceland and trades various products. Activity has been limited since the crash, but the infrastructure is in place. In 2010 99% of all volume on the OMX exchange in Iceland was in bonds. Daily turnover was around \$100 million in bonds and \$1 million in equities. The Central Bank frequently issues and auctions ISK-denominated government bonds and welcomes foreign participation.

#### **Competition from State Owned Enterprises**

Private enterprises are generally allowed to compete with public enterprises under the same terms and conditions in all sectors except energy manufacturing and distribution. SOEs are most active in the banking, energy, health and alcohol sectors. In some cases, politicians are on the boards of SOEs.

In the midst of the banking crisis, the state, through the Financial Supervisory Authority (FME), took over Iceland's three largest commercial banks in October 2008 and subsequently took over several savings banks to allow for uninterrupted banking services in the country. As of January 2011, creditors of two of the three largest banks acquired a majority of shares in the newly established commercial banks. The state has a considerable stake in many companies through its shares in the banks; however, it is the policy of the government not to interfere with internal or day-to-day decisions of these companies.

In 2009, the state established the Bank Shares Management Company to manage the state-owned shares in financial companies. The Minister of Finance appoints the three board members, who appoint a committee that determines who will represent the state on the boards of financial companies.

While most energy producers are either owned by the state or municipalities, there is free competition in the energy market. In 2008 one of the major energy companies was split into two companies: one that produces energy and another that distributes it. A foreign company bought approximately 95 percent of the energy producing company in 2010 through its EEA subsidiary, but subsequently sold a portion of its shares and now owns 75 percent.

The universal healthcare system is mainly state operated, though the Embassy is aware of plans to build private health tourism facilities in Iceland. Few legal restrictions exist; however, private clinics need an agreement with the Icelandic state, a foreign state or an insurance company regarding payment for services.

The State Alcohol and Tobacco Company of Iceland (ÁTVR), has exclusive rights for the retail sale of all alcoholic beverages. Importers and wholesale companies are privately run.

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In general, there is an awareness of corporate social responsibility among both producers and consumers.

# **Political Violence**

Iceland experienced political protests stemming from the October 2008 financial crisis. Public protests spurred the government to dissolve and a new coalition to form prior to early elections in spring 2009. Although the occasional protests are still held, they are much less intense then in late 2008 and early 2009. There have been limited cases of politically motivated vandalism of foreign holdings in recent years, directed primarily at the aluminum industry.

#### Corruption

Corruption, including bribery, raises the costs and risks of doing business. Corruption has a corrosive impact on both market opportunities overseas for U.S. companies and the broader business climate. It also deters international investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

It is important for U.S. companies, irrespective of their size, to assess the business climate in the relevant market in which they will be operating or investing, and to have an effective compliance program or measures to prevent and detect corruption, including foreign bribery. U.S. individuals and firms operating or investing in foreign markets should take the time to become familiar with the relevant anticorruption laws of both the foreign country and the United States in order to properly comply with them, and where appropriate, they should seek the advice of legal counsel.

The U.S. Government seeks to level the global playing field for U.S. businesses by encouraging other countries to take steps to criminalize their own companies' acts of corruption, including bribery of foreign public officials, by requiring them to uphold their obligations under relevant international conventions. A U. S. firm that believes a competitor is seeking to use bribery of a foreign public official to secure a contract should bring this to the attention of appropriate U.S. agencies, as noted below.

**U.S. Foreign Corrupt Practices Act:** In 1977, the United States enacted the Foreign Corrupt Practices Act (FCPA), which makes it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to foreign public officials for the purpose of obtaining or retaining business for or with, or directing business to, any person. The FCPA also applies to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States. For more detailed information on the FCPA, see the FCPA Lay-Person's Guide at: http://www.justice.gov/criminal/fraud/

**Other Instruments:** It is U.S. Government policy to promote good governance, including host country implementation and enforcement of anti-corruption laws and policies pursuant to their obligations under international agreements. Since enactment of the FCPA, the United States has been instrumental to the expansion of the international framework to fight corruption. Several significant components of this framework are the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Antibribery Convention), the United Nations Convention against Corruption (UN Convention), the Inter-American Convention against Corruption (OAS Convention), the Council of Europe Criminal and Civil Law Conventions, and a growing list of U.S. free trade agreements. Iceland is party to all of the above conventions except the OAS Convention.

**OECD Antibribery Convention:** The OECD Antibribery Convention entered into force in February 1999. As of March 2009, there are 38 parties to the Convention including the United States (see http://www.oecd.org/dataoecd/59/13/40272933.pdf). Major exporters China, India, and Russia are not parties, although the U.S. Government strongly endorses their eventual accession to the Convention. The Convention obligates the Parties to criminalize bribery of foreign public officials in the conduct of international business. The United States meets its international obligations under the OECD

Antibribery Convention through the U.S. FCPA. Iceland is a party to the OECD Convention.

**UN Convention:** The UN Anticorruption Convention entered into force on December 14, 2005, and there are 158 parties to it as of November 2011 (see http://www.unodc.org/unodc/en/treaties/CAC/signatories.html). The UN Convention is the first global comprehensive international anticorruption agreement. The UN Convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption. The UN Convention goes beyond previous anticorruption instruments, covering a broad range of issues ranging from basic forms of corruption such as bribery and solicitation, embezzlement, trading in influence to the concealment and laundering of the proceeds of corruption. The Convention contains transnational business bribery provisions that are functionally similar to those in the OECD Antibribery Convention and contains provisions on private sector auditing and books and records requirements. Other provisions address matters such as prevention, international cooperation, and asset recovery. Iceland is a party to the UN Convention.

**OAS Convention:** In 1996, the Member States of the Organization of American States (OAS) adopted the first international anticorruption legal instrument, the Inter-American Convention against Corruption (OAS Convention), which entered into force in March 1997. The OAS Convention, among other things, establishes a set of preventive measures against corruption, provides for the criminalization of certain acts of corruption, including transnational bribery and illicit enrichment, and contains a series of provisions to strengthen the cooperation between its States Parties in areas such as mutual legal assistance and technical cooperation. As of December 2009, the OAS Convention has 34 parties (see http://www.oas.org/juridico/english/Sigs/b-58.html). Iceland is not a party to the OAS Convention.

