

Doing Business 2015

Going Beyond Efficiency

Economy Profile 2015

Haiti



COMPARING BUSINESS REGULATIONS FOR DOMESTIC FIRMS IN 189 ECONOMIES

A World Bank Group Flagship Report

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The World Bank
1818 H Street NW, Washington, DC 20433
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ISBN (paper): 978-1-4648-0351-2
ISBN (electronic): 978-1-4648-0352-9
DOI: 10.1596/978-1-4648-0351-2
ISSN: 1729-2638

Cover design: Corporate Visions, Inc.

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INTRODUCTION

Doing Business sheds light on how easy or difficult it is for a local entrepreneur to open and run a small to medium-size business when complying with relevant regulations. It measures and tracks changes in regulations affecting 11 areas in the life cycle of a business: starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting minority investors, paying taxes, trading across borders, enforcing contracts, resolving insolvency and labor market regulation.

In a series of annual reports *Doing Business* presents quantitative indicators on business regulations and the protection of property rights that can be compared across 189 economies, from Afghanistan to Zimbabwe, over time. The data set covers 47 economies in Sub-Saharan Africa, 32 in Latin America and the Caribbean, 25 in East Asia and the Pacific, 26 in Eastern Europe and Central Asia, 20 in the Middle East and North Africa and 8 in South Asia, as well as 31 OECD high-income economies. The indicators are used to analyze economic outcomes and identify what reforms have worked, where and why.

This economy profile presents the *Doing Business* indicators for Haiti. To allow useful comparison, it also provides data for other selected economies (comparator economies) for each indicator. The data in this report are current as of June

1, 2014 (except for the paying taxes indicators, which cover the period January–December 2013).

The *Doing Business* methodology has limitations. Other areas important to business—such as an economy's proximity to large markets, the quality of its infrastructure services (other than those related to trading across borders and getting electricity), the security of property from theft and looting, the transparency of government procurement, macroeconomic conditions or the underlying strength of institutions—are not directly studied by *Doing Business*. The indicators refer to a specific type of business, generally a local limited liability company operating in the largest business city. Because standard assumptions are used in the data collection, comparisons and benchmarks are valid across economies. The data not only highlight the extent of obstacles to doing business; they also help identify the source of those obstacles, supporting policy makers in designing regulatory reform.

More information is available in the full report. *Doing Business 2015* presents the indicators, analyzes their relationship with economic outcomes and presents business regulatory reforms. The data, along with information on ordering *Doing Business 2015*, are available on the *Doing Business* website at <http://www.doingbusiness.org>.

CHANGES IN *DOING BUSINESS 2015*

As part of a 2-year update in methodology, *Doing Business 2015* incorporates 7 important changes. First, the ease of doing business ranking as well as all topic-level rankings are now computed on the basis of distance to frontier scores (see the chapter on the distance to frontier and ease of doing business ranking). Second, for the 11 economies with a population of more than 100 million, data for a second city have been added to the data set and the ranking calculation. These economies are Bangladesh, Brazil, China, India, Indonesia, Japan, Mexico, Nigeria, Pakistan, the Russian Federation and the United States. Third, for getting credit, the methodology has been revised for both the strength of legal rights index and the depth of credit information index. The number of points has been increased in both indices, from 10 to 12 for the strength of legal rights index and from 6 to 8 for the depth of credit information index. In addition, only credit bureaus and registries that cover at least 5% of the adult population can receive a score on the depth of credit information index.

Fourth, the name of the protecting investors indicator set has been changed to protecting minority investors to better reflect its scope—and the scope of the indicator set has been expanded to include shareholders' rights in corporate governance beyond related-party transactions. Fifth, the resolving insolvency indicator set has been expanded to include an index measuring the strength of the legal framework for insolvency. Sixth, the calculation of the distance to frontier score for paying taxes has been changed. The total tax rate component now enters the score in a nonlinear fashion, in an approach different from that used for all other indicators (see the chapter on the distance to frontier and ease of doing business ranking).

Finally, the name of the employing workers indicator set has been changed to labor market regulation, and the scope of this indicator set has also been changed. The indicators now focus on labor market regulation applying to the retail sector rather than the manufacturing sector, and their coverage has been expanded to include regulations on labor disputes and on benefits provided to workers. The labor market regulation indicators continue to be excluded from the aggregate distance to frontier score and ranking on the ease of doing business.

Beyond these changes there are 3 other updates in methodology. For paying taxes, the financial statement variables have been updated to be proportional to 2012 income per capita; previously they were proportional to 2005 income per capita. For enforcing contracts, the value of the claim is now set at twice the income per capita or \$5,000, whichever is greater. For dealing with construction permits, the cost of construction is now set at 50 times income per capita (before, the cost was assessed by the *Doing Business* respondents). In addition, this indicator set no longer includes the procedures for obtaining a landline telephone connection.

For more details on the changes, see the "What is changing in *Doing Business*?" chapter starting on page 24 of the *Doing Business 2015* report. For more details on the data and methodology, please see the "Data Notes" chapter starting on page 114 of the *Doing Business 2015* report. For more details on the distance to frontier metric, please see the "Distance to frontier and ease of doing business ranking" chapter in this profile.

THE BUSINESS ENVIRONMENT

For policy makers trying to improve their economy's regulatory environment for business, a good place to start is to find out how it compares with the regulatory environment in other economies. *Doing Business* provides an aggregate ranking on the ease of doing business based on indicator sets that measure and benchmark regulations applying to domestic small to medium-size businesses through their life cycle. Economies are ranked from 1 to 189 by the ease of doing business ranking. This year's report presents results for 2 aggregate measures: the distance to frontier score and the ease of doing business ranking. The ranking of economies is determined by sorting the aggregate distance to frontier (DTF) scores. The distance to frontier score benchmarks economies with respect to regulatory practice, showing the absolute distance to the best performance in each *Doing Business* indicator. An economy's distance to frontier score is indicated on a scale from 0 to 100, where 0 represents the worst performance and 100 the frontier. (See the chapter on the distance to frontier and ease of doing business). The 10 topics included in the ranking in *Doing Business 2015*: starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting minority investors, paying taxes, trading across borders, enforcing contracts and resolving insolvency. The labor market regulation indicators (formerly employing workers) are not included in this year's aggregate ease of doing business ranking, but the data are presented in this year's economy profile.

The aggregate ranking on the ease of doing business benchmarks each economy's performance on the indicators against that of all other economies in the *Doing Business* sample (figure 1.1). While this ranking tells much about the business environment in an economy, it does not tell the whole story. The ranking on the ease of doing business, and the underlying indicators, do not measure all aspects of the business environment that matter to firms and investors or that affect the competitiveness of the economy. Still, a high ranking does mean that the government has created a regulatory environment conducive to operating a business.

ECONOMY OVERVIEW

Region: Latin America & Caribbean

Income category: Low income

Population: 10,317,461

GNI per capita (US\$): 810

DB2015 rank: 180

DB2014 rank: 181*

Change in rank: 1

DB 2015 DTF: 42.2

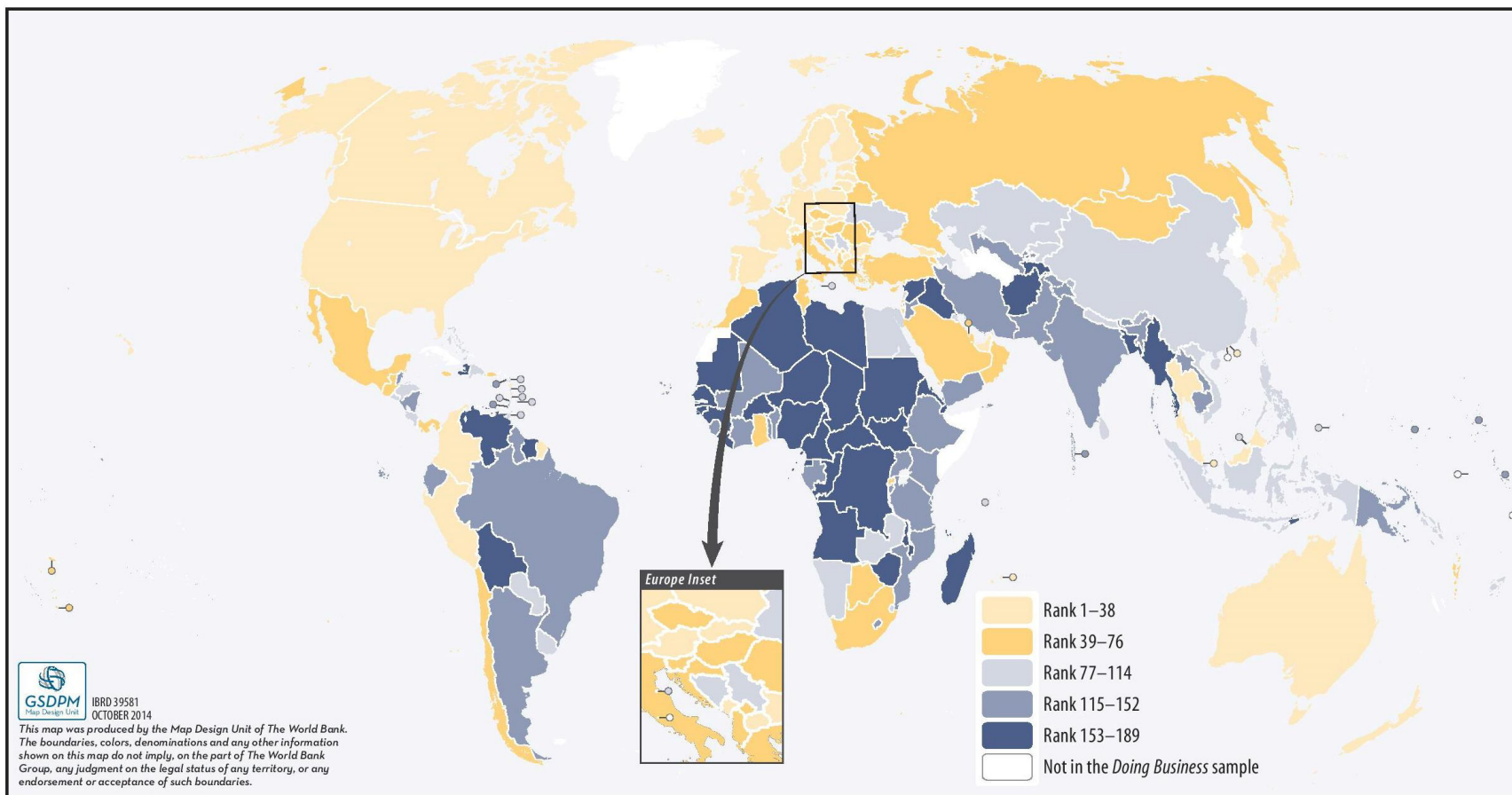
DB 2014 DTF: 41.5

Change in DTF: 0.7

* DB2014 ranking shown is not last year's published ranking but a comparable ranking for DB2014 that captures the effects of such factors as data corrections and the changes in methodology. See the data notes starting on page 114 of the *Doing Business 2015* report for sources and definitions.

THE BUSINESS ENVIRONMENT

Figure 1.1 Where economies stand in the global ranking on the ease of doing business



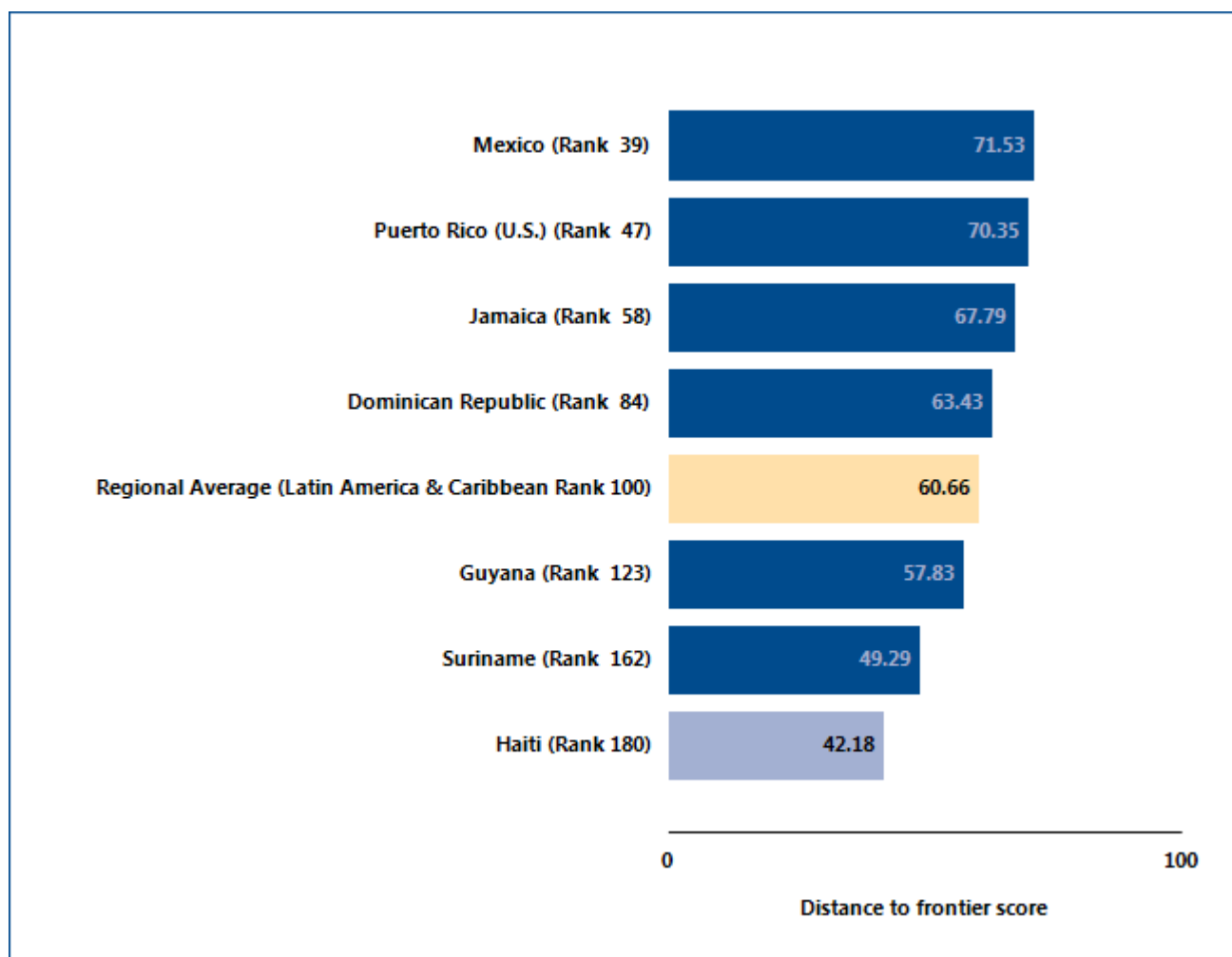
Source: *Doing Business* database.

THE BUSINESS ENVIRONMENT

For policy makers, knowing where their economy stands in the aggregate ranking on the ease of doing business is useful. Also useful is to know how it ranks relative to comparator economies and relative to the

regional average (figure 1.2). The economy's rankings (figure 1.3) and distance to frontier scores (figure 1.4) on the topics included in the ease of doing business ranking provide another perspective.

Figure 1.2 How Haiti and comparator economies rank on the ease of doing business



Note: The rankings are benchmarked to June 2014 and based on the average of each economy's distance to frontier (DTF) scores for the 10 topics included in this year's aggregate ranking. The distance to frontier score benchmarks economies with respect to regulatory practice, showing the absolute distance to the best performance in each *Doing Business* indicator. An economy's distance to frontier score is indicated on a scale from 0 to 100, where 0 represents the worst performance and 100 the frontier. For the economies for which the data cover 2 cities, scores are a population-weighted average for the 2 cities.

Source: *Doing Business* database.

THE BUSINESS ENVIRONMENT

Figure 1.3 Rankings on *Doing Business* topics - Haiti
 (Scale: Rank 189 center, Rank 1 outer edge)

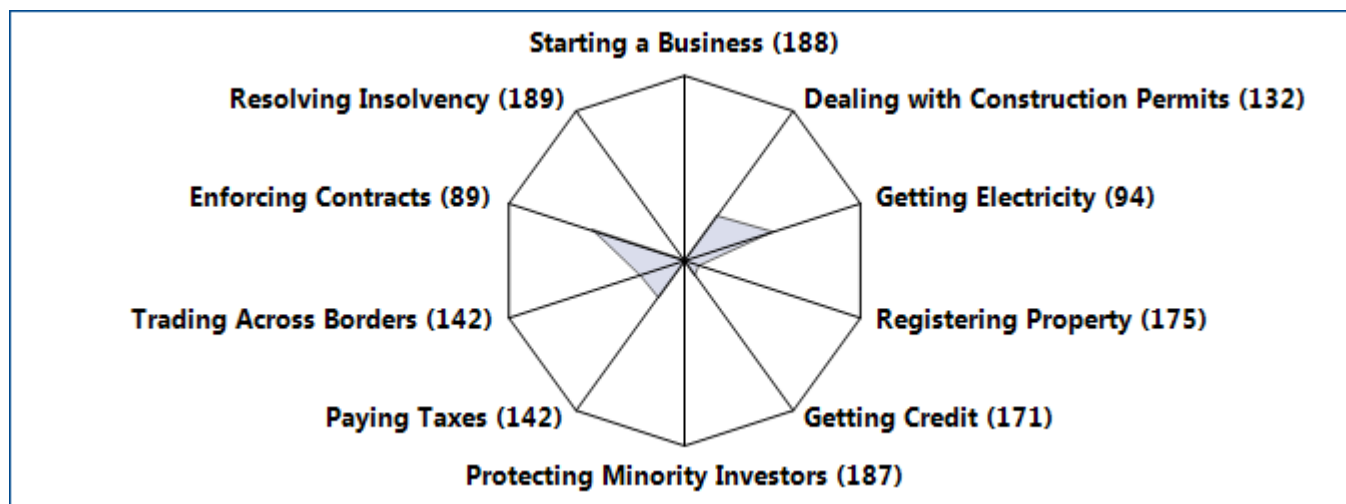
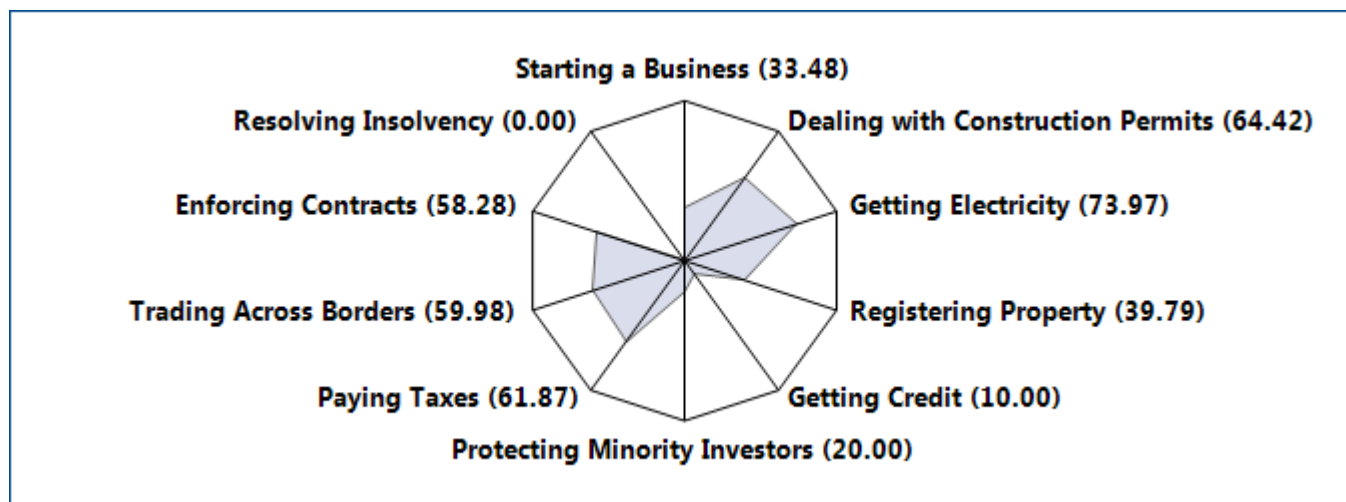


Figure 1.4 Distance to frontier scores on *Doing Business* topics - Haiti
 (Scale: Score 0 center, Score 100 outer edge)



Note: The rankings are benchmarked to June 2014 and based on the average of each economy’s distance to frontier (DTF) scores for the 10 topics included in this year’s aggregate ranking. The distance to frontier score benchmarks economies with respect to regulatory practice, showing the absolute distance to the best performance in each *Doing Business* indicator. An economy’s distance to frontier score is indicated on a scale from 0 to 100, where 0 represents the worst performance and 100 the frontier. For the economies for which the data cover 2 cities, scores are a population-weighted average for the 2 cities.
 Source: *Doing Business* database.

THE BUSINESS ENVIRONMENT

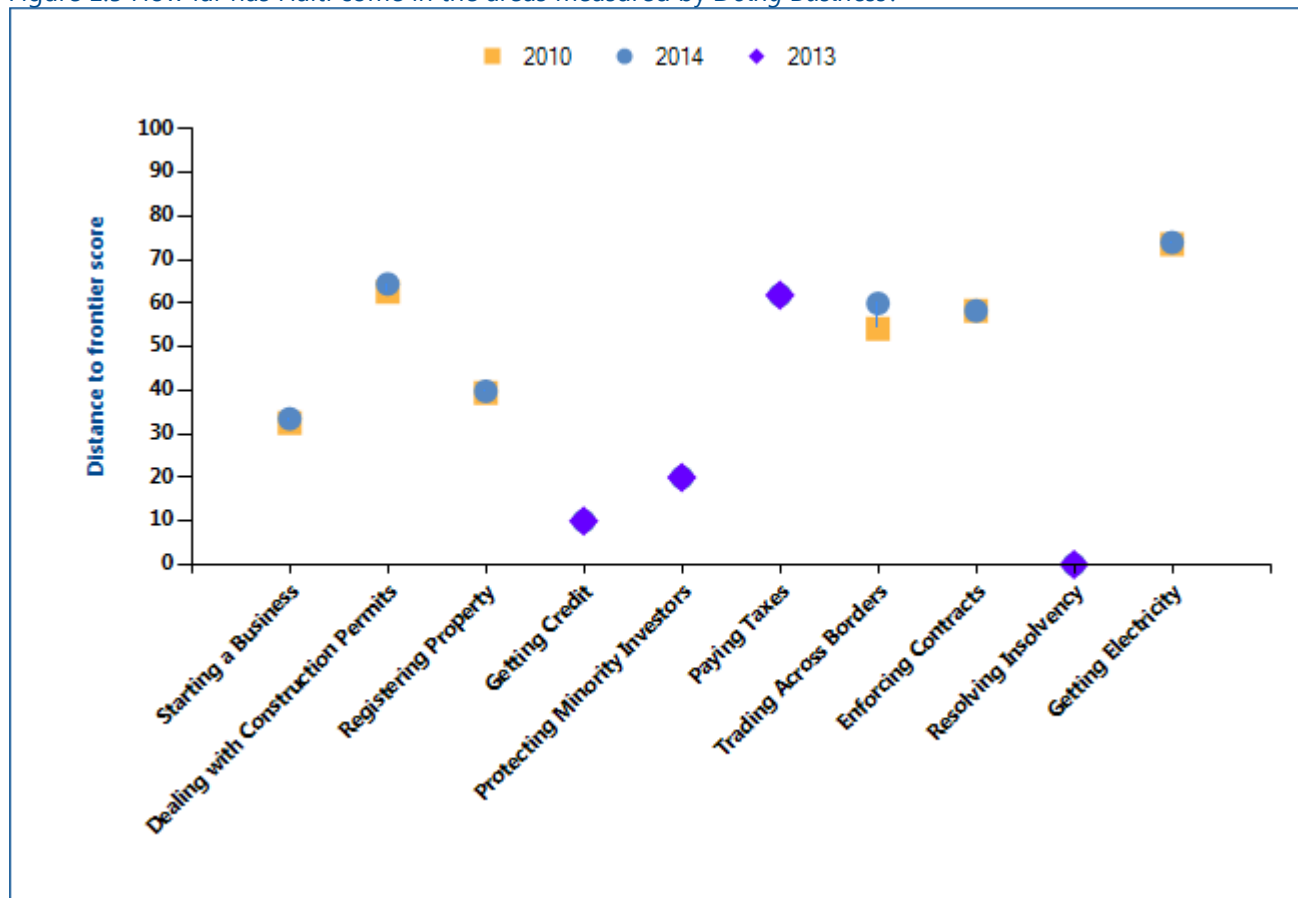
Just as the overall ranking on the ease of doing business tells only part of the story, so do changes in that ranking. Yearly movements in rankings can provide some indication of changes in an economy’s regulatory environment for firms, but they are always relative.

Moreover, year-to-year changes in the overall rankings do not reflect how the business regulatory environment in an economy has changed over time—or how it has changed in different areas. To aid in assessing such changes,

Doing Business introduced the distance to frontier score. This measure shows how far on average an economy is from the best performance achieved by any economy on each *Doing Business* indicator.

Comparing the measure for an economy at 2 points in time allows users to assess how much the economy’s regulatory environment as measured by *Doing Business* has changed over time—how far it has moved toward (or away from) the most efficient practices and strongest regulations in areas covered by *Doing Business* (figure 1.5).

Figure 1.5 How far has Haiti come in the areas measured by *Doing Business*?



Note: The distance to frontier score shows how far on average an economy is from the best performance achieved by any economy on each *Doing Business* indicator since 2010, except for getting credit, paying taxes, protecting minority investors and resolving insolvency which had methodology changes in 2014 and thus are only comparable to 2013. The measure is normalized to range between 0 and 100, with 100 representing the best performance (the frontier). See the data notes starting on page 114 of the *Doing Business 2015* report for more details on the distance to frontier score.

Source: *Doing Business* database.

THE BUSINESS ENVIRONMENT

The absolute values of the indicators tell another part of the story (table 1.1). The indicators, on their own or in comparison with the indicators of a good practice economy or those of comparator economies in the region, may reveal bottlenecks reflected in large numbers of procedures, long delays or high costs. Or they may reveal unexpected strengths in an area of business

regulation—such as a regulatory process that can be completed with a small number of procedures in a few days and at a low cost. Comparison of the economy's indicators today with those in the previous year may show where substantial bottlenecks persist—and where they are diminishing.

Table 1.1 Summary of *Doing Business* indicators for Haiti

Indicator	Haiti DB2015	Haiti DB2014	Dominican Republic DB2015	Guyana DB2015	Jamaica DB2015	Mexico DB2015	Puerto Rico (U.S.) DB2015	Suriname DB2015	Best performer globally DB2015
Starting a Business (rank)	188	187	113	99	20	67	48	181	New Zealand (1)
Starting a Business (DTF Score)	33.48	33.39	81.60	83.62	94.13	88.85	91.17	48.05	New Zealand (99.96)
Procedures (number)	12.0	12.0	7.0	8.0	2.0	6.0	6.0	13.0	New Zealand (1.0)*
Time (days)	97.0	97.0	19.5	19.0	15.0	6.3	6.0	84.0	New Zealand (0.5)
Cost (% of income per capita)	246.7	264.8	16.9	11.5	6.0	18.6	0.8	106.4	Slovenia (0.0)
Paid-in min. capital (% of income per capita)	17.6	19.1	43.0	0.0	0.0	0.0	0.0	0.3	112 Economies (0.0)*
Dealing with Construction Permits (rank)	132	138	96	38	26	108	158	79	Hong Kong SAR, China (1)
Dealing with Construction Permits (DTF Score)	64.42	62.35	70.88	80.06	83.17	68.43	56.28	74.13	Hong Kong SAR, China (95.53)

Indicator	Haiti DB2015	Haiti DB2014	Dominican Republic DB2015	Guyana DB2015	Jamaica DB2015	Mexico DB2015	Puerto Rico (U.S.) DB2015	Suriname DB2015	Best performer globally DB2015
Procedures (number)	8.0	8.0	13.0	7.0	7.0	11.3	20.0	10.0	Hong Kong SAR, China (5.0)
Time (days)	71.0	71.0	184.0	195.0	135.0	87.6	165.0	223.0	Singapore (26.0)
Cost (% of warehouse value)	16.4	17.6	2.0	0.6	2.2	10.3	6.2	0.2	Qatar (0.0)*
Getting Electricity (rank)	94	95	119	155	111	116	32	69	Korea, Rep. (1)
Getting Electricity (DTF Score)	73.97	72.72	67.36	57.21	70.36	68.47	85.41	78.68	Korea, Rep. (99.83)
Procedures (number)	4.0	4.0	7.0	8.0	6.0	6.8	5.0	4.0	12 Economies (3.0)*
Time (days)	60.0	60.0	82.0	109.0	96.0	78.9	32.0	113.0	Korea, Rep. (18.0)*
Cost (% of income per capita)	3,495.8	3,800.1	276.9	442.9	406.3	346.1	352.9	486.1	Japan (0.0)
Registering Property (rank)	175	176	82	103	126	110	163	178	Georgia (1)
Registering Property (DTF Score)	39.79	39.64	69.90	64.08	59.36	62.45	47.90	38.92	Georgia (99.88)
Procedures (number)	5.0	5.0	6.0	6.0	6.0	6.8	8.0	6.0	4 Economies (1.0)*
Time (days)	312.0	312.0	51.0	75.0	36.0	63.6	193.5	106.0	3 Economies (1.0)*
Cost (% of property value)	7.1	7.2	3.7	4.6	9.5	5.1	0.9	13.7	4 Economies (0.0)*
Getting Credit (rank)	171	169	89	165	12	12	7	171	New Zealand (1)
Getting Credit (DTF Score)	10.00	10.00	45.00	15.00	80.00	80.00	85.00	10.00	New Zealand (100)
Strength of legal rights index (0-12)	2	2	1	3	10	8	10	2	3 Economies (12)*

Indicator	Haiti DB2015	Haiti DB2014	Dominican Republic DB2015	Guyana DB2015	Jamaica DB2015	Mexico DB2015	Puerto Rico (U.S.) DB2015	Suriname DB2015	Best performer globally DB2015
Depth of credit information index (0-8)	0	0	8	0	6	8	7	0	23 Economies (8)*
Credit registry coverage (% of adults)	1.1	1.1	38.1	0.0	0.0	0.0	0.0	0.0	Portugal (100.0)
Credit bureau coverage (% of adults)	0.0	0.0	63.1	0.0	10.1	100.0	100.0	0.0	23 Economies (100.0)*
Protecting Minority Investors (rank)	187	187	83	135	71	62	78	171	New Zealand (1)
Protecting Minority Investors (DTF Score)	20.00	20.00	54.17	44.17	56.67	57.50	55.00	34.17	New Zealand (81.67)
Extent of conflict of interest regulation index (0-10)	3.0	3.0	5.3	5.3	5.7	6.0	7.0	2.3	Singapore (9.3)*
Extent of shareholder governance index (0-10)	1.0	1.0	5.5	3.5	5.7	5.5	4.0	4.5	France (7.8)*
Strength of minority investor protection index (0-10)	2.0	2.0	5.4	4.4	5.7	5.8	5.5	3.4	New Zealand (8.2)
Paying Taxes (rank)	142	137	80	115	147	105	133	71	United Arab Emirates (1)*
Paying Taxes (DTF Score)	61.87	61.87	74.24	68.69	59.01	71.17	63.83	76.45	United Arab Emirates (99.44)*
Payments (number per year)	47.0	47.0	9.0	35.0	36.0	6.0	16.0	30.0	Hong Kong SAR, China (3.0)*
Time (hours per year)	184.0	184.0	324.0	256.0	368.0	334.0	218.0	199.0	Luxembourg (55.0)
Trading Across Borders (rank)	142	147	24	82	115	44	84	106	Singapore (1)
Trading Across Borders	59.98	56.35	85.56	74.63	68.22	81.26	74.53	69.42	Singapore (96.47)