**Council of Europe Criminal Law and Civil Law Conventions:** Many European countries are parties to either the Council of Europe (CoE) Criminal Law Convention on Corruption, the Civil Law Convention, or both. The Criminal Law Convention requires criminalization of a wide range of national and transnational conduct, including bribery, money-laundering, and account offenses. It also incorporates provisions on liability of legal persons and witness protection. The Civil Law Convention includes provisions on compensation for damage relating to corrupt acts, whistleblower protection, and validity of contracts, inter alia. The Group of States against Corruption (GRECO) was established in 1999 by the CoE to monitor compliance with these and related anticorruption standards. Currently, GRECO comprises 49 member States (48 European countries and the United States). As of December 2011, the Criminal Law Convention has 43 parties and the Civil Law Convention has 34 (see www.coe.int/greco.) Iceland became a member of the Council of Europe on March 7 1950.

**Free Trade Agreements:** While it is U.S. Government policy to include anticorruption provisions in free trade agreements (FTAs) that it negotiates with its trading partners, the anticorruption provisions have evolved over time. The most recent FTAs negotiated now require trading partners to criminalize "active bribery" of public officials (offering bribes to any public official must be made a criminal offense, both domestically and transnationally) as well as domestic "passive bribery" (solicitation of a bribe by a domestic official). All U.S. FTAs may be found at the U.S. Trade Representative Website: http://www.ustr.gov/trade-agreements/free-trade-agreements. Iceland does not have an FTA with the United States.

**Local Laws:** U.S. firms should familiarize themselves with local anticorruption laws, and, where appropriate, seek legal counsel. While the U.S. Department of Commerce cannot provide legal advice on local laws, the Department's U.S. and Foreign Commercial Service can provide assistance with navigating the host country's legal system and obtaining a list of local legal counsel.

Assistance for U.S. Businesses: The U.S. Department of Commerce offers several services to aid U.S. businesses seeking to address business-related corruption issues. For example, the U.S. and Foreign Commercial Service can provide services that may assist U.S. companies in conducting their due diligence as part of the company's overarching compliance program when choosing business partners or agents overseas. The U.S. Foreign and Commercial Service can be reached directly through its offices in every major U.S. and foreign city, or through its Website at www.trade.gov/cs.

The Departments of Commerce and State provide worldwide support for qualified U.S. companies bidding on foreign government contracts through the Commerce Department's Advocacy Center and State's Office of Commercial and Business Affairs. Problems, including alleged corruption by foreign governments or competitors, encountered by U.S. companies in seeking such foreign business opportunities can be brought to the attention of appropriate U.S. government officials, including local embassy personnel and through the Department of Commerce Trade Compliance Center "Report A Trade Barrier" Website at tcc.export.gov/Report\_a\_Barrier/index.asp.

**Guidance on the U.S. FCPA:** The Department of Justice's (DOJ) FCPA Opinion Procedure enables U.S. firms and individuals to request a statement of the Justice Department's present enforcement intentions under the anti-bribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure are available on DOJ's Fraud Section Website at www.justice.gov/criminal/fraud/fcpa. Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information, see the Office of the Chief Counsel for International Counsel, U.S. Department of Commerce, Website, at http://www.ogc.doc.gov/trans\_anti\_bribery.html. More general information on the FCPA is available at the Websites listed below.

Exporters and investors should be aware that generally all countries prohibit the bribery of their public officials, and prohibit their officials from soliciting bribes under domestic laws. Most countries are required to criminalize such bribery and other acts of corruption by virtue of being parties to various international conventions discussed above.

Isolated cases of corruption occur in Iceland but are not an obstacle to foreign investment. In 2011 Iceland was in 13<sup>th</sup> place out of 180 countries in Transparency International's Corruption Perceptions Index ranking. It was ranked as number one in 2006.

# **Anti-Corruption Resources**

Some useful resources for individuals and companies regarding combating corruption in global markets include the following:

- Information about the U.S. Foreign Corrupt Practices Act (FCPA), including a "Lay-Person's Guide to the FCPA" is available at the U.S. Department of Justice's Website at: http://www.justice.gov/criminal/fraud/fcpa.
- Information about the OECD Antibribery Convention including links to national implementing legislation and country monitoring reports is available at: http://www.oecd.org/department/0,3355,en\_2649\_34859\_1\_1\_1\_1\_1\_00.html. See also new Antibribery Recommendation and Good Practice Guidance Annex for companies: http://www.oecd.org/dataoecd/11/40/44176910.pdf.
- General information about anticorruption initiatives, such as the OECD Convention and the FCPA, including translations of the statute into several languages, is available at the Department of Commerce Office of the Chief Counsel for International Commerce Website: http://www.ogc.doc.gov/trans\_anti\_bribery.html.
- Transparency International (TI) publishes an annual Corruption Perceptions Index (CPI). The CPI measures the perceived level of public-sector corruption in 180 countries and territories around the world. The CPI is available at: http://www.transparency.org/policy\_research/surveys\_indices/cpi/2009. TI also publishes an annual *Global Corruption Report* which provides a systematic evaluation of the state of corruption around the world. It includes an in-depth analysis of a focal theme, a series of country reports that document major corruption related events and developments from all continents and an overview of the latest research findings on anti-corruption diagnostics and tools. See http://www.transparency.org/publications/gcr.
- The World Bank Institute publishes Worldwide Governance Indicators (WGI). These indicators assess six dimensions of governance in 213 countries, including Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption. See http://info.worldbank.org/governance/wgi/index.asp. The World Bank Business Environment and Enterprise Performance Surveys may also be of interest and are available at: http://data.worldbank.org/data-catalog/BEEPS.
- The World Economic Forum publishes the *Global Enabling Trade Report*, which presents the rankings of the Enabling Trade Index, and includes an assessment of the transparency of border administration (focused on bribe payments and corruption) and a separate segment on corruption and the regulatory environment. See http://www.weforum.org/s?s=global+enabling+trade+report.
- Additional country information related to corruption can be found in the U.S. State Department's annual *Human Rights Report* available at http://www.state.gov/g/drl/rls/hrrpt/.
- Global Integrity, a nonprofit organization, publishes its annual *Global Integrity Report*, which provides indicators for 106 countries with respect to governance and anti-corruption. The report highlights the strengths and weaknesses of national level anti-corruption systems. The report is available at: http://report.globalintegrity.org/.

#### **Bilateral Investment Agreements**

The U.S. has neither a bilateral investment treaty (BIT) nor a Free Trade Agreement with Iceland. There is no Social Security Totalization Agreement in place between the U.S. and Iceland, meaning that some dual citizens must pay into both social security programs; however, talks are underway towards concluding an agreement. There is a U.S.-Iceland bilateral taxation treaty and a Trade and Investment Cooperation Forum Agreement (TIFA).

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Political risk insurance and project financing have traditionally been available on the local and international markets. As a result of the financial crisis in fall 2008, project financing may be temporarily limited. Iceland is a member of the Multilateral Investment Guarantee Agency.

#### Labor

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The labor force in Iceland consists of just over 180,000 people aged 16 and older and is highly skilled. Until the economic crisis in October 2008, demand for labor exceeded supply. Foreign labor moved to Iceland to fill the majority of unskilled service jobs and semi-skilled construction jobs, as the EEA-agreement allows for the free movement of labor within the area. Layoffs followed in the wake of the economic crisis, particularly in the financial and construction sectors. Unemployment rose quickly and peaked at 9.1 percent in April 2009. As of October 2011, unemployment was 6.8 percent.

The labor market is highly unionized with 80-85 percent of employees belonging to unions. Icelandic labor unions are decentralized and non-political. Contractual wage agreements cover general terms of employment, including a basic minimum wage, but specific terms are usually negotiated on a more job-specific basis. Collective bargaining power, in both the public and the private sectors, rests with individual labor unions. The government has imposed mandatory mediation when strikes have threatened key sectors in the economy such as the fishing industry.

The basic legal work week is 40 hours over 5 days, but some professions have 37.5 – 39.5 hours per week, mainly office clerks and sales assistants. Most employees are paid for overtime, or alternatively allowed time off in lieu of paid compensation. Typical shift-work rates are an extra 33% on top of the daytime rate for hours worked outside 8:00-17:00and 45% when work is preformed from 24:00-8:00 and at weekends. If total work hours exceed the definition of full-time employment, overtime is paid. On public holidays there is an extra 45% on the daytime rate. A continuous rest period of 11 hours is typically guaranteed during each 24-hour period. In certain circumstances the rest period may be shortened to 8 hours.

Iceland has ratified approximately 20 ILO conventions, including those that protect basic workers' rights.

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Foreign-Trade Zones/Free Ports	Return to top

Under the EEA agreement, free ports or foreign trade zones are not allowed in Iceland.

# **Foreign Direct Investment Statistics**

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The following tables reflect data available as of December 2011. Information in this chapter was obtained from the Central Bank of Iceland. The Central Bank of Iceland does not provide information on specific investments, but the majority of U.S. investment in Iceland is in the aluminum sector. A large part of the FDI stocks from Belgium/Luxembourg and the Netherlands may be held by Icelanders residing there.

Total FDI stocks in Iceland in 2010 amounted to 88 percent of Iceland's GDP for 2010. The total 2010 FDI flows to Iceland amount to 3.8 percent of GDP, which was a increase by a factor of 6 over 2009 levels.

# USD/ISK end of year mid-exchange rate:

Year	2007	2008	2009	2010
Rate	62.00	120.87	124.9	115.05

# FDI stocks in Iceland by country (in millions of USD):

	2008	2009	2010
U.S.	890	249	215
Belgium/Luxembourg	7,137	6,682	9.538
Netherlands	441	1005	1110
Norway	201	234	229
Switzerland	191	177	183
Denmark	135	201	214
Sweden	174	55	151
U.K.	-6	7	8
Total	9,184	8,632	11,766

# FDI stocks in Iceland by industry (in millions of USD):

	2008	2009	2010
Holding companies	5,281	5,303	4,610
Metal and mech. production	2,741	2,752	2,877
Financial activities	586	3	15
Trade and Repairs	185	187	201
Tele-communication	172	17	-0,212
Food Production	98	17	17
Transport and Storage	-30	133	120
Total	9,184	8,632	11,766

#### FDI flows to Iceland by country (in millions of USD):

	2008	2009	2010
U.S.	26	-753	-10,7

Belgium/Luxembourg	268	-151	283,7
Netherlands	-132	831	37,8
Norway	47	-13	15,2
Switzerland	33	-8	5
Sweden	376	128	157
Denmark	-19	13	2,4
U.K.	-141	3	0,782
Total	668	77	505

FDI flows to Iceland by industry (in millions of USD):

	2008	2009	2010
Holding companies	432	1,7	188,5
Metal and mech. production	86	-211,6	75,4
Financial activities	89	15,3	1,2
Trade and Repairs	-36	1,8	1,6
Tele-communication	-15	0,5	-0,82
Food Production	-77	15,2	0
Transport and Storage	-265	103	13,1
Total	668	77	505

Icelandic FDI stocks abroad by country (in millions of ISK):

	2008	2009	2010
U.S.	190,602	196,153	144,249
Netherlands	290,514	283,359	261,196
U.K.	267,533	398,979	284,293
Denmark	260,190	291,469	61,336
Sweden	61,717	48,942	47,585
Norway	59,311	18,231	19,669
Canada	42,499	19,015	18,145
Belgium/Luxembourg	-311,281	-369,847	245,714
Total	1,063,299	1,157,812	1,281,384

Icelandic FDI stocks abroad by country (in millions of USD):

	2008	2009	2010
U.S.	1,577	1,704	1,253
Netherlands	2,404	2,462	2,270
U.K.	2,214	3,467	2,471
Denmark	2,153	2,533	533
Sweden	511	425	413
Norway	491	158	170
Canada	352	165	157
Belgium/Luxembourg	-2,575	-3,214	2,135
Total	8,797	10,063	11,137

Icelandic FDI stocks abroad by industry (in millions of ISK):

	2008	2009	2010
Financial activities	359,202	299,217	262,440
Petro, rubber and chemical	330,213	381,629	96,876
Trade and repair	173,721	161,322	186,568
Food production	88,998	124,062	100,970
Transportation and Storage	74,112	47,886	31,520
Prosthetic aids	41,077	61,420	98,921
Real Estate	15,901	27,046	17,671
Scientific activities	15,632	16,008	6,487
Holding companies	-92,719	-76,696	404,861
Total	1,063,299	1,157,812	1,281,384

Icelandic FDI stocks abroad by industry (in millions of USD):