Indicator	Haiti DB2015	Haiti DB2014	Dominican Republic DB2015	Guyana DB2015	Jamaica DB2015	Mexico DB2015	Puerto Rico (U.S.) DB2015	Suriname DB2015	Best performer globally DB2015
(DTF Score)									
Documents to export (number)	8	8	4	6	6	4	5	8	Ireland (2)*
Time to export (days)	28.0	33.0	8.0	19.0	20.0	12.0	15.0	22.0	5 Economies (6.0)*
Cost to export (US\$ per container)	1,200.0	1,200.0	1,040.0	730.0	1,580.0	1,499.3	1,300.0	1,050.0	Timor-Leste (410.0)
Cost to export (deflated US\$ per container)	1,200.0	1,274.3	1,040.0	730.0	1,580.0	1,499.3	1,300.0	1,050.0	
Documents to import (number)	9	9	5	7	7	4	8	6	Ireland (2)*
Time to import (days)	26.0	31.0	10.0	22.0	17.0	11.2	15.0	19.0	Singapore (4.0)
Cost to import (US\$ per container)	1,555.0	1,555.0	1,145.0	720.0	2,180.0	1,887.6	1,350.0	1,190.0	Singapore (440.0)
Cost to import (deflated US\$ per container)	1,555.0	1,651.2	1,145.0	720.0	2,180.0	1,887.6	1,350.0	1,190.0	
Enforcing Contracts (rank)	89	89	73	71	117	57	92	184	Singapore (1)
Enforcing Contracts (DTF Score)	58.28	58.28	61.87	62.37	53.74	64.61	58.03	28.84	Singapore (89.54)
Time (days)	530.0	530.0	460.0	581.0	655.0	388.9	620.0	1,715.0	Singapore (150.0)
Cost (% of claim)	42.6	42.6	40.9	25.2	45.6	30.9	25.6	37.1	Iceland (9.0)
Procedures (number)	35.0	35.0	34.0	36.0	35.0	36.8	39.0	44.0	Singapore (21.0)*
Resolving Insolvency (rank)	189	189	158	150	59	27	7	130	Finland (1)
Resolving Insolvency (DTF Score)	0.00	0.00	23.75	28.50	53.29	72.59	86.37	34.27	Finland (93.85)

Indicator	Haiti DB2015	Haiti DB2014	Dominican Republic DB2015	Guyana DB2015	Jamaica DB2015	Mexico DB2015	Puerto Rico (U.S.) DB2015	Suriname DB2015	Best performer globally DB2015
Time (years)	no practice	no practice	3.5	3.0	1.1	1.8	2.5	5.0	Ireland (0.4)
Cost (% of estate)	no practice	no practice	38.0	28.5	18.0	18.0	8.0	30.0	Norway (1.0)
Outcome (0 as piecemeal sale and 1 as going concern)	0	0	0	0	1	1	1	0	
Recovery rate (cents on the dollar)	0.0	0.0	9.3	18.1	64.2	68.1	73.4	8.5	Japan (92.9)
Strength of insolvency framework index (0-16)	no practice	no practice	6.0	6.0	6.0	11.5	15.0	9.5	5 Economies (15.0)*

Note: DB2014 rankings shown are not last year's published rankings but comparable rankings for DB2014 that capture the effects of such factors as data corrections and changes to the methodology. Trading across borders deflated and non-deflated values are identical in DB2015 because it is defined as the base year for the deflator. The best performer on time for paying taxes is defined as the lowest time recorded among all economies in the DB2015 sample that levy the 3 major taxes: profit tax, labor taxes and mandatory contributions, and VAT or sales tax. If an economy has no laws or regulations covering a specific area—for example, insolvency—it receives a “no practice” mark. Similarly, an economy receives a “no practice” or “not possible” mark if regulation exists but is never used in practice or if a competing regulation prohibits such practice. Either way, a “no practice” mark puts the economy at the bottom of the ranking on the relevant indicator.

* Two or more economies share the top ranking on this indicator. A number shown in place of an economy's name indicates the number of economies that share the top ranking on the indicator. For a list of these economies, see the *Doing Business* website (<http://www.doingbusiness.org>).

Source: *Doing Business* database.

STARTING A BUSINESS

Formal registration of companies has many immediate benefits for the companies and for business owners and employees. Legal entities can outlive their founders. Resources are pooled as several shareholders join forces to start a company. Formally registered companies have access to services and institutions from courts to banks as well as to new markets. And their employees can benefit from protections provided by the law. An additional benefit comes with limited liability companies. These limit the financial liability of company owners to their investments, so personal assets of the owners are not put at risk. Where governments make registration easy, more entrepreneurs start businesses in the formal sector, creating more good jobs and generating more revenue for the government.

What do the indicators cover?

Doing Business measures the ease of starting a business in an economy by recording all procedures officially required or commonly done in practice by an entrepreneur to start up and formally operate an industrial or commercial business—as well as the time and cost required to complete these procedures. It also records the paid-in minimum capital that companies must deposit before registration (or within 3 months). The ranking of economies on the ease of starting a business is determined by sorting their distance to frontier scores for starting a business. These scores are the simple average of the distance to frontier scores for each of the component indicators.

To make the data comparable across economies, *Doing Business* uses several assumptions about the business and the procedures. It assumes that all information is readily available to the entrepreneur and that there has been no prior contact with officials. It also assumes that the entrepreneur will pay no bribes. And it assumes that the business:

- Is a limited liability company, located in the largest business city and is 100% domestically owned¹.
- Has between 10 and 50 employees.
- Conducts general commercial or industrial activities.
- Has a start-up capital of 10 times income per capita.
- Has a turnover of at least 100 times income per capita.
- Does not qualify for any special benefits.
- Does not own real estate.

WHAT THE STARTING A BUSINESS

INDICATORS MEASURE

Procedures to legally start and operate a company (number)

- Preregistration (for example, name verification or reservation, notarization)
- Registration in the economy's largest business city¹
- Postregistration (for example, social security registration, company seal)

Time required to complete each procedure (calendar days)

- Does not include time spent gathering information
- Each procedure starts on a separate day (2 procedures cannot start on the same day). Procedures that can be fully completed online are recorded as ½ day.
- Procedure completed once final document is received
- No prior contact with officials

Cost required to complete each procedure (% of income per capita)

- Official costs only, no bribes
- No professional fees unless services required by law

Paid-in minimum capital (% of income per capita)

- Deposited in a bank or with a notary before registration (or within 3 months)

¹ For the 11 economies with a population of more than 100 million, data for a second city have been added.

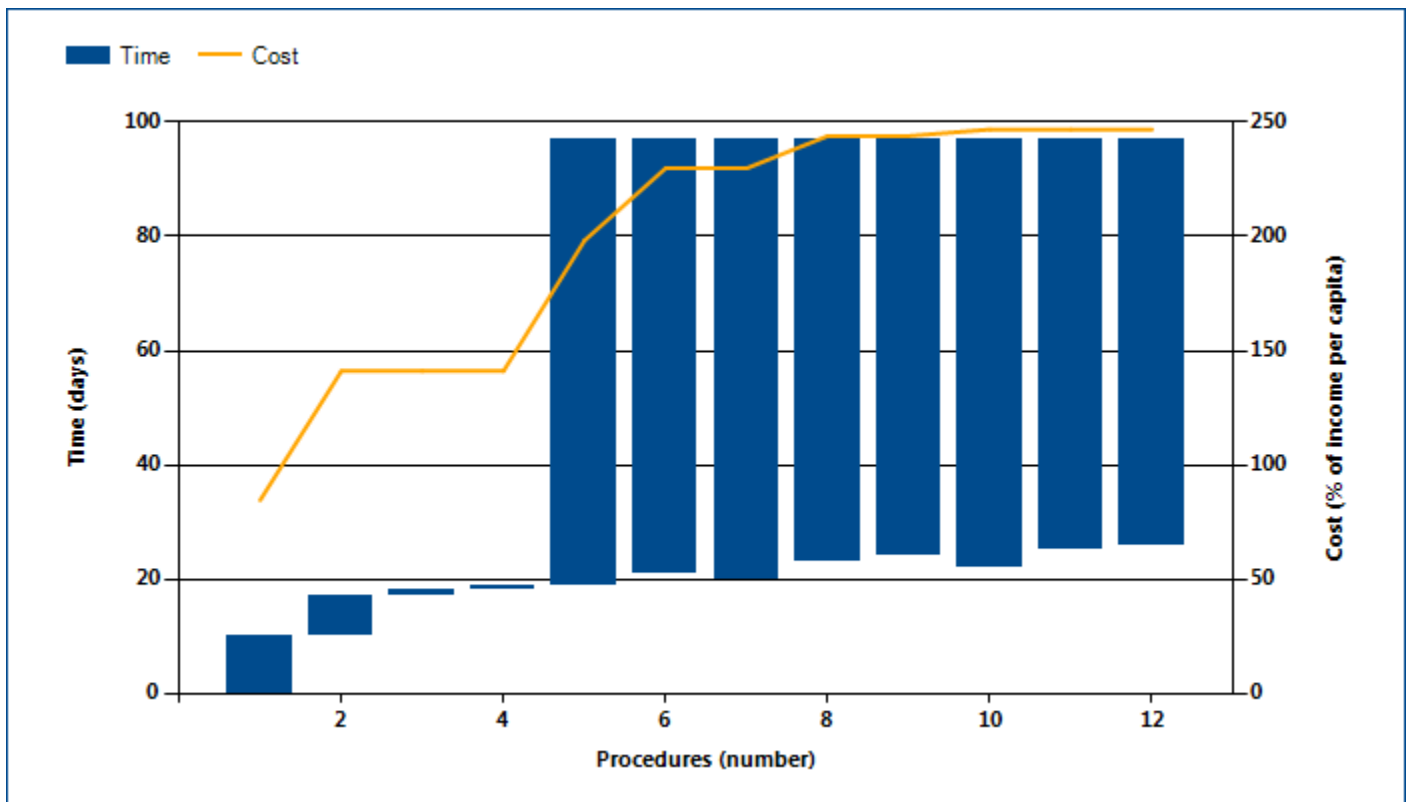
STARTING A BUSINESS

Where does the economy stand today?

What does it take to start a business in Haiti? According to data collected by *Doing Business*, starting a business there requires 12.0 procedures, takes 97.0 days, costs 246.7% of income per capita and requires paid-in minimum capital of 17.6% of income per capita (figure 2.1). Most indicator sets refer to a case scenario in the

largest business city of an economy, except for 11 economies for which the data are a population-weighted average of the 2 largest business cities. See the chapter on distance to frontier and ease of doing business ranking at the end of this profile for more details.

Figure 2.1 What it takes to start a business in Haiti -
Paid-in minimum capital (% of income per capita): 17.6



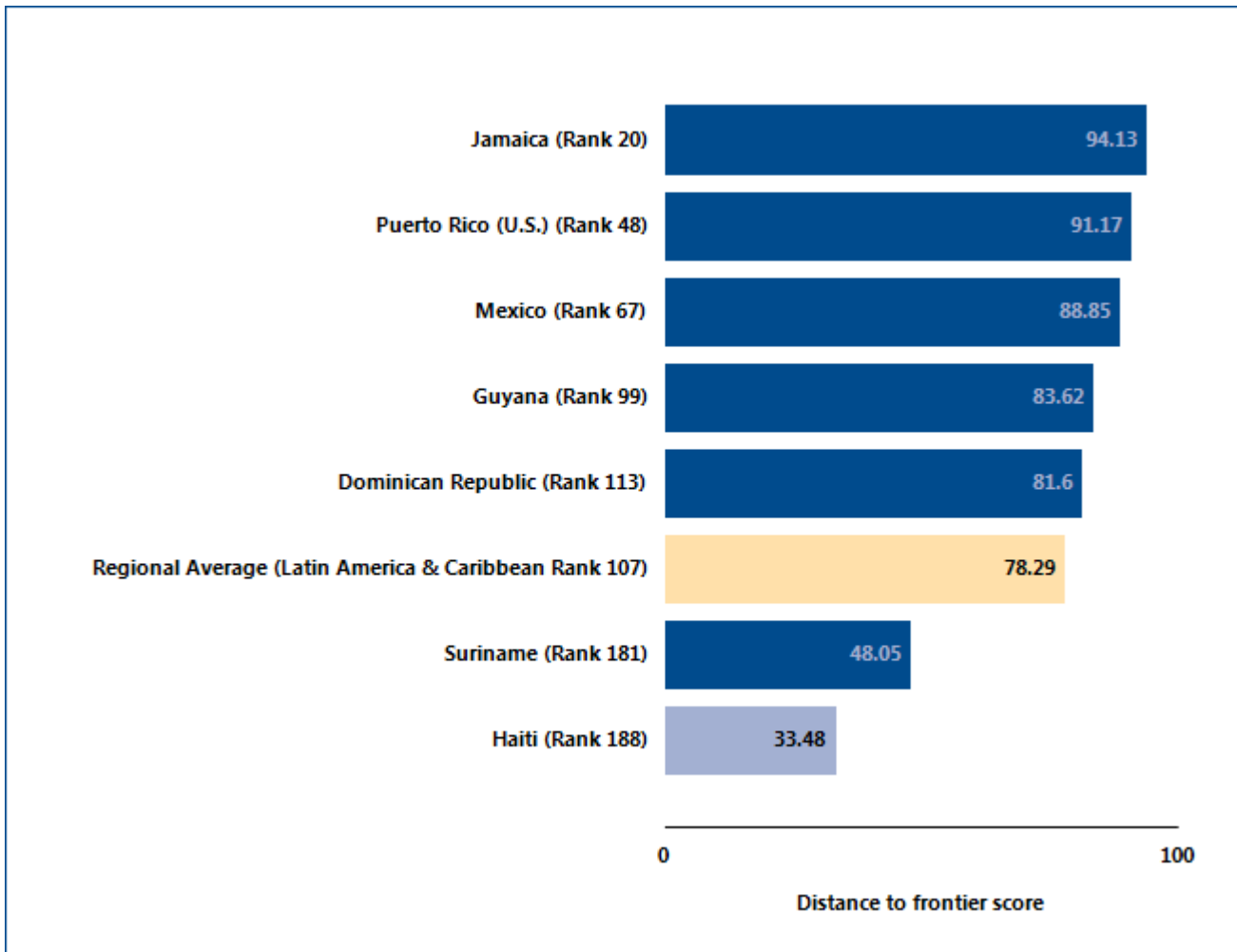
Note: Time shown in the figure above may not reflect simultaneity of procedures. Online procedures account for 0.5 days in the total time calculation. For more information on the methodology of the starting a business indicators, see the *Doing Business* website (<http://www.doingbusiness.org>). For details on the procedures reflected here, see the summary at the end of this chapter. Source: *Doing Business* database.

STARTING A BUSINESS

Globally, Haiti stands at 188 in the ranking of 189 economies on the ease of starting a business (figure 2.2). The rankings for comparator economies and the regional

average ranking provide other useful information for assessing how easy it is for an entrepreneur in Haiti to start a business.

Figure 2.2 How Haiti and comparator economies rank on the ease of starting a business



Source: Doing Business database.

STARTING A BUSINESS

Economies around the world have taken steps making it easier to start a business—streamlining procedures by setting up a one-stop shop, making procedures simpler or faster by introducing technology and reducing or eliminating minimum capital requirements. Many have undertaken business registration reforms in stages—and

they often are part of a larger regulatory reform program. Among the benefits have been greater firm satisfaction and savings and more registered businesses, financial resources and job opportunities.

What business registration reforms has *Doing Business* recorded in Haiti (table 2.1)?

Table 2.1 How has Haiti made starting a business easier—or not?
By *Doing Business* report year from DB2010 to DB2015

DB year	Reform
DB2011	Haiti eased business start-up by eliminating the review by the president's or the prime minister's office of the incorporation act submitted for publication.

Note: For information on reforms in earlier years (back to DB2005), see the *Doing Business* reports for these years, available at <http://www.doingbusiness.org>.

Source: *Doing Business* database.

STARTING A BUSINESS

What are the details?

Underlying the indicators shown in this chapter for Haiti is a set of specific procedures—the bureaucratic and legal steps that an entrepreneur must complete to incorporate and register a new firm. These are identified by *Doing Business* through collaboration with relevant local professionals and the study of laws, regulations and publicly available information on business entry in that economy. Following is a detailed summary of those procedures, along with the associated time and cost. These procedures are those that apply to a company matching the standard assumptions (the “standardized company”) used by *Doing Business* in collecting the data (see the section in this chapter on what the indicators measure).