	2008	2009	2010
Financial activities	2,972	2,600	2,281
Petro, rubber and chemical	2,732	3,317	842
Trade and repair	1,437	1,402	1,621
Food production	736	1,078	877
Transportation and Storage	613	416	273
Prosthetic aids	340	534	859
Real Estate	132	235	153
Scientific activities	129	139	56
Holding companies	-767	-667	3,519
Total	8,797	10,063	11,137

Icelandic FDI flows to abroad by country (in millions of ISK):

	2008	2009	2010
U.S.	-88,994	6.148	-42,278
Netherlands	-251,383	126.253	-17,765
U.K.	-24,186	69.321	-28,117
Denmark	-39,315	-22.402	-98,461
Sweden	-89,962	-9.665	-4,075
Norway	-16,399	-7.253	-6,195
Canada	-16,399	1.872	550
Belgium/Luxembourg	27,878	117.335	-91,067
Total	-716,513	278.030	-307,591

Icelandic FDI flows to abroad by country (in millions of USD):

	2008	2009	2010
U.S.	-736	53	367
Netherlands	-2,080	1,1	154
U.K.	-200	602	244
Denmark	-327	-195	855
Sweden	-744	-84	35

Norway	-223	-63	54
Canada	-136	16	4,8
Belgium/Luxembourg	231	1,01	792
Total	-5,928	2.416	2,673

Icelandic FDI flows to abroad by industry (in millions of ISK):

	2008	2009	2010
Financial activities	-293,387	183.806	-82,750
Petro, rubber and	29,452	21.889	-30,748
chemical	29,432		
Trade and repair	2,317	48.500	-3,432
Food production	-35,990	31.662	15,619
Transportation and	-38,370	30.994	-15,521
storage	-38,570		
Prosthetic aids	-3,574	10,051	-22,155
Real estate companies	-38,410	-27.863	-12,462
Scientific activities	-972	-8.717	4,506
Holding companies	-295,150	-645	-146,509
Total	-716,513	278.030	-307,591

Icelandic FDI flows to abroad by industry (in millions of USD):

	2008	2009	2010
Financial activities	-2,427	1,970	719
Petro, rubber and chemical	244	190	267
Trade and repair	19	421	30
Food production	-298	275	136
Transportation and storage	-317	269	135
Prosthetic aids	30	874	193
Real estate companies	-317	-242	108
Scientific activities	-8	-75	39
Holding companies	-2,442	-56	1,273
Total	-5,928	2.416	2,673

# Web Resources

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Film in Iceland www.filminiceland.com

The Icelandic Patent Office www.patent.is

The Consumer Agency http://www.neytendastofa.is/English

NASDAQ OMX Nordic www.nasdaqomxnordic.com The State Alcohol and Tobacco Company of Iceland www.vinbudin.is

The Central Bank of Iceland www.sedlabanki.is

Statistics Iceland www.statice.is

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# **Chapter 7: Trade and Project Financing**

- How Do I Get Paid (Methods of Payment)
- How Does the Banking System Operate
- Foreign-Exchange Controls
- U.S. Banks and Local Correspondent Banks
- Project Financing
- Web Resources

# How Do I Get Paid (Methods of Payment)

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Payment from Iceland to a foreign entity can be made without formality or delay through commercial and savings banks, though payments are in some cases channeled through the Central Bank. Most of the issues with cross-border payments following the October 2008 banking collapse have by now been resolved, although capital controls remain largely in effect.

There are a number of debt collection agencies in Iceland. The Economic and Commercial section of the U.S. Embassy in Reykjavík (ReykjavikEconomic@state.gov) can provide a list of such agencies upon request.

All normal methods of payment are used, but the most common and preferred method of payment is on open account terms, where the buyer pays for products after receiving them. After the financial crash, it has been harder for Icelandic retailers to get international insurance companies to guarantee payments, but many wholesalers who have had a successful long term business relationship with their vendors maintain an open account. By November 2011, most of the biggest international insurance companies have been willing open up business to Icelandic firms so they can guarantee payments again.

Creditinfo Island (http://www.creditinfo.is) provides credit reports on Icelandic companies, lists of defaulting debtors, and related information.

Three agencies assign the Republic of Iceland's sovereign credit rating: Moody's Investors Service, Fitch Ratings, and Standard & Poor's. The Central Bank of Iceland communicates regularly with these agencies on behalf of the authorities.

Fitch Ratings: Web site: http://www.fitchratings.com

Moody's Investors Service: Web site: http://www.moodys.com

Standard & Poor's: Web site: http://www.standardandpoors.com

#### How Does the Banking System Operate

The Icelandic State took control of the three largest Icelandic banks following the financial collapse in October 2008. Most of the domestic assets of these banks were moved to new entities established for this purpose. A deal was negotiated with the creditors of two of the old banks whereby they acquired majority ownership in the new banks as compensation for transferred assets; creditors of the third bank acquired a minority stake in its new bank. As of publication, the receivership committees of the old banks, on behalf of its creditors, control their stakes in the new banks while the recently established State Bank Shares Management Company controls the state's shares. The banks are run as profit-seeking companies and it is the policy of the government to ensure fair competition.

A number of smaller banks and financial institutions are also active on the market.

# Foreign-Exchange Controls

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Following the financial crisis in October 2008, the Central Bank of Iceland issued Rules on Foreign Exchange, restricting cross-border movement of foreign-denominated capital. Some transactions are exempt from the Rules, notably the movement of capital due to trade and services. The Rules were intended as temporary measures to prevent massive capital outflow. In August 2009, the Central Bank published its Capital Controls Liberalization Strategy and announced that the controls will be lifted in stages. There are two objectives: to reduce the holdings of offshore ISK that threaten the stability of the ISK and to lift the general capital controls. The second stage will not be implemented until the amount of the offshore krona have been reduced to a manageable amount that does not affect the stability of the ISK. The estimated amount of offshore kronur is equivalent to 25% of Iceland's GDP in 2011.

The first step of lifting the capital controls, permitting the inflow of foreign currency for new investments and the outflow of capital derived from such investments, was implemented in November 2009. For such outflow to be permitted, new investment must be registered with the Central Bank. In 2011, the Central Bank began buying back offshore kronur. The Central Bank also introduced an investment strategy for those holding offshore kronur in 2011. These investors can transfer their holdings of offshore krona to Iceland for investments lasting five years or more.

The Rules on Foreign Exchange, the Capital Controls Liberalization Strategy and related documents can be found at: http://sedlabanki.is/?PageID=1019.

# U.S. Banks and Local Correspondent Banks Return to top

There are no U.S. banks in Iceland. The major U.S. banks have correspondent relationships with Icelandic financial institutions.

# **Project Financing**

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The Icelandic domestic banking system is limited in size. Therefore capital, at least for larger projects, usually comes from abroad. As a result of the 2008 financial crisis, obtaining financing may be more difficult than before.

There are a number of U.S. agencies that might finance certain projects in Iceland, or guarantee payments in trade with goods and services, such as the Export-Import Bank. See web resources below.

The European Investment Bank (EIB) finances private investments promoted by creditworthy counterparts established in EEA-countries. The European Investment Fund (EIF), established in 1994, is an agency headquartered in Brussels that provides financing for SMEs (small and medium-sized enterprises). It does not lend money to SMEs directly; rather, it provides financing through private banks. Its main operations are in the areas of venture capital and guaranteeing loans. The EIF also provides guarantees to financial institutions (such as banks) to cover their loans to SMEs. The Fund is active in the member states of the European Union, in Croatia, Turkey and three EFTA countries (Iceland, Liechtenstein and Norway).

The Nordic Investment Bank (NIB) is an investment bank and multilateral development bank owned by eight Nordic and northern European countries. The owners are Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden. The bank is headquartered in Helsinki, Finland and has offices in Copenhagen, Oslo, Reykjavík and Stockholm, and a representative office in Singapore. The bank has operated since 1976. The purpose of the bank is to extend credit and finance for investment projects both within and outside the member countries.

The Icelandic government traditionally finances public sector projects, although the European Investment Bank and Nordic Investment banks have played a role in the financing in various public projects. Currently, one of the credit rating companies lists Iceland's sovereign credit rating as junk and two other credit rating companies list it as one step above junk status due, in part, to delays in resolving the Icesave dispute with the UK and the Netherlands and/or the existence of capital controls. This could create difficulties for the mostly publicly owned energy companies to finance new projects and increase their production capacity.

# Web Resources

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Export-Import Bank of the United States http://www.exim.gov

Country Limitation Schedule http://www.exim.gov/tools/country/country\_limits.html

OPIC http://www.opic.gov

Trade and Development Agency http://www.tda.gov/

SBA's Office of International Trade http://www.sba.gov/oit/

USDA Commodity Credit Corporation http://www.fsa.usda.gov/ccc/default.htm U.S. Agency for International Development http://www.usaid.gov

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# **Chapter 8: Business Travel**

- Business Customs
- Travel Advisory
- Visa Requirements
- Telecommunications
- Transportation
- Language
- Health
- Local Time, Business Hours and Holidays
- Temporary Entry of Materials and Personal Belongings
- Web Resources

#### **Business Customs**

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Social and business etiquette in Iceland is similar to that in other western European countries. The business traveler coming to Iceland will quickly realize that while most customs and procedures are similar to the United States there are a few quite noticeable differences.

Since Iceland is a small community, access to key people is relatively easy although it is advisable to schedule appointments in advance. Since even the largest Icelandic corporations are relatively small, you may find the decision-makers in your meeting. Business meetings are usually informal and relaxed, but good preparation is important. Business cards are exchanged upon introduction. Extended small talk is not necessary, and getting straight down to business is appreciated though it can happen that Icelandic business people appear to be willing to spend more time discussing a situation than Americans are used to.

Simultaneous interpretation services are available, but are usually not required unless very detailed or technical work is involved. Most Icelanders doing business in a particular field will understand the relevant English technical vocabulary, but any contract may need to be translated. Icelanders like to combine business with pleasure, so establishing a friendly and personal relationship is a good way to do business. Business dinners are the preferred form of entertainment. It is considered appropriate to talk business over a meal, unless spouses are present. Icelanders enjoy dressing up and being social. There are no strict rules or formal dining customs that need to be observed. While Americans tend to dress up for work and dress down after work, the opposite is often the case in Iceland, although men in government, banking or business circles generally wear suits. An informal social event such as a business dinner still calls for a jacket and tie. Iceland has cool summers, and mild winters. Even in summer, clothing should include a sweater or jacket, a raincoat, and a good pair of walking shoes.

Understanding Icelandic names is important for business and social occasions. Only a small proportion of the population has family surnames, often foreign in origin. Most people have a patronymic, formed from their father's first name with the ending "–son" or

"-dóttir" (e.g. Arnar Jónsson (Arnar is Jon's son) or Anna Jónsdóttir (Anna is Jon's daughter). A woman does not take her husband's patronymic upon marriage. First names are the names by which people are known, and are thus generally used. Icelandic telephone directories list people in alphabetical order by their first name. Icelanders do not use "Mr." and "Ms." among themselves, although they may do so when among foreigners. Icelanders will not feel you are being overly familiar if you call them by their first names.

#### **Travel Advisory**

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Reykjavík offers a variety of hotel and guesthouse accommodations, many excellent restaurants, cafes, and wide range of cultural attractions. Note that hotel rooms can be difficult to find during the summer tourist season, and that it can be difficult to get a table at the more popular restaurants without an advance booking.

Iceland remains a relatively safe country for visitors. Reykjavík is safer than major cities in the U.S., although there is occasional street crime, particularly late at night in the city center. Visitors utilizing common sense and good judgment can expect to enjoy their time in Iceland without incident. Emergency services, including fire, police and ambulance, are available by dialing **112**. Emergency service operators speak English.

Iceland is home to active volcanoes. If a volcanic eruption occurs while you are in Iceland you should closely follow any instructions from the Icelandic authorities. Although there has been no indication of an imminent eruption at Katla, a large volcano located over 90 miles southeast of Reykjavik, it could erupt at any time. A Katla eruption could range from small and insignificant to large in scale. Be aware that airports in Iceland, including Keflavik International Airport, may need to close in the event of future eruptions. You can find updates on volcanic activity in Iceland though the Icelandic Office of Civil Defense.

State Department Consular Information page for Iceland: http://travel.state.gov/travel/cis\_pa\_tw/cis/cis\_1138.html.

# Visa Requirements

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U.S. travelers to Iceland must have a valid passport. Iceland is a party to the Schengen agreement. As such, U.S. citizens may enter Iceland for up to 90 days for tourist or business purposes without a visa. The passport should be valid for at least three months beyond the period of stay.

For further information concerning entry requirements for Iceland, travelers can contact The Icelandic Embassy or the Icelandic Directorate of Immigration.