STANDARDIZED COMPANY

Legal form: Société Anonyme

Paid in minimum capital requirement: HTG 6,250

City: Port au Prince

Start-up Capital: 10 times GNI per capita

Table 2.2 Summary of time, cost and procedures for starting a business in Haiti -

No.	Procedure	Time to complete	Cost to complete
1	<p>Prepare the company statutes (Articles and Memorandum of Association)</p> <p>The lawyer charges approximately HTG 30,000 for the drafting of the company statutes in the case of a Société Anonyme. Prices can vary depending on the notary.</p> <p><i>Agency: Lawyer</i></p>	10 days	included in the notary fees
2	<p>Notarize the company deeds and articles of association</p> <p>The notary public must handwrite and notarize the documents at a fee of between 15,000 and 25,000 depending on the complexity of the service.</p> <p><i>Agency: Notary</i></p>	7 days	HTG 15,000-HTG 25,000
3	<p>Deposit the legally required initial capital in the National Bank and obtain deposit evidence</p> <p>The notary deposits the legally required initial capital in the National Bank (Banque Nationale de Credit) and obtains proof of deposit. A certified check need to be used to pay in the National Bank, where proof of payment is provided.</p>	1 day	no charge

No.	Procedure	Time to complete	Cost to complete
	<p><i>Agency: National Bank</i></p>		
<p>4</p>	<p>Register the statutes with the Direction Générale des Impôts (DGI)</p> <p>The notary pays the registration fees at the Tax Office (DGI) and proof of payment is obtained.</p> <p><i>Agency: Direction Générale des Impôts (DGI)</i></p>	<p>1 day</p>	<p>HTG 250 (frais de dossier) + HTG 25 (vignette bleue)</p>
<p>5</p>	<p>Registration with the Commercial Registry at the Ministry of Commerce and Industry and obtain the authorization of operations (Droit de fonctionnement)</p> <p>Lawyer submits the dossier for registration at the Ministry of Commerce and a request for the 'avis de fonctionnement'.</p> <p>When the Ministry of Commerce has processed the application and registered the company, it forwards the file to the Moniteur for publication.</p> <p>Firms can begin operations before the publication, as soon as they receive authorization from the Ministry of Commerce.</p> <p>Since May 2009, the company's articles of incorporation do not need to be approved by the Prime Minister's office and the Presidency before they can be published in the Official Journal. This process takes about 60 days.</p> <p>The cost depends on the number of pages of the act of constitution: 2 to 9 pages: HTG 5,000 10 to 25 pages: HTG 20,000 26 to x pages: HTG 35,000.</p> <p><i>Agency: Ministry of Commerce and Industry and Le Moniteur (Journal Officiel)</i></p>	<p>78 days on average</p>	<p>HTG 1,500 for registration + HTG 250 (frais de dossier) + HTG 25 (vignette bleue) + HTG 20,000 for publication in Le Moniteur (10-25 pages)</p>
<p>6</p>	<p>* Obtain the Tax ID number (numero d'identification fiscale -NIF) from the Tax authorities (DGI), pay fees, and obtain certificate of patente</p> <p>The company must file a form at the Tax Bureau (DGI) and provide an opening balance sheet on which corporate taxes will be based. A 2% tax is levied on a corporation's initial capital, payable annually. A company must pay the "tax on share" (taxe sur action) of 0.3% per share, which will be assessed each year, and a "right of operating" tax (droit de fonctionnement) of HTG 1500 payable annually, and HTG 1500 5 to obtain the professional identity card ("carte d'identite professionnelle").</p> <p><i>Agency: DGI</i></p>	<p>15 days (simultaneous with previous procedure)</p>	<p>HTG 50 (tax ID card) + 2% of initial capital + 0.3% per share + HTG 102 (droit de fonctionnement) + HTG 5 (taxe carte d'identite professionnelle)</p>

No.	Procedure	Time to complete	Cost to complete
7	<p>* Obtain the "Carte d'Identite Professionnelle" from the Ministry of Commerce</p> <p>According to Article 2 of the "Décret du 26 septembre 1960 réglementant l'exercice de la profession de commerçant", all commercial entities are required to hold a "carte d'identité professionnelle". After the payment of fees at the DGI and obtaining the business permit ("certificat de patente"), the entrepreneur will obtain the "carte d'identité professionnelle" at the Ministry of Commerce.</p> <p><i>Agency: Ministry of Commerce</i></p>	17 days on average (simultaneous with previous procedure)	cost included in procedure 5
8	<p>* Obtain special commercial books</p> <p>The special commercial books are purchased and prepared by an accountant.</p> <p><i>Agency: Commercial Registry</i></p>	2 days (simultaneous with previous procedure)	HTG 5,000
9	<p>* Notification to the Labor Ministry about hiring</p> <p>Companies must submit a declaration on the hiring of personnel to the Labor Direction within 8 days of opening. In practice, this formality is rarely respected.</p> <p><i>Agency: Labor Ministry</i></p>	1 day (simultaneous with previous procedure)	no charge
10	<p>* Legalize the commercial books</p> <p>Books are legalized by the Dean of the first instance court (Doyen du Tribunal). Each page must be sealed by the Dean of the civil court. .</p> <p><i>Agency: Court</i></p>	7 days (simultaneous with previous procedure)	HTG 1,000
11	<p>* Register for social security (OFATMA)</p> <p>The company must register with the Insurance Office for Occupational Injury, Sickness, and Maternity (OFATMA) within 15 days of opening and provide the names of all its employees (up to 6% of monthly salary is contributed by the employer to social security).</p> <p><i>Agency: Insurance Office</i></p>	1 day (simultaneous with previous procedure)	no charge

No.	Procedure	Time to complete	Cost to complete
12	<p>* Register for Retirement Insurance Office (ONA)</p> <p>The company must register with the Retirement Insurance Office (ONA) within 15 days of opening and provide the name of all its employees (up to 6% of monthly salary is contributed by the employer to retirement insurance).</p> <p><i>Agency: Retirement Office</i></p>	<p>1 day (simultaneous with previous procedure)</p>	<p>no charge</p>

* Takes place simultaneously with another procedure.

Note: Online procedures account for 0.5 days in the total time calculation.

Source: Doing Business database.

DEALING WITH CONSTRUCTION PERMITS

Regulation of construction is critical to protect the public. But it needs to be efficient, to avoid excessive constraints on a sector that plays an important part in every economy. Where complying with building regulations is excessively costly in time and money, many builders opt out. They may pay bribes to pass inspections or simply build illegally, leading to hazardous construction that puts public safety at risk. Where compliance is simple, straightforward and inexpensive, everyone is better off.

What do the indicators cover?

Doing Business records the procedures, time and cost for a business in the construction industry to obtain all the necessary approvals to build a warehouse in the economy's largest business city, connect it to basic utilities and register the warehouse so that it can be used as collateral or transferred to another entity.

The ranking of economies on the ease of dealing with construction permits is determined by sorting their distance to frontier scores for dealing with construction permits. These scores are the simple average of the distance to frontier scores for each of the component indicators.

To make the data comparable across economies, *Doing Business* uses several assumptions about the business and the warehouse, including the utility connections.

The business:

- Is a limited liability company operating in the construction business and located in the largest business city. For the 11 economies with a population of more than 100 million, data for a second city have been added. Is domestically owned and operated.
- Has 60 builders and other employees.

The warehouse:

- Is valued at 50 times income per capita.
- Is a new construction (there was no previous construction on the land).

WHAT THE DEALING WITH CONSTRUCTION PERMITS INDICATORS MEASURE

Procedures to legally build a warehouse (number)

Submitting all relevant documents and obtaining all necessary clearances, licenses, permits and certificates

Submitting all required notifications and receiving all necessary inspections

Obtaining utility connections for water and sewerage

Registering the warehouse after its completion (if required for use as collateral or for transfer of the warehouse)

Time required to complete each procedure (calendar days)

Does not include time spent gathering information

Each procedure starts on a separate day. Procedures that can be fully completed online are recorded as ½ day.

Procedure considered completed once final document is received

No prior contact with officials

Cost required to complete each procedure (% of warehouse value)

Official costs only, no bribes

- Will have complete architectural and technical plans prepared by a licensed architect or engineer.
- Will be connected to water and sewerage (sewage system, septic tank or their equivalent). The connection to each utility network will be 150 meters (492 feet) long.
- Will be used for general storage, such as of books or stationery (not for goods requiring special conditions).
- Will take 30 weeks to construct (excluding all delays due to administrative and regulatory requirements).

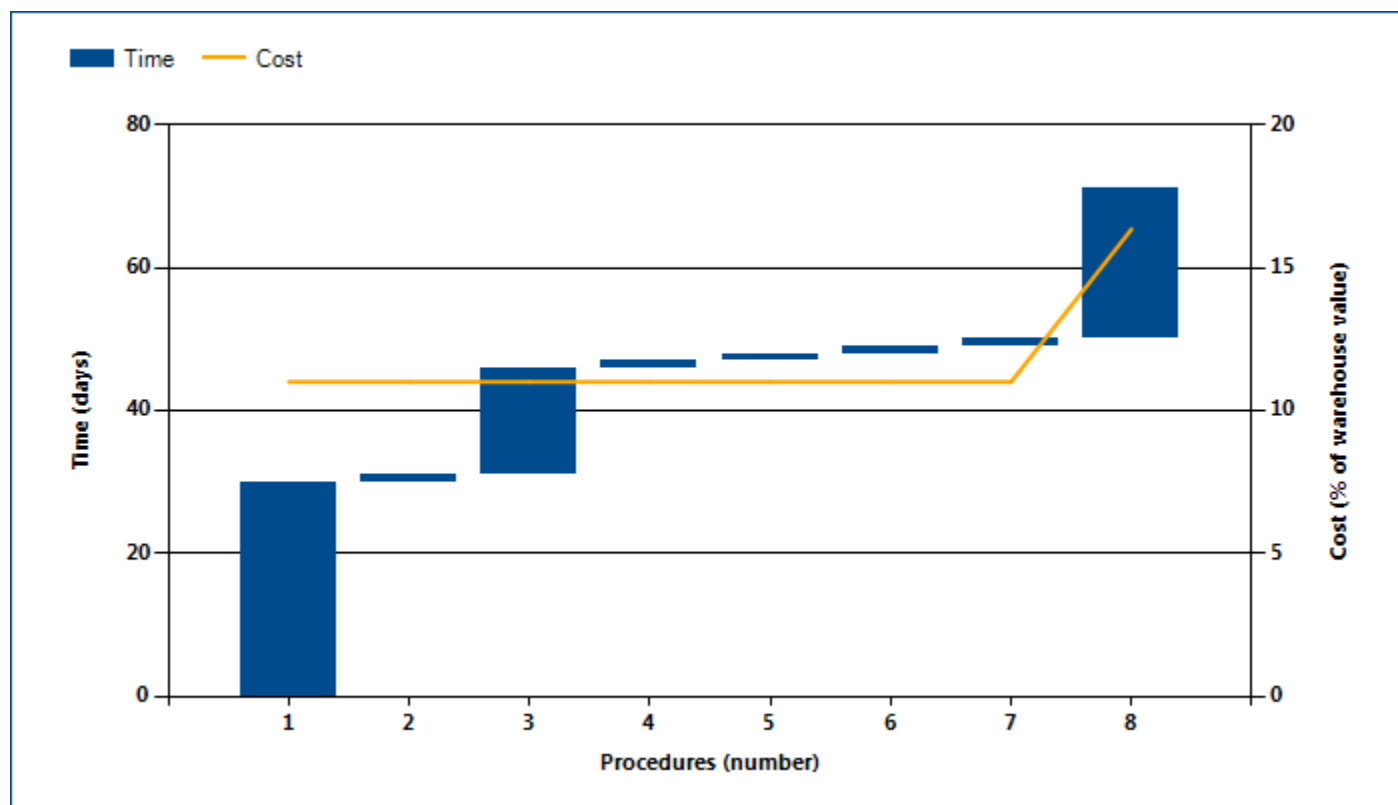
DEALING WITH CONSTRUCTION PERMITS

Where does the economy stand today?

What does it take to comply with the formalities to build a warehouse in Haiti? According to data collected by *Doing Business*, dealing with construction permits there requires 8.0 procedures, takes 71.0 days and costs 16.4% of the warehouse value (figure 3.1). Most indicator sets refer to a case scenario in the largest business city of an

economy, except for 11 economies for which the data are a population-weighted average of the 2 largest business cities. See the chapter on distance to frontier and ease of doing business ranking at the end of this profile for more details.

Figure 3.1 What it takes to comply with formalities to build a warehouse in Haiti -



Note: Time shown in the figure above may not reflect simultaneity of procedures. Online procedures account for 0.5 days in the total time calculation. For more information on the methodology of the dealing with construction permits indicators, see the *Doing Business* website (<http://www.doingbusiness.org>). For details on the procedures reflected here, see the summary at the end of this chapter.

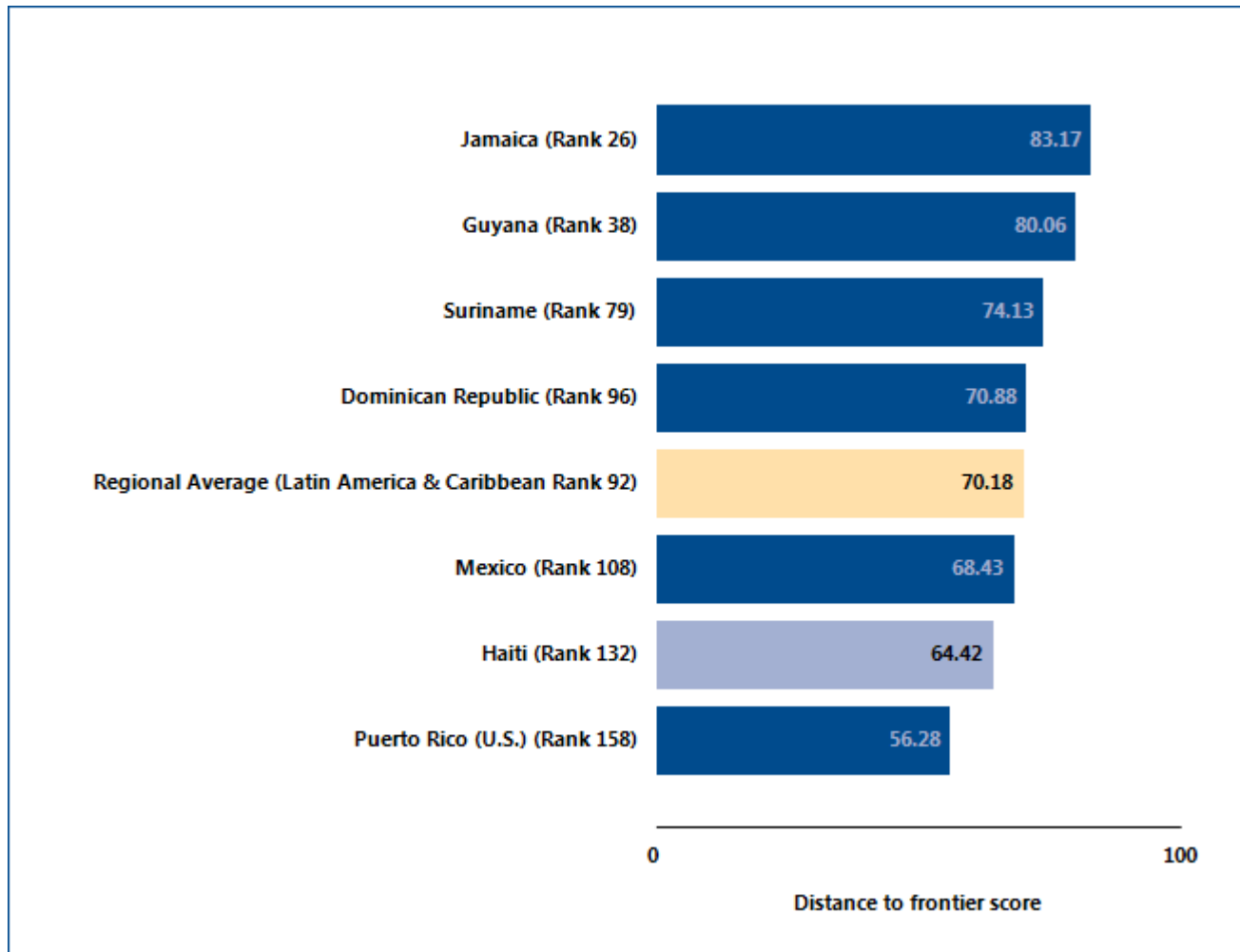
Source: *Doing Business* database.