House of Sweden, 2900 K Street N.W. #509, Washington DC 20007-1704, Tel: +1 (202) 265 6653. Web site: http://www.iceland.org/us

Icelandic Directorate of Immigration

Skógarhlíð 6 IS-105, Reykjavík, Tel: +354 510-5400 Web site: http://www.utl.is E-mail: utl@utl.is

U.S. Companies that require travel of foreign businesspersons to the United States should be advised that security evaluations are handled via an interagency process. Visa applicants should go to the following links.

State Department Visa Website: http://travel.state.gov/visa/

The Consular Section of the Reykjavík Embassy: http://iceland.usembassy.gov/cons.html

# **Telecommunications**

Telecommunication services are modern and readily available. High speed internet connections are available at all business hotels, and prepaid SIM-cards are also widely available.

# Transportation

There are two airlines that fly between Iceland and the U.S. Icelandair (www.icelandair.com) destinations include: Boston, Denver and New York all-year; Washington DC, Minneapolis and Seattle in the summer; and Orlando during the winter. Delta airlines (www.delta.com ) flies to and from New York during the summer. Travelers can take the airport bus, Fly Bus (www.flybus.is), from Keflavik Airport to their hotel destination. A return bus ticket costs about \$36 and takes about 50-75 minutes from the airport to your hotel. Private taxis are also available at the airport, but are significantly more expensive. Reykjavik's public transportation system consists of buses running to all areas of the city. Local cabs are readily available at taxi stands throughout the downtown area or by telephone. Prices depend on the length of journey and the time of day. The initial fare during business hours is about \$5 and each mile costs about \$2. No tipping is required. Rental cars are available at the airport and in Reykjavík, but are expensive. Gasoline costs about \$8.00 per gallon.

# Language

There is no language barrier for U.S. visitors to Iceland. Icelandic business executives and government officials are fluent in English and almost all Icelanders speak English to some degree.

# Health

A visitor to Iceland faces no special health risks, as the overall health conditions are excellent. No special inoculations are required. All milk and tap water is safe to drink. Since Iceland is entirely surrounded by the ocean, it has a moderate, maritime climate year round.

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Icelandic medical care is of high quality and is comparable to the medical care one finds throughout Western Europe. Diagnostic laboratories and specialists in all fields of medicine are available, though there may be a wait time to see certain specialists. Hospitals are well-equipped, and maternity hospitals and clinics are available. Most doctors and dentists speak English. Tourists should expect to pay for services provided. Most medicines are available locally. They may not, however, be the same brand names as those used in the United States and prices are generally higher than in the U.S. Tourists should bring a supply of any medicine that they know they will need. In case of emergency or fire dial **112**.

#### Local Time, Business Hours, and Holidays Return to top

Icelandic work schedules are similar to those in the U.S., although many offices close early in the summer. Business activity slows down considerably from mid-June through mid-August as Icelanders take their summer holidays. Other slow times of year are the Christmas season and the weeks before and after Easter in the spring.

Office hours: 9 am -- 4 pm. Business hours for stores are from 9-18. Big retail stores often open at 11 am and close at 6-7 pm.

There are an increasing number of grocery and convenience stores that are open 24/7.

# Public Holidays in Iceland 2012:

The following days are public holidays in Iceland. Most shops and businesses are closed on these days, but some food stores and restaurants remain open.

New Year's Day: January 2 Maundy Thursday: April 5 Good Friday: April 6 Easter Sunday: April 8 Easter Monday: April 9 First day of summer: April 19 Labor Day: May 1 Ascension Dav: May 17 Whit Sunday: May 27 Whit Monday: May 28 Independence Day: June 17 Summer Bank Holiday: August 6 Christmas Eve: December 24, public holiday from noon Christmas Day: December 25 Boxing Day: December 26 New Year's Eve: December 31, public holiday from noon

#### Temporary Entry of Materials and Personal Belongings

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There are no restrictions on entry or exit of personal computers or laptops, software, or encrypted data. Commercial samples and exhibit items may be subject to customs duty. Samples may be imported into Iceland duty-free if they are of little or no commercial value, or have been made unfit for use. Otherwise samples will be subject to duty. Samples carried by a commercial traveler, as well as pattern books or cards, must be declared upon arrival in the country. Goods can be completely exempt from customs

duty and/or VAT when they are imported into Iceland temporarily, to be re-exported unmodified. Goods that fall into this category include materials for trade shows and exhibitions, some professional equipment, special tools used for assembling goods to be exported, replacement machinery or equipment during warranty repairs, samples, works of art to be exhibited, some medical, surgical and laboratory and scientific equipment used in hospitals, other medical institutions and for teaching and research purposes. Iceland honors the ATA Carnet, an international customs document designed to simplify customs procedures for business and professional people taking commercial samples, advertising materials or film, or medical or professional equipment into specified countries for a short period. About 65 countries participate in the carnet system. Information on the ATA Carnet can be obtained from U.S. Council for International Business.

#### Web Resources

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State Department Visa Website http://travel.state.gov/

U.S. Embassy in Iceland http://iceland.usembassy.gov/

The Icelandic Embassy to the U.S http://www.iceland.org/us

The Icelandic Directorate of Immigration http://www.utl.is

Delta Airlines http://www.delta.com/

Icelandair www.icelandair.com

Flybus www.flybus.is

Visit Reykjavík http://www.visitreykjavik.is/desktopdefault.aspx/tabid-116

Icelandic Tourist Board www.icetourist.is www.ferdamalastofa.is

Iceland Naturally www.icelandnaturally.com

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# Chapter 9: Contacts, Market Research and Trade Events

- Contacts
- Market Research
- Trade Events

# Contacts

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The telephone country code for Iceland is +354. There are no additional area codes. All numbers are 7-digits.