DEALING WITH CONSTRUCTION PERMITS

Globally, Haiti stands at 132 in the ranking of 189 economies on the ease of dealing with construction permits (figure 3.2). The rankings for comparator

economies and the regional average ranking provide other useful information for assessing how easy it is for an entrepreneur in Haiti to legally build a warehouse.

Figure 3.2 How Haiti and comparator economies rank on the ease of dealing with construction permits



Source: Doing Business database.

DEALING WITH CONSTRUCTION PERMITS

Smart regulation ensures that standards are met while making compliance easy and accessible to all. Coherent and transparent rules, efficient processes and adequate allocation of resources are especially important in sectors where safety is at stake. Construction is one of them. In

an effort to ensure building safety while keeping compliance costs reasonable, governments around the world have worked on consolidating permitting requirements. What construction permitting reforms has *Doing Business* recorded in Haiti (table 3.1)?

Table 3.1 How has Haiti made dealing with construction permits easier—or not?

By *Doing Business* report year from DB2010 to DB2015

DB year	Reform
DB2012	Haiti made dealing with construction permits costlier by increasing the fees to obtain a building permit.

Note: For information on reforms in earlier years (back to DB2006), see the *Doing Business* reports for these years, available at <http://www.doingbusiness.org>.

Source: *Doing Business* database.

DEALING WITH CONSTRUCTION PERMITS

What are the details?

The indicators reported here for Haiti are based on a set of specific procedures—the steps that a company must complete to legally build a warehouse—identified by *Doing Business* through information collected from experts in construction licensing, including architects, civil engineers, construction lawyers, construction firms, utility service providers and public officials who deal with building regulations. These procedures are those that apply to a company and structure matching the standard assumptions used by *Doing Business* in collecting the data (see the section in this chapter on what the indicators cover).

BUILDING A WAREHOUSE	
Estimated cost of construction :	HTG 1,772,250
City :	Port au Prince

The procedures, along with the associated time and cost, are summarized below.

Table 3.2 Summary of time, cost and procedures for dealing with construction permits in Haiti -

No.	Procedure	Time to complete	Cost to complete
1	<p>Request building permit</p> <p>The Ministry of Public Works does not issue the building permit, but studies the file and provides technical advice/approval of the plans. The Engineering Department will merely give its advice on the feasibility of the project. The building permit is issued by the Municipality. According to the law, the building permit fee for a commercial warehouse is HTG 75.00 for the length of the building facing the road multiplied by the number of floors. If the building has 2 sides facing the road, then both sides are taken into account and charged accordingly. However, in practice, this is not followed.</p> <p>The Municipality generally charges between HTG 125.00 -- HTG 175.00 per sq. m. Thus, the fee for the Doing Business case study warehouse would be approximately HTG 150.00 x 1,300.6 sq. m. -- this is called "le droit d'alignement."</p> <p>BuildCo must submit the following documents when requesting the permit:</p> <ul style="list-style-type: none"> • Survey plan and title of ownership (3 copies) • Location plan (3 copies) • Facade plan (3 copies) • Construction (foundation, electricity, plumbing) (3 copies) • Specifications sheet • License of the engineers or Corporate Income Tax (1 copy) – proof that the engineer or the construction company has no outstanding taxes • Letter of Authorization Request (1 copy) <p><i>Agency: Municipality and the Ministry of Public Works</i></p>	30 days	HTG 195,090

No.	Procedure	Time to complete	Cost to complete
2	<p>Obtain site inspection by engineer from the Municipality</p> <p>A request is made for a site inspection. The owner or the engineer must be at the site for the inspection. After this inspection and within 15 days, the Municipality will issue a "Bordereau de paiement" to be paid at the tax authority (DGI). If the amount is over HTG 15,000.00, it must be paid by certified check.</p> <p><i>Agency: Municipality</i></p>	1 day	no charge
3	<p>Pay fees to the Direction Generale des Impots</p> <p>Payment is made at the DGI and proof of payment is delivered back to the Municipality. The fees for the building permit are recorded in procedure 1.</p> <p><i>Agency: Direction Generale des Impots</i></p>	15 days	no charge
4	<p>Obtain building permit</p> <p>Once the application has been reviewed by the Mayor, payment of the alignment rights is made and the proof of payment submitted to the Mayor, and if the file meets all the requirements, the City will issue the building permit.</p> <p><i>Agency: Municipality</i></p>	1 day	no charge
5	<p>Receive municipal inspection</p> <p>Municipal inspections at the completion of construction are rare, though they are required by law.</p> <p><i>Agency: Municipality</i></p>	1 day	no charge
6	<p>* Request water connection from the National Direction of Potable Water and Sewage (Direction Nationale de l'Eau Potable et de l'Assainissement- DINEPA)</p> <p>The water connection is requested directly by the owner, as the contract must be made in the owner's name.</p> <p><i>Agency: Offices Régionaux d'Eau Potable et d'Assainissement (OREPA)</i></p>	1 day	no charge
7	<p>Receive inspection for water connection and cost estimate</p> <p>The customer service center will process the application and forward it to the technical department, which will then inspect the construction site to prepare a cost estimate of the work for the water connection.</p> <p><i>Agency: Offices Régionaux d'Eau Potable et d'Assainissement (OREPA)</i></p>	1 day	no charge

No.	Procedure	Time to complete	Cost to complete
8	<p>Obtain water connection from the National Direction of Potable Water and Sewage (Direction Nationale de l'Eau Potable et de l'Assainissement- DINEPA)</p> <p>The cost of connection to the water depends on the width of the pipe used. The size of the pipe in the Doing Business case study is assumed to be 1 inch. Therefore the cost is HTG 6,640 (USD 116). And since a septic tank must be installed, the cost of the installation is also included at USD 2,000.</p> <p><i>Agency: Offices Régionaux d'Eau Potable et d'Assainissement (OREPA)</i></p>	21 days	USD 2,166

* Takes place simultaneously with another procedure.

Note: Online procedures account for 0.5 days in the total time calculation.

Source: Doing Business database.

GETTING ELECTRICITY

Access to reliable and affordable electricity is vital for businesses. To counter weak electricity supply, many firms in developing economies have to rely on self-supply, often at a prohibitively high cost. Whether electricity is reliably available or not, the first step for a customer is always to gain access by obtaining a connection.

What do the indicators cover?

Doing Business records all procedures required for a local business to obtain a permanent electricity connection and supply for a standardized warehouse, as well as the time and cost to complete them. These procedures include applications and contracts with electricity utilities, clearances from other agencies and the external and final connection works. The ranking of economies on the ease of getting electricity is determined by sorting their distance to frontier scores for getting electricity. These scores are the simple average of the distance to frontier scores for each of the component indicators. To make the data comparable across economies, several assumptions are used.

The warehouse:

- Is owned by a local entrepreneur, located in the economy's largest business city, in an area where other warehouses are located. For the 11 economies with a population of more than 100 million, data for a second city have been added.
- Is not in a special economic zone where the connection would be eligible for subsidization or faster service.
- Is located in an area with no physical constraints (ie. property not near a railway).
- Is a new construction being connected to electricity for the first time.
- Is 2 stories, both above ground, with a total surface of about 1,300.6 square meters (14,000 square feet), is built on a plot of 929 square meters (10,000 square feet), is used for storage of refrigerated goods

The electricity connection:

- Is 150 meters long and is a 3-phase, 4-wire Y, 140-kilovolt-ampere (kVA) (subscribed capacity) connection.

WHAT THE GETTING ELECTRICITY INDICATORS MEASURE

Procedures to obtain an electricity connection (number)

- Submitting all relevant documents and obtaining all necessary clearances and permits
- Completing all required notifications and receiving all necessary inspections
- Obtaining external installation works and possibly purchasing material for these works
- Concluding any necessary supply contract and obtaining final supply

Time required to complete each procedure (calendar days)

- Is at least 1 calendar day
- Each procedure starts on a separate day
- Does not include time spent gathering information
- Reflects the time spent in practice, with little follow-up and no prior contact with officials

Cost required to complete each procedure (% of income per capita)

- Official costs only, no bribes
- Excludes value added tax
- Is to either the low-voltage or the medium-voltage distribution network and either overhead or underground, whichever is more common in the area where the warehouse is located. Included only negligible length in the customer's private domain.
- Requires crossing of a 10-meter road but all the works are carried out in a public land, so there is no crossing into other people's private property.
- Involves installing one electricity meter. The monthly electricity consumption will be 26880 kilowatt hour (kWh). The internal electrical wiring has been completed.

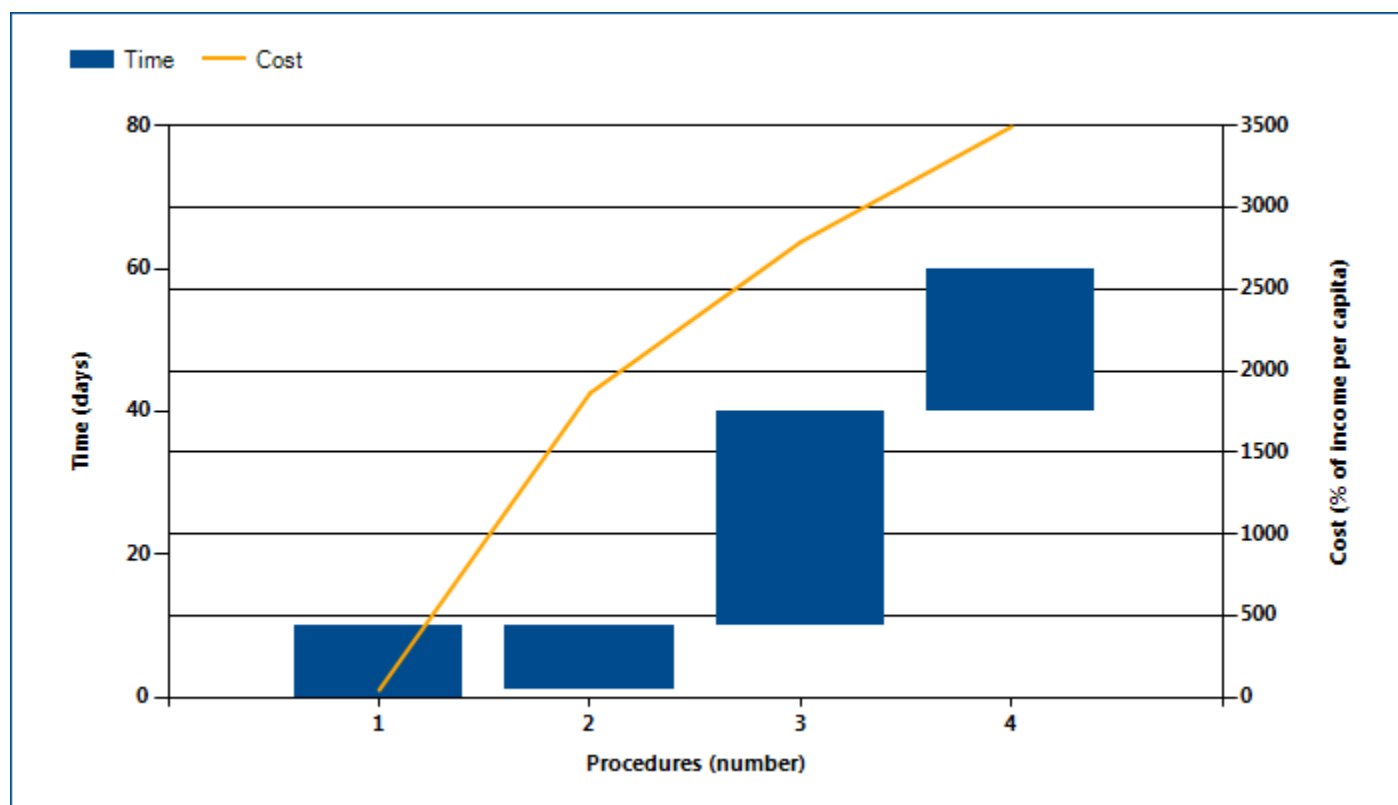
GETTING ELECTRICITY

Where does the economy stand today?

What does it take to obtain a new electricity connection in Haiti? According to data collected by *Doing Business*, getting electricity there requires 4.0 procedures, takes 60.0 days and costs 3495.8% of income per capita (figure 4.1).

Most indicator sets refer to a case scenario in the largest business city of an economy, except for 11 economies for which the data are a population-weighted average of the 2 largest business cities. See the chapter on distance to frontier and ease of doing business ranking at the end of this profile for more details.

Figure 4.1 What it takes to obtain an electricity connection in Haiti -



Note: Time shown in the figure above may not reflect simultaneity of procedures. For more information on the methodology of the getting electricity indicators, see the *Doing Business* website (<http://www.doingbusiness.org>). For details on the procedures reflected here, see the summary at the end of this chapter.

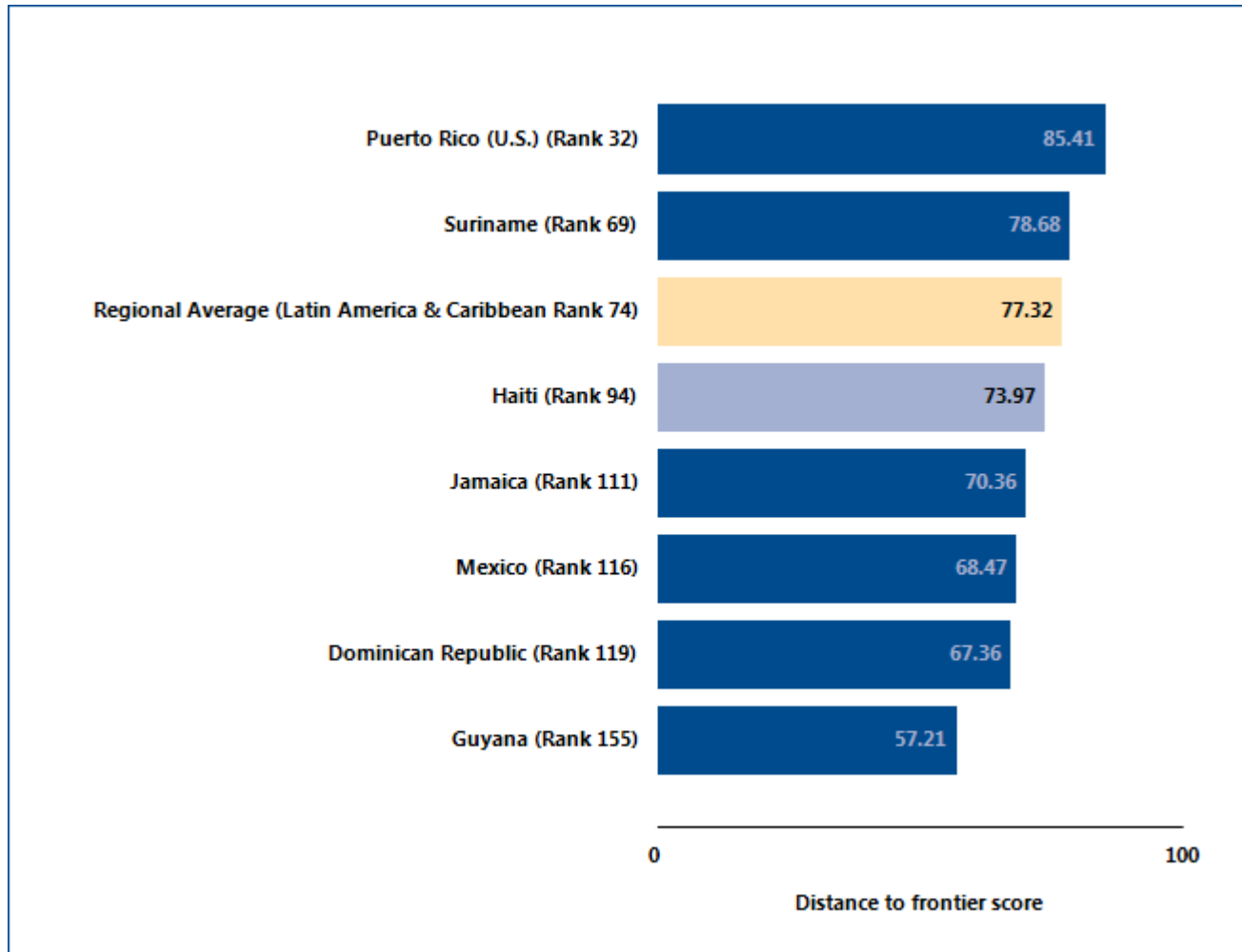
Source: *Doing Business* database.

GETTING ELECTRICITY

Globally, Haiti stands at 94 in the ranking of 189 economies on the ease of getting electricity (figure 4.2). The rankings for comparator economies and the regional

average ranking provide another perspective in assessing how easy it is for an entrepreneur in Haiti to connect a warehouse to electricity.

Figure 4.2 How Haiti and comparator economies rank on the ease of getting electricity



Source: Doing Business database.

GETTING ELECTRICITY

What are the details?

The indicators reported here for Haiti are based on a set of specific procedures—the steps that an entrepreneur must complete to get a warehouse connected to electricity by the local distribution utility—identified by *Doing Business*. Data are collected from the distribution utility, then completed and verified by electricity regulatory agencies and independent professionals such as electrical engineers, electrical contractors and construction companies. The electricity distribution utility surveyed is the one serving the area (or areas) in which warehouses are located. If there is a choice of distribution utilities, the one serving the largest number of customers is selected.

OBTAINING AN ELECTRICITY CONNECTION

Name of utility: Electricité d’Haiti (EdH)

City: Port au Prince

The procedures are those that apply to a warehouse and electricity connection matching the standard assumptions used by *Doing Business* in collecting the data (see the section in this chapter on what the indicators cover). The procedures, along with the associated time and cost, are summarized below.

Table 4.2 Summary of time, cost and procedures for getting electricity in Haiti -

No.	Procedure	Time to complete	Cost to complete
1	<p>The client hires a private contractor who applies for electricity connection with the Electricité d’Haïti (EDH) on their behalf and client awaits estimate of connection fees</p> <p>External works can be carried out by Electricité d’Haïti (EDH) or by a private contractor provided they have obtained the utility’s approval. The final connection however, is always done by the utility. The common approach is to hire a private contractor (a list of these is available at the utility) to save time and because the utility often lacks the necessary material.</p> <p>The client can also either submits the application for connection themselves or ask their contractor to do so on their behalf.</p> <ul style="list-style-type: none"> • Request of connection can be done in two ways: By letter from the company head • In person at one of the centers or agencies offering the utility’s services <p><i>Agency: Electricité d’Haïti</i></p>	10 calendar days	USD 375
2	<p>* The client obtains external inspection by Electricité d’Haïti (EDH)</p> <p>The utility then inspects the site and prepares an estimate of the connection fees:</p> <ul style="list-style-type: none"> • An estimate for the construction of the Low-Voltage of Medium-Voltage line and of the unit substation • An estimate for the construction of the metering system <p><i>Agency: Electricité d’Haïti</i></p>	1 calendar day	HTG 644,484.49

No.	Procedure	Time to complete	Cost to complete
3	<p>The client obtains external works from private contractor (including right of way)</p> <p>The private contractor discusses with the client about the technical details of the works (capacity, voltage, etc.) and submits the design to the utility for approval. The contractor also prepares an estimate of the fees for the construction of the lines and unit substation. The contractor will also need to write to the utility to obtain approval to work on the network.</p> <p><i>Agency: Private firm</i></p>	30 calendar days	USD 7,500
4	<p>The client requests installation of metering system and final connection from Electricité d'Haïti (EDH)</p> <p>Once the works have been completed the client requests meter installation from Electricité d'Haïti (EDH). No inspection of the entire internal wiring is carried out during the process. For capacities below 300 kVA, the utility normally has the meters (and current transformers) in stock.</p> <p><i>Agency: Electricité d'Haïti</i></p>	20 calendar days	HTG 250,000

* Takes place simultaneously with another procedure.

Source: Doing Business database.

REGISTERING PROPERTY

Ensuring formal property rights is fundamental. Effective administration of land is part of that. If formal property transfer is too costly or complicated, formal titles might go informal again. And where property is informal or poorly administered, it has little chance of being accepted as collateral for loans—limiting access to finance.

What do the indicators cover?

Doing Business records the full sequence of procedures necessary for a business to purchase property from another business and transfer the property title to the buyer's name. The transaction is considered complete when it is opposable to third parties and when the buyer can use the property, use it as collateral for a bank loan or resell it. The ranking of economies on the ease of registering property is determined by sorting their distance to frontier scores for registering property. These scores are the simple average of the distance to frontier scores for each of the component indicators. To make the data comparable across economies, several assumptions about the parties to the transaction, the property and the procedures are used.

The parties (buyer and seller):

- Are limited liability companies, 100% domestically and privately owned and perform general commercial activities.
- Are located in the economy's largest business city².
- Have 50 employees each, all of whom are nationals.

The property (fully owned by the seller):

- Has a value of 50 times income per capita. The sale price equals the value.
- Is registered in the land registry or cadastre, or both, and is free of title disputes.
- Property will be transferred in its entirety.

WHAT THE REGISTERING PROPERTY INDICATORS MEASURE

Procedures to legally transfer title on immovable property (number)

Preregistration (for example, checking for liens, notarizing sales agreement, paying property transfer taxes)

Registration in the economy's largest business city²

Postregistration (for example, filing title with the municipality)

Time required to complete each procedure (calendar days)

Does not include time spent gathering information

Each procedure starts on a separate day. Procedures that can be fully completed online are recorded as ½ day.

Procedure considered completed once final document is received

No prior contact with officials

Cost required to complete each procedure (% of property value)

Official costs only, no bribes

No value added or capital gains taxes included

- Is located in a periurban commercial zone, and no rezoning is required.
- Has no mortgages attached, has been under the same ownership for the past 10 years.
- Consists of 557.4 square meters (6,000 square feet) of land and a 10-year-old, 2-story warehouse of 929 square meters (10,000 square feet). The warehouse is in good condition and complies with all safety standards, building codes and legal requirements. There is no heating system.

² For the 11 economies with a population of more than 100 million, data for a second city have been added.

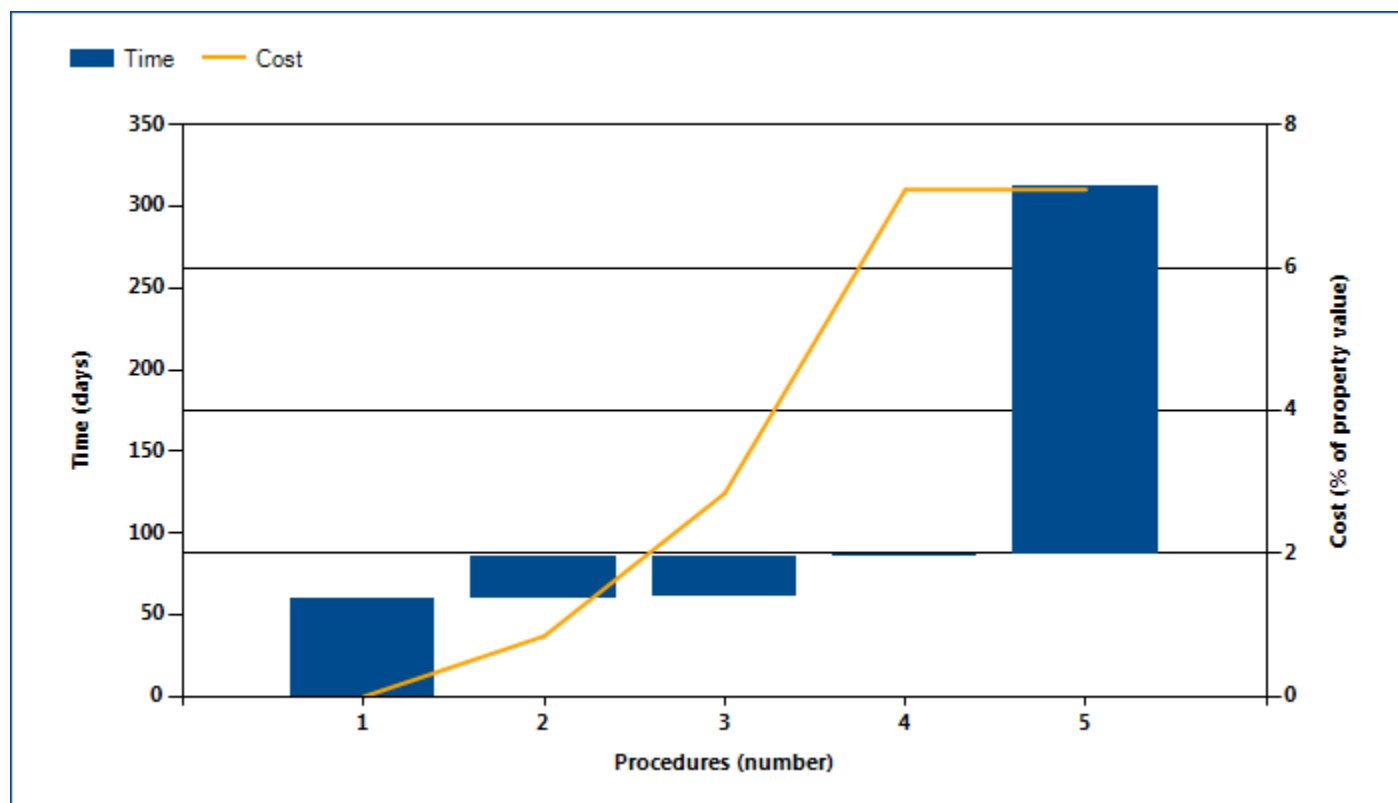
REGISTERING PROPERTY

Where does the economy stand today?

What does it take to complete a property transfer in Haiti? According to data collected by *Doing Business*, registering property there requires 5.0 procedures, takes 312.0 days and costs 7.1% of the property value (figure 5.1).

Most indicator sets refer to a case scenario in the largest business city of an economy, except for 11 economies for which the data are a population-weighted average of the 2 largest business cities. See the chapter on distance to frontier and ease of doing business ranking at the end of this profile for more details.

Figure 5.1 What it takes to register property in Haiti -



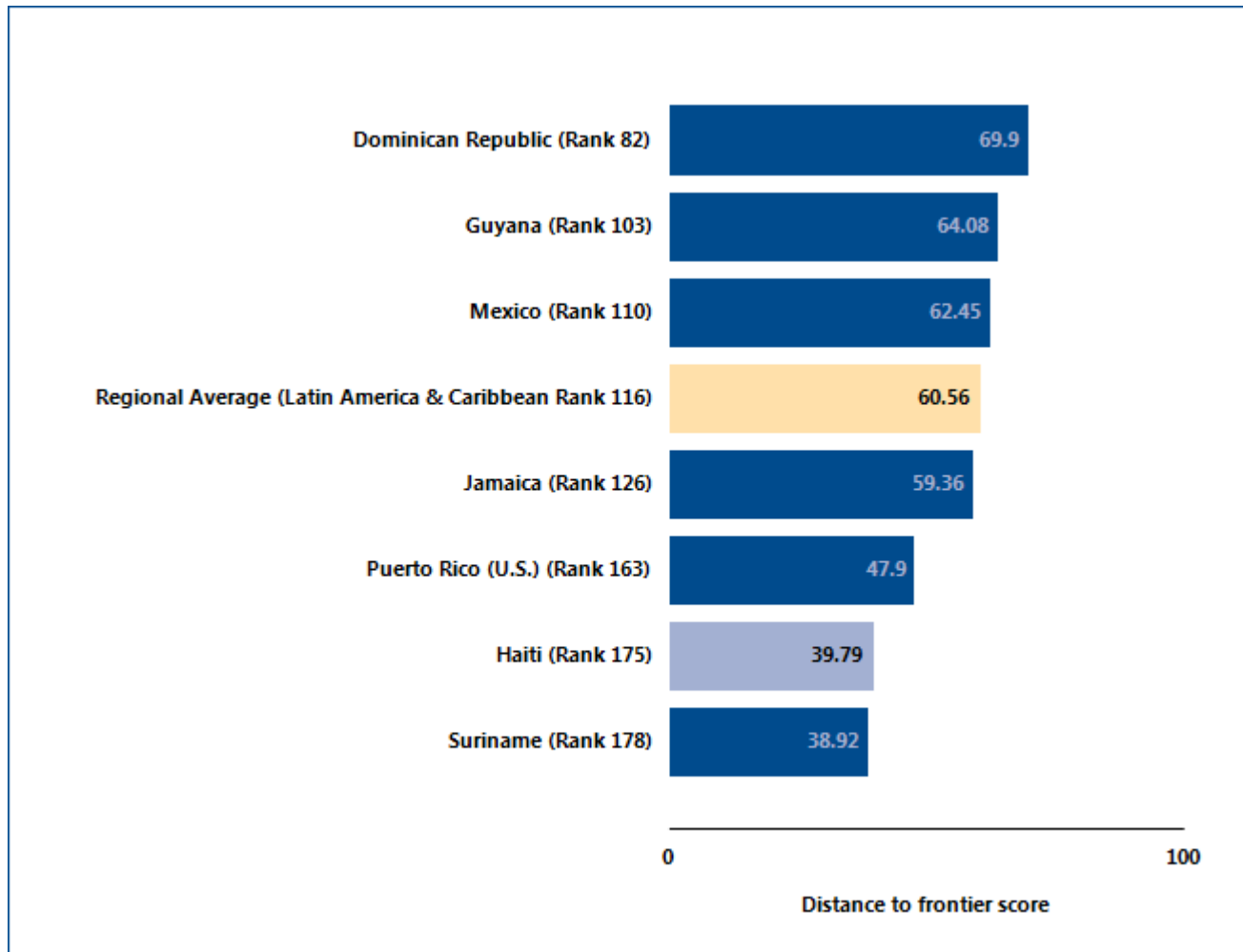
Note: Time shown in the figure above may not reflect simultaneity of procedures. Online procedures account for 0.5 days in the total time calculation. For more information on the methodology of the registering property indicators, see the *Doing Business* website (<http://www.doingbusiness.org>). For details on the procedures reflected here, see the summary at the end of this chapter. Source: *Doing Business* database.

REGISTERING PROPERTY

Globally, Haiti stands at 175 in the ranking of 189 economies on the ease of registering property (figure 5.2). The rankings for comparator economies and the

regional average ranking provide other useful information for assessing how easy it is for an entrepreneur in Haiti to transfer property.

Figure 5.2 How Haiti and comparator economies rank on the ease of registering property



Source: Doing Business database.

REGISTERING PROPERTY

What are the details?

The indicators reported here are based on a set of specific procedures—the steps that a buyer and seller must complete to transfer the property to the buyer’s name—identified by *Doing Business* through information collected from local property lawyers, notaries and property registries. These procedures are those that apply to a transaction matching the standard assumptions used by *Doing Business* in collecting the data (see the section in this chapter on what the indicators cover).

STANDARD PROPERTY TRANSFER	
Property value:	HTG 1,772,250
City:	Port au Prince

The procedures, along with the associated time and cost, are summarized below.