# The U.S. Embassy in Iceland – Economic/Commercial Section

Laufasvegur 21 IS-101, Reykjavík Tel: +354 562-9100 Fax: +354 562-9139 Web site: http://iceland.usembassy.gov/ E-mail: ReykjavikEconomic@state.gov

# The U.S. Commercial Service in Sweden

31 Dag Hammarskjölds Väg SE-115 89, Stockholm Tel: +46 8-783-5346 Web site: http://www.buyusa.gov/sweden/en/ E-mail: office.stockholm@trade.gov

# The U.S. Embassy in Sweden Foreign Agricultural Service

Dag Hammarskjölds Väg 31 SE-115 89 Stockholm Tel: (46-8) 783 5392/5470 Fax: (46-8) 662 8495 Web site: http://stockholm.usembassy.gov/ E-mail: Agstockholm@usda.gov

# **U.S. Department of Commerce Nordic Area Specialist**

Washington, D.C. 20230 Tel: (202) 482-4414 Fax: (202) 482-2897 Web site: www.commerce.gov

# Contacts in the U.S.

# **Icelandic Government:**

#### Embassy of Iceland

House of Sweden 2900 K Street N.W. #509 Washington DC 20007-1704 Tel: (202) 265-6653 http://www.iceland.org/us E-mail: icemb.wash@utn.stjr.is

# Icelandic Overseas Business Service Consulate General of Iceland

800 3rd Avenue, 36th Floor New York, NY 10022 Tel: (212) 593-2700 Fax: (212) 593-6269 www.iceland.org/us/nyc E-mail: icecon.ny@utn.stjr.is

# **Iceland Naturally**

800 Third Avenue, 36th Floor New York, NY 10022 Web site: www.icelandnaturally.com Tel: 646 282 9360 Fax: 646 282 9369 E-mail: info@icelandnaturally.com

# U.S. Council for International Business

1212 Avenue of the Americas New York, NY 10036 Tel: (212) 354-4480 Fax: (212) 575-0327 http://www.uscib.org/index.asp?documentID=724

# Contacts in Iceland:

- Icelandic Government Agencies
- Trade Associations
- Banks/Financial Institutions
- Other Association
- Media
- Tourism

# **Icelandic Government Agencies:**

# Ministry for Foreign Affairs

Rauðarárstíg 25, IS-150, Reykjavik Tel: +354 560-9900 www.mfa.is

#### E-mail: postur@utn.stjr.is

#### **Ministry of Industry, Energy and Tourism** Arnarhvoli IS-150, Reykjavík

Tel: +354 545-8500 http://eng.idnadarraduneyti.is E-mail: external@utn.stjr.is

# **Ministry of Economic Affairs**

Skuggasund 3 IS-150, Reykjavík Tel: +354 545 8800 Web site: http://eng.efnahagsraduneyti.is/ E-mail: postur@evr.is

# **Ministry of Fisheries & Agriculture**

Skúlagötu 4 IS-150, Reykjavík Tel: +354 545-8300 Web site: http://eng.sjavarutvegsraduneyti.is E-mail: postur@slr.stjr.is

#### Government agencies:

#### Statistics Iceland

Borgartúni 21a IS-150, Reykjavík Tel: +354 528-1000 Web site: www.statice.is E-mail: information@statice.is

#### The Icelandic Food and Veterinary Authority – MAST

Austurvegi 64 IS-800, Selfoss Tel: +354 530-4800 Fax: +354 530 4801 Web site: www.mast.is E-mail: mast@mast.is

#### State Procurement Agency (Ríkiskaup)

Borgartúni 7c IS-125, Reykjavík Tel: +354 530-1400 Web site: www.rikiskaup.is (Icelandic only) E-mail: rikiskaup@rikiskaup.is

# **Directorate of Customs**

Tollhúsið, Tryggvagötu 19, IS-101, Reykjavík Tel: +354 560-0300 Web site: http://www.tollur.is/default.asp?cat\_id=66 E-mail: upplysingar@tollur.is

#### Environment and Food Agency (Umhverfisstofnun)

Suðurlandsbraut 24 IS-108, Reykjavík Tel: +354 591-2000 Fax: +354 591-2020 Web site: www.ust.is E-mail: ust@ust.is

#### The Icelandic Patent Office (Einkaleyfastofan)

Engjateigi 3 IS-150, Reykjavík Tel: +354 580-9400 Web site: www.els.is E-mail: postur@els.is

# The Icelandic Consumer Agency (Neytendastofa)

Borgartúni 21 IS-105, Reykjavík Tel: +354 510-1100 Web site: www.neytendastofa.is E-mail: postur@neytendastofa.is

# Landsvirkjun

Háaleitisbraut 68 IS-103 Reykjavík Tel: +354 515-9000 Web site: www.lv.is E-mail: landsvirkjun@lv.is

#### Reykjavík Energy (Orkuveita Reykjavíkur)

Bæjarhálsi 1 IS-110 Reykjavík Tel: +354 516-6000 Web site: www.or.is E-mail: or@or.is

# The New Business Venture Fund (Nýsköpunarsjóður)

Kringlunni 7, 3<sup>rd</sup> floor IS-103 Reykjavík Tel: +354 510-1800 Fax: +354 510-1809 Web site: www.nsa.is E-mail: nsa@nsa.is

#### Kadeco

PO-Box 420 IS-232 Reykjanesbær Tel: +354 425-2100 Web site: http://www.kadeco.is/english/ E-mail: info@kadeco.is

#### **Iceland Chamber of Commerce**

Kringlunni 7 IS-103, Reykjavík Tel: +354 510-7100 Web site: www.vi.is E-mail: mottaka@vi.is

# Invest in Iceland Agency

Borgartúni 35 IS-105 Reykjavík Tel: +354 511-4000 Web site: www.invest.is E-mail: info@invest.is

#### The Federation of Icelandic Trade (FIS)

Kringlunni 7 IS-103 Reykjavík Tel: +354 588-8910 Web site: www.atvinnurekendur.is E-mail: atvinnurekendur@atvinnurekendur.is

#### The Federation of Icelandic Industries

Borgartúni 35 IS-105, Reykjavík Tel: +354 591-0100 Web site: www.si.is E-mail: mottaka@si.is

#### The Trade Council of Iceland

Borgartúni 35 IS-105, Reykjavík Tel: +354 511-4000 Web site: www.islandsstofa.is E-mail: islandsstofa@islandsstofa.is

# SVTH – Federation of Trade & Services

Borgartúni 35 IS-105, Reykjavík Tel: +354 511-3000 Web site: www.svth.is E-mail: svth@svth.is

# **Banks/Financial Institutions:**

**The Central Bank of Iceland (Seðlabanki Íslands)** Kalkofnsvegi 1 IS-150, Reykjavík Tel: +354 569-9600 Fax: +354 569-9605 Web site: www.sedlabanki.is E-mail: sedlabanki@sedlabanki.is