Table 5.2 Summary of time, cost and procedures for registering property in Haiti

No.	Procedure	Time to complete	Cost to complete
1	<p>Obtain authorization to conduct a property survey</p> <p>To conduct the property survey required in Procedure 2, it is necessary to obtain an authorization from the dean of the civil tribunal of the commune where the property is located, and the authorization of the “Commissaire du gouvernement”. This is obtained after presenting a complete file that will include the bill of sale of the property as well as the previous survey.</p> <p><i>Agency: Local Civil Tribunal</i></p>	60 days	no cost
2	<p>Survey of property</p> <p>A survey of the property is required every 10 years but the notaries request a survey that dates no more than 5 years. The survey in question is done by a public surveyor for a specific commune. Because of the issues related to possession and ownership of real estate in Haiti, most buyers choose to have a survey of the property they are purchasing. All persons whose property shares a common border with the property will be invited to witness the survey. Any person present can request a procedure before a judge of peace of the civil tribunal who decides on whether the transaction can proceed or not. His decision is subject to appeal.</p> <p><i>Agency: Geometre</i></p>	3-4 weeks (simultaneous with procedure 3)	HTG 15,000

No.	Procedure	Time to complete	Cost to complete
3	<p>* Notary public prepares the sale agreement</p> <p>The titles are deposited with the notary public, who will prepare the bill of sale. By law, notary fees are set to 1%. However, the ASNOP (Notary Association of Port-au-Prince) normally charges 2% of sale price. The notary collects the fees and taxes and directly pays the different State Agencies. The added value tax (VAT) is paid by the seller, but it is held by the notary public until the notary decides to transfer the amount to the "Direction Générale des Impôts" (DGI).</p> <p>VAT is according to the following categories: (i) For the sale of property by a limited liability corporation (Societe Anonyme), the rate is 15% of the sale price (ii) For the sale of land without building or house, the rate is 10%, after applying a discount of 25 % on sale price. (iii) For the sale of any property were construction was built after the land was bought the rate is 2.5% of the sale price. (iv) For the sale of land from an allotment the rate is 4 %. (v) For the sale of any property including land and building were improvements or transformations have been made, the rate is 10% after applying a discount of 50 % on the sale price. (vi) For the sale of building or house built on state land when sailing according to the laws, the rates is 2.5% of the sale price.</p> <p><i>Agency: Notary</i></p>	<p>2-3 weeks (simultaneous with procedure 2)</p>	<p>2% of notary fees</p>
4	<p>Obtain avis de cotisation and pay for registration</p> <p>In order to submit the sale agreement for registration, an "avis de cotisation" is prepared by the DGI, calculating and writing manually on the side of the sale Act the amount to be paid. The sale act should be handwritten, but the DGI accepts copies written with a PC with the "handwritten" style (for transfers between individuals or firms). The avis de cotisation is typed with a typewriter on an official form (3 copies). The top of the form is kept by the notary, and the bottom is left to the DGI. The fees are the following: (i) Montant principal: Droit fixe: 2 gourdes; droit d'enregistrement: 3% of sale price; droit de transcription: 1% of sale price; droit d'écriture: 6 gourdes per each group of 25 lines (or fraction) (ii) droit de certificat: 2.5 gourdes (iii) taxe supplémentaire: 1% of the amount paid in droit d'enregistrement and droit de transcription + 1 gourde (iv) droit special ad-valorem: 0.2% of the fees and taxes paid to the Tax Authority (DGI) (v) droit proportionnel du timbre: 0.2% of the property value + HTG 1</p> <p>Once the avis is prepared, the notary pays the amount at the BRH (Banque de la Republique d'Haiti) in the DGI, and the Avis de cotisation</p>	<p>1 day</p>	<p>Fixed fee (droit fixe) HTG 23% of property price (enregistrement) 1% of property price (transcription) certificate fee (droit de certificat) HTG 2.5 deed fee (droit d'écriture) HTG 6 supplementary tax: HTG 1 + 1% of the cost of enregistrement and transcription (Taxe supplémentaire) 0.2% of the fees and taxes paid to</p>

No.	Procedure	Time to complete	Cost to complete
	<p>is signed by the bank.</p> <p><i>Agency: Banque de la Republique d'Haiti</i></p>		<p>the Tax Authority (DGI) (droit special ad-valorem) 0.2% of the property value + HTG 1 (droit proportionnel du timbre)</p>
5	<p>The sale agreement is recorded and transcribed at the Tax Authority (DGI)</p> <p>The 3% + 1% fee is set in article 142 of the « loi du 28 septembre 1977 sur l'enregistrement et la conservation fonciere ». The notary has received the funds for the procedure before and does the follow up. A one-month frame is established by law for the notary to transfer said funds collected on behalf of the state to the Direction Generale des Impots.</p> <p>With the avis de cotisation signed by the bank, the notary can submit the dossier to be recorded at the records office of the Direction Generale des Impots. The registrar will write with a pen on the Acte de vente: the Number of the avis de cotisation and the date of payment. The notary keeps the original of the avis de cotisation.</p> <p>The transfer is then registered by hand in a book ("Repertoire d'entrée"). The sale act is later sent to the Bureau de Transcription, where employees copy by hand the sale act into books. Once the sale act has been copied, it is returned to the notary.</p> <p>Local branches of the DGI in the country ("bureaux deconcentres") send the information to the central office for registration.</p> <p><i>Agency: Direction Générale des impôts</i></p>	6-9 months	already paid in previous Procedure

* Takes place simultaneously with another procedure.

Note: Online procedures account for 0.5 days in the total time calculation.

Source: Doing Business database.

GETTING CREDIT

Two types of frameworks can facilitate access to credit and improve its allocation: credit information systems and borrowers and lenders in collateral and bankruptcy laws. Credit information systems enable lenders' rights to view a potential borrower's financial history (positive or negative)—valuable information to consider when assessing risk. And they permit borrowers to establish a good credit history that will allow easier access to credit. Sound collateral laws enable businesses to use their assets, especially movable property, as security to generate capital—while strong creditors' rights have been associated with higher ratios of private sector credit to GDP.

What do the indicators cover?

Doing Business assesses the sharing of credit information and the legal rights of borrowers and lenders with respect to secured transactions through 2 sets of indicators. The depth of credit information index measures rules and practices affecting the coverage, scope and accessibility of credit information available through a credit registry or a credit bureau. The strength of legal rights index measures whether certain features that facilitate lending exist within the applicable collateral and bankruptcy laws. *Doing Business* uses two case scenarios, Case A and Case B, to determine the scope of the secured transactions system, involving a secured borrower and a secured lender and examining legal restrictions on the use of movable collateral (for more details on each case, see the Data Notes section of the *Doing Business 2015* report). These scenarios assume that the borrower:

- Is a private limited liability company.
- Has its headquarters and only base of operations in the largest business city. For the 11 economies with a population of more than 100 million, data for a second city have been added.

WHAT THE GETTING CREDIT INDICATORS MEASURE

Strength of legal rights index (0–12)³

Rights of borrowers and lenders through collateral laws

Protection of secured creditors' rights through bankruptcy laws

Depth of credit information index (0–8)⁴

Scope and accessibility of credit information distributed by credit bureaus and credit registries

Credit bureau coverage (% of adults)

Number of individuals and firms listed in largest credit bureau as percentage of adult population

Credit registry coverage (% of adults)

Number of individuals and firms listed in credit registry as percentage of adult population

- Has up to 50 employees.
- Is 100% domestically owned, as is the lender.

The ranking of economies on the ease of getting credit is determined by sorting their distance to frontier scores for getting credit. These scores are the distance to frontier score for the strength of legal rights index and the depth of credit information index.

³ For the legal rights index, 2 new points are added in *Doing Business 2015* for new data collected to assess the overall legal framework for secured transactions and the functioning of the collateral registry.

⁴ For the credit information index, 2 new points are added in *Doing Business 2015* for new data collected on accessing borrowers' credit information online and availability of credit scores.

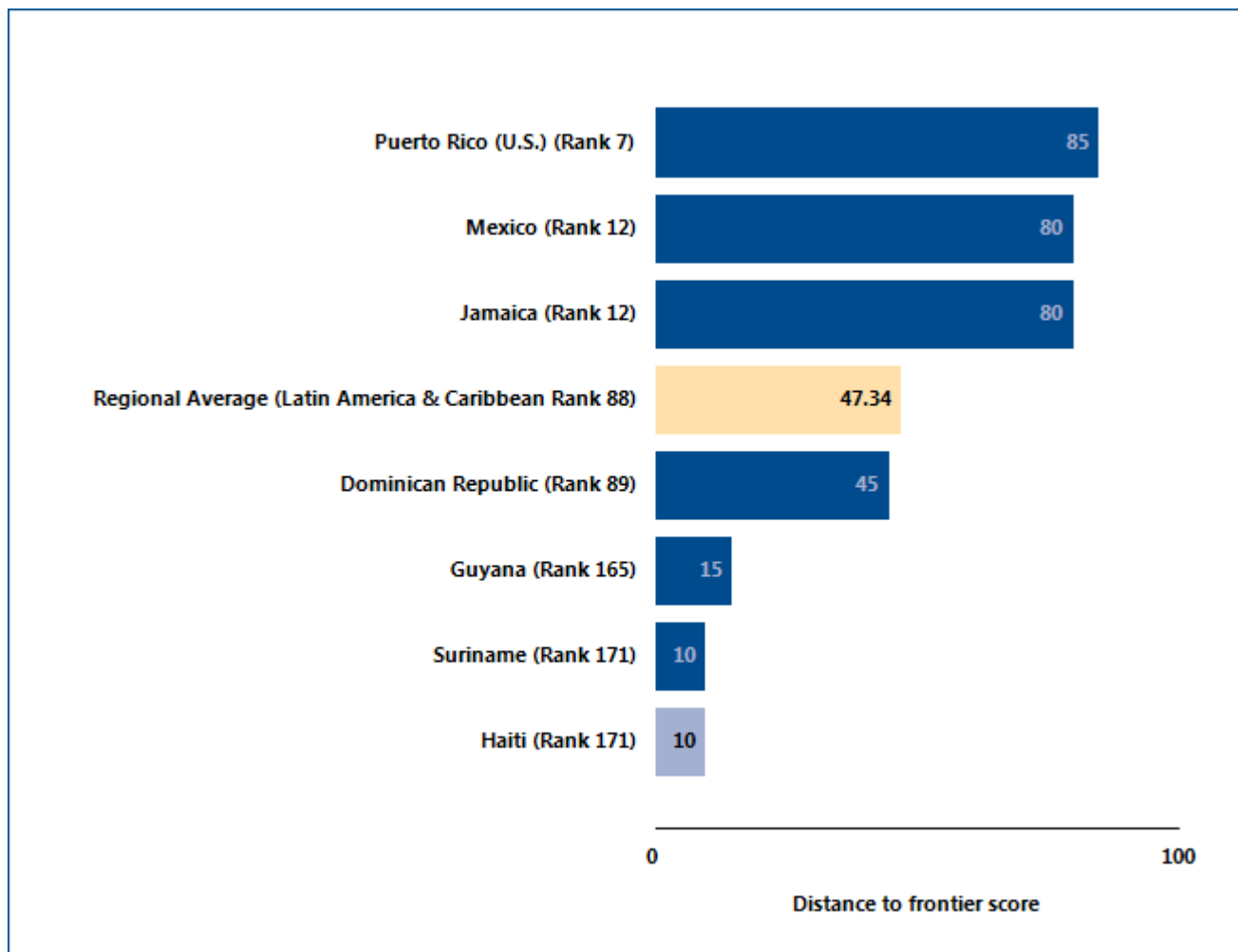
GETTING CREDIT

Where does the economy stand today?

How well do the credit information system and collateral and bankruptcy laws in Haiti facilitate access to credit? The economy has a score of 0 on the depth of credit information index and a score of 2 on the strength of legal rights index (see the summary of scoring at the end of this chapter for details). Higher scores indicate more credit information and stronger legal rights for borrowers and lenders.

Globally, Haiti stands at 171 in the ranking of 189 economies on the ease of getting credit (figure 6.1). The rankings for comparator economies and the regional average ranking provide other useful information for assessing how well regulations and institutions in Haiti support lending and borrowing.

Figure 6.1 How Haiti and comparator economies rank on the ease of getting credit



Source: Doing Business database.

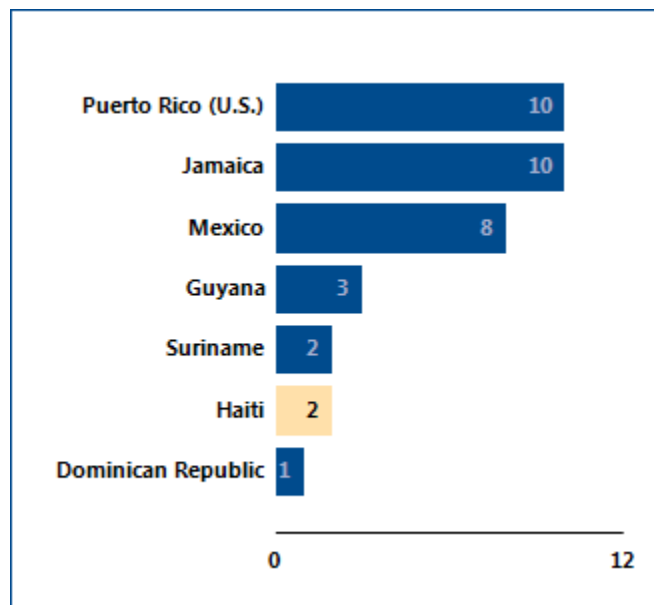
GETTING CREDIT

One way to put an economy’s score on the getting credit indicators into context is to see where the economy stands in the distribution of scores across economies. Figure 6.2 highlights the score on the strength of legal

rights index for Haiti and shows the scores for comparator economies as well as the regional average score. Figure 6.3 shows the same for the depth of credit information index.

Figure 6.2 How strong are legal rights for borrowers and lenders?

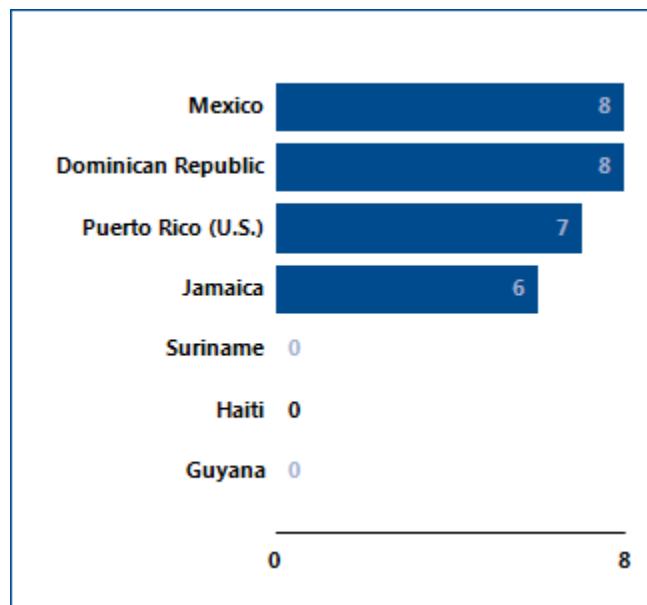
Economy scores on strength of legal rights index



Note: Higher scores indicate that collateral and bankruptcy laws are better designed to facilitate access to credit.
Source: Doing Business database.

Figure 6.3 How much credit information is shared—and how widely?

Economy scores on depth of credit information index



Note: Higher scores indicate the availability of more credit information, from either a credit registry or a credit bureau, to facilitate lending decisions. If the credit bureau or registry is not operational or covers less than 5% of the adult population, the total score on the depth of credit information index is 0.
Source: Doing Business database.

GETTING CREDIT

When economies strengthen the legal rights of lenders and borrowers under collateral and bankruptcy laws, and increase the scope, coverage and accessibility of credit

information, they can increase entrepreneurs' access to credit. What credit reforms has *Doing Business* recorded in Haiti (table 6.1)?

Table 6.1 How has Haiti made getting credit easier—or not?
By *Doing Business* report year from DB2010 to DB2015

DB year	Reform
DB2010	Haiti strengthened its secured transactions system through a new law broadening the range of assets that can be used as collateral, allowing future and after-acquired property to be used as collateral and automatically extending security interests to the products, proceeds and replacements of the original asset.

Note: For information on reforms in earlier years (back to DB2005), see the *Doing Business* reports for these years, available at <http://www.doingbusiness.org>.

Source: *Doing Business* database.

GETTING CREDIT

What are the details?

The getting credit indicators reported here for Haiti are based on detailed information collected in that economy. The data on credit information sharing are collected through a survey of a credit registry and/or credit bureau (if one exists). To construct the depth of credit information index, a score of 1 is assigned for each of 8 features of the credit registry or credit bureau (see summary of scoring below).

The data on the legal rights of borrowers and lenders are gathered through a survey of financial lawyers and verified through analysis of laws and regulations as well as public sources of information on collateral and bankruptcy laws. For the strength of legal rights index, a score of 1 is assigned for each of 10 aspects related to legal rights in collateral law and 2 aspects in bankruptcy law.