#### Arion banki

Borgartúni 19 IS-125, Reykjavík Tel: +354 444-7000 Web site: www.arionbanki.is E-mail: info@arionbanki.is

#### Íslandsbanki

Kirkjusandi IS-155, Reykjavík Tel: +354 440-4000 Web site: www.islandsbanki.is E-mail: islandsbanki@islandsbanki.is

# Landsbanki Íslands

Austurstræti 11 IS-155, Reykjavík Tel: +354 410-4000 Web site: www.landsbanki.is E-mail: info@landsbanki.is

# NASDAQ OMX Iceland (Kauphöll Íslands)

Laugavegi 182 IS-105, Reykjavík Tel: +354 525-2800 Web site: www.nasdaqomxnordic.com E-mail: Iceland@nasdaqomx.com

#### Icelandic Financial Services Association (SFF)

Borgartúni 35 IS-105, Reykjavík Tel: +354 591-0400 Web site: http://en.sff.is/ E-mail: sff@sff.is

#### The Financial Supervisory Authority (FME)

Hofdatun 2 IS-105, Reykjavík Tel: +354 520-3700 Fax: +354 520-3727 Web site: www.fme.is E-mail: fme@fme.is

# Icelandic Securities Depository (Verðbréfaskráning Íslands)

Laugavegi 182, 5th floor IS-105, Reykjavík Tel: +354 540-5500 Fax: +354-540-5519 Web site: www.vbsi.is E-mail: hjalp@vbsi.is

#### **Other Associations:**

#### The Icelandic Bar Association (Lögmannafélag Íslands)

Álftamyri 9 IS-108, Reykjavík Tel: +354 568-5620 Web site: www.lmfi.is E-mail: lmfi@lmfi.is

#### Society of Icelandic Advertising Agencies (SÍA)

Kringlunni 7 IS-103, Reykjavík Tel: +354 562-9588 Web site: www.sia.is E-mail: sia@sia.is

#### The Icelandic Aquaculture Association

Borgartúni 35 IS-105, Reykjavík Tel: +354 591-0360 Fax: +354-591-0358 Web site: http://www.lfh.is/english.htm E-mail: Ifh@lfh.is

#### Federation of Icelandic Fish-Processing Plants

Borgartúni 35 IS-105, Reykjavík Tel: +354 591-0350 Fax: +354-591-0358 Web site: www.sf.is (Icelandic only) E-mail: sf@sf.is

# Icelandic American Business Forum

www.iceabf.com Email: iabf@iceabf.com

#### Media:

# Morgunblaðið

Hádegismóum 2 IS-110, Reykjavík Tel: +354 569-1100 Fax: +354 569-1110 Web site: www.mbl.is E-mail: morgunbladid@mbl.is

# Fréttablaðið

Skaftahlíð 24 IS-105, Reykjavík Tel: +354 512-5000 Fax: +354 512-5301 Web site: www.frettabladid.is E-mail: skrifstofa@frettabladid.is

# DV

Lynghálsi 5 IS-110, Reykjavík Tel: +354 512-7000 Fax: +354 515-5599 Web site: www.dv.is

# Viðskiptablaðið

Noatun 17 IS-105, Reykjavík Tel: +354 511-6622 Fax: +354 569-6692 Web site: www.vb.is E-mail: vb@vb.is

#### The Reykjavik Grapevine (in English)

Hafnarstraeti 15 101, Reykjavik Tel: +354-540-3600 Fax: +354-540-3609 E-mail: grapevine@grapevine.is Web site: www.grapevine.is

# Frettatiminn

Saetun 8 IS-105, 105 Reykjavik Tel: +354-531-3300 E-mail:frettatiminn@frettatiminn.is Web site: www.frettatiminn.is

#### The Icelandic National Broadcasting Service (RÚV)

Efstaleiti 1 IS-150, Reykjavík Tel: +354 515-3000 Fax: +354 515-3010 Web site: http://frettir.ruv.is/english E-mail: istv@ruv.is

#### Tourism:

Icelandic Tourist Board (Ferðamálastofa) Geirsgata 9 IS-101, Reykjavík Tel: +354 535-5500 Fax: +354 535-5501 Web site: www.ferdamalastofa.is E-mail: upplysingar@ferdamalastofa.is

#### Icelandair

Reykjavík Airport IS-101, Reykjavík Tel: +354 505-0300 Web site: http://icelandair.com/ E-mail: sales@icelandair.is

#### SAS Scandinavian Airline Systems

Laugavegi 170 IS-105, Reykjavík Tel: +354 588-3600 Web site: www.flysas.is E-mail: bryndis.torfadottir@sas.dk

#### Visit Reykjavík

Aðalstræti 2 IS-101, Reykjavík Tel: +354 590-1550 Web site: http://www.visitreykjavik.is/ E-mail: info@visitreykjavik.is

# FlyBus (Reykjavík Excursions)

BSÍ Bus Terminal IS-101 Reykjavík Tel: +354 580-5400 Web site: http://www.re.is/Flybus/ E-mail: main@re.is

#### **Market Research**

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To view market research reports produced by the U.S. Commercial Service please go to the following website: <a href="http://www.export.gov/mrktresearch/index.asp">http://www.export.gov/mrktresearch/index.asp</a> and click on Country and Industry Market Reports.

Please note that these reports are only available to U.S. citizens and U.S. companies. Registration to the site is required and is free.

#### Trade Events

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Please click on the link below for information on upcoming trade events.

http://www.export.gov/tradeevents/index.asp

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# Chapter 10: Guide to Our Services

The President's National Export Initiative aims to double exports over five years by marshaling Federal agencies to prepare U.S. companies to export successfully, connect them with trade opportunities and support them once they do have exporting opportunities.

The U.S. Commercial Service offers customized solutions to help U.S. exporters, particularly small and medium sized businesses, successfully expand exports to new markets. Our global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers
- Gain access to the full range of U.S. government trade promotion agencies and their services, including export training and potential trade financing sources

To learn more about the Federal Government's trade promotion resources for new and experienced exporters, please click on the following link: <a href="https://www.export.gov">www.export.gov</a>

For more information on the services the U.S. Commercial Service offers to U.S. exporters, please click on the following link: http://www.buyusa.gov/iceland/

U.S. exporters seeking general export information/assistance or country-specific commercial information can also contact the U.S. Department of Commerce's Trade Information Center at (800) USA-TRAD(E).

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.

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