Strength of legal rights index (0–12)	Index score: 2
Does an integrated or unified legal framework for secured transactions that extends to the creation, publicity and enforcement of functional equivalents to security interests in movable assets exist in the economy?	No
Does the law allow businesses to grant a non possessory security right in a single category of movable assets, without requiring a specific description of collateral?	No
Does the law allow businesses to grant a non possessory security right in substantially all of its assets, without requiring a specific description of collateral?	Yes
May a security right extend to future or after-acquired assets, and may it extend automatically to the products, proceeds or replacements of the original assets?	Yes
Is a general description of debts and obligations permitted in collateral agreements; can all types of debts and obligations be secured between parties; and can the collateral agreement include a maximum amount for which the assets are encumbered?	No
Is a collateral registry in operation for both incorporated and non-incorporated entities, that is unified geographically and by asset type, with an electronic database indexed by debtor's name?	No
Does a notice-based collateral registry exist in which all functional equivalents can be registered?	No
Does a modern collateral registry exist in which registrations, amendments, cancellations and searches can be performed online by any interested third party?	No
Are secured creditors paid first (i.e. before tax claims and employee claims) when a debtor defaults outside an insolvency procedure?	No
Are secured creditors paid first (i.e. before tax claims and employee claims) when a business is liquidated?	No
Are secured creditors subject to an automatic stay on enforcement when a debtor enters a court-supervised reorganization procedure? Does the law protect secured creditors' rights by providing clear grounds for relief from the stay and/or sets a time limit for it?	No

Strength of legal rights index (0–12)	Index score: 2
Does the law allow parties to agree on out of court enforcement at the time a security interest is created? Does the law allow the secured creditor to sell the collateral through public auction and private tender, as well as, for the secured creditor to keep the asset in satisfaction of the debt?	No

Depth of credit information index (0–8)	Credit bureau	Credit registry	Index score: 0
Are data on both firms and individuals distributed?	No	No	0
Are both positive and negative credit data distributed?	No	No	0
Are data from retailers or utility companies - in addition to data from banks and financial institutions - distributed?	No	No	0
Are at least 2 years of historical data distributed? (Credit bureaus and registries that distribute more than 10 years of negative data or erase data on defaults as soon as they are repaid obtain a score of 0 for this component.)	No	No	0
Are data on loan amounts below 1% of income per capita distributed?	No	No	0
By law, do borrowers have the right to access their data in the credit bureau or credit registry?	No	No	0
Can banks and financial institutions access borrowers' credit information online (for example, through an online platform, a system-to-system connection or both)?	No	No	0
Are bureau or registry credit scores offered as a value-added service to help banks and financial institutions assess the creditworthiness of borrowers?	No	No	0

Note: Prior to *Doing Business 2015*, the depth of credit information index covered only the first 6 features listed above. An economy receives a score of 1 if there is a "yes" to either bureau or registry. If the credit bureau or registry is not operational or covers less than 5% of the adult population, the total score on the depth of credit information index is 0.

Coverage	Credit bureau (% of adults)	Credit registry (% of adults)
Number of firms	0	7,887
Number of individuals	0	63,809
Percent of total	0.0	1.1

Source: *Doing Business* database.

PROTECTING MINORITY INVESTORS

Protecting minority investors matters for the ability of companies to raise the capital they need to grow, innovate, diversify and compete. Effective regulations define related-party transactions precisely, promote clear and efficient disclosure requirements, require shareholder participation in major decisions of the company and set detailed standards of accountability for company insiders.

What do the indicators cover?

Doing Business measures the protection of minority investors from conflicts of interest through one set of indicators and shareholders' rights in corporate governance through another. The ranking of economies on the strength of minority investor protections is determined by sorting their distance to frontier scores for protecting minority investors. These scores are the simple average of the distance to frontier scores for the extent of conflict of interest regulation index and the extent of shareholder governance index. To make the data comparable across economies, a case study uses several assumptions about the business and the transaction.

The business (Buyer):

- Is a publicly traded corporation listed on the economy's most important stock exchange (or at least a large private company with multiple shareholders).
- Has a board of directors and a chief executive officer (CEO) who may legally act on behalf of Buyer where permitted, even if this is not specifically required by law.

The transaction involves the following details:

- Mr. James, a director and the majority shareholder of the company, proposes that the company purchase used trucks from another company he owns.
- The price is higher than the going price for used trucks, but the transaction goes forward.
- All required approvals are obtained, and all required disclosures made, though the transaction is prejudicial to Buyer.
- Shareholders sue the interested parties and the members of the board of directors.

WHAT THE PROTECTING MINORITY INVESTORS INDICATORS MEASURE

Extent of disclosure index (0–10)

Review and approval requirements for related-party transactions ; Disclosure requirements for related-party transactions

Extent of director liability index (0–10)

Ability of minority shareholders to sue and hold interested directors liable for prejudicial related-party transactions; Available legal remedies (damages, disgorgement of profits, fines, imprisonment, rescission of the transaction)

Ease of shareholder suits index (0–10)

Access to internal corporate documents; Evidence obtainable during trial and allocation of legal expenses

Extent of conflict of interest regulation index (0–10)

Sum of the extent of disclosure, extent of director liability and ease of shareholder indices, divided by 3

Extent of shareholder rights index (0-10.5)

Shareholders' rights and role in major corporate decisions

Strength of governance structure index (0-10.5)

Governance safeguards protecting shareholders from undue board control and entrenchment

Extent of corporate transparency index (0-9)

Corporate transparency on ownership stakes, compensation, audits and financial prospects

Extent of shareholder governance index (0–10)

Sum of the extent of shareholders rights, strength of governance structure and extent of corporate transparency indices, divided by 3

Strength of investor protection index (0–10)

Simple average of the extent of conflict of interest regulation and extent of shareholder governance indices

PROTECTING MINORITY INVESTORS

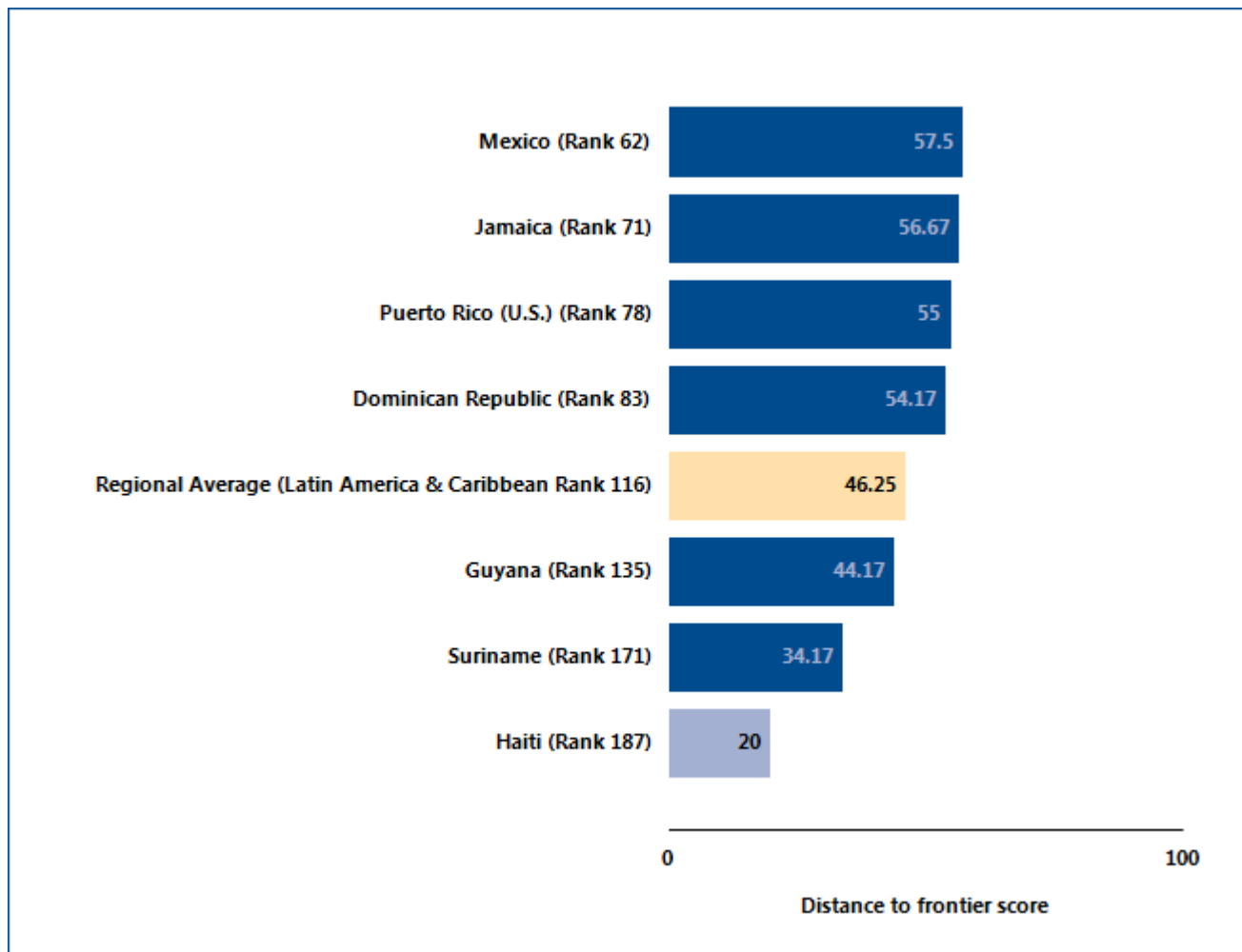
Where does the economy stand today?

How strong are minority investor protections against self-dealing in Haiti? The economy has a score of 2.0 on the strength of minority investor protection index, with a higher score indicating stronger protections.

Globally, Haiti stands at 187 in the ranking of 189 economies on the strength of minority investor

protection index (figure 7.1). While the indicator does not measure all aspects related to the protection of minority investors, a higher ranking does indicate that an economy's regulations offer stronger minority investor protections against self-dealing in the areas measured.

Figure 7.1 How Haiti and comparator economies perform on the strength of minority investor protection index



Source: Doing Business database.

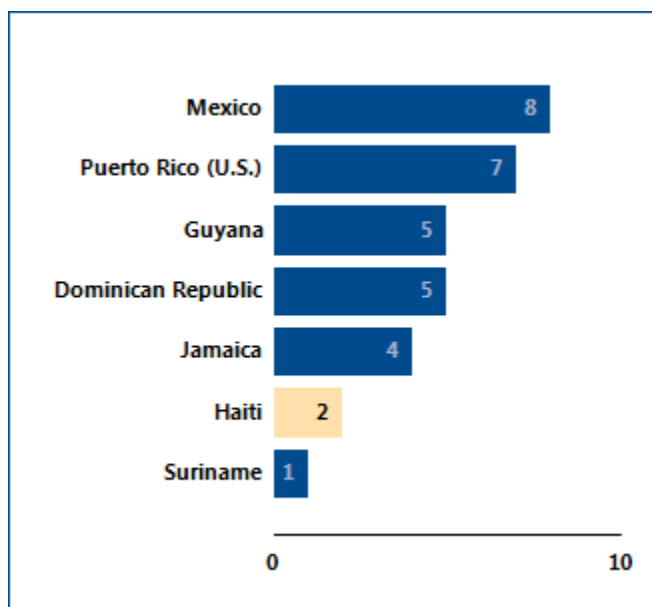
PROTECTING MINORITY INVESTORS

One way to put an economy's scores on the protecting minority investors indicators into context is to see where the economy stands in the distribution of scores across comparator economies. Figures 7.2 through 7.7 highlight the scores on the various minority investor protection

indices for Haiti in 2014. A summary of scoring for the protecting minority investors indicators at the end of this chapter provides details on how the indices were calculated.

Figure 7.2 How extensive are disclosure requirements?

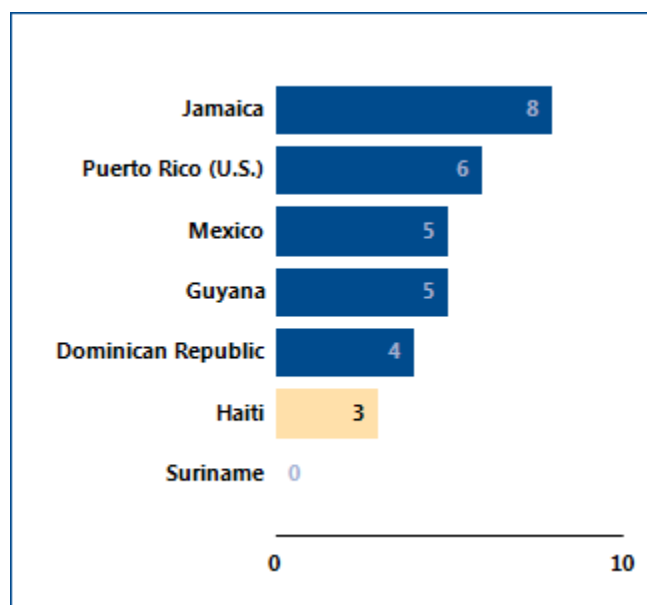
Extent of disclosure index (0-10)



Note: Higher scores indicate greater disclosure.
Source: Doing Business database.

Figure 7.3 How extensive is the liability regime for directors?

Extent of director liability index (0-10)

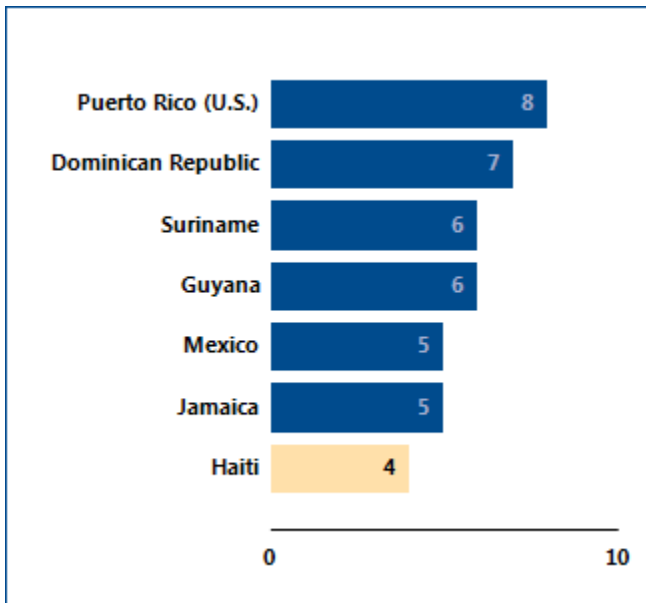


Note: Higher scores indicate greater liability of directors.
Source: Doing Business database.

PROTECTING MINORITY INVESTORS

Figure 7.4 How easy is accessing internal corporate documents?

Ease of shareholder suits index (0-10)



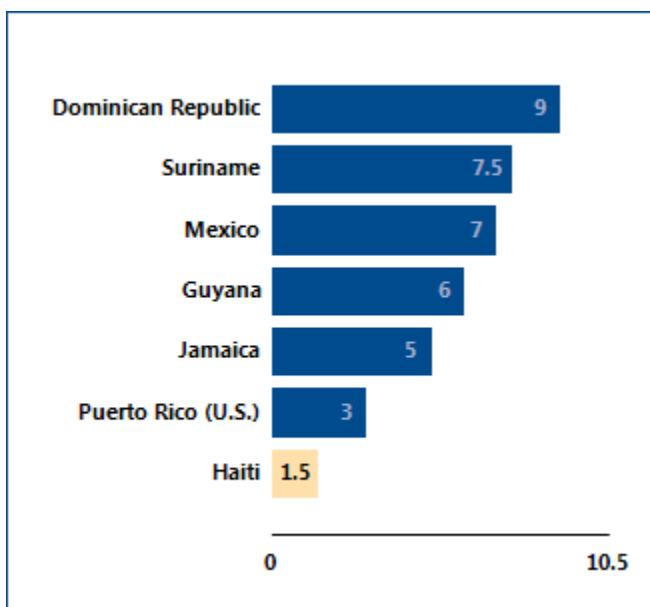
Note: Higher scores indicate greater minority shareholder access to evidence before and during trial.

Source: Doing Business database.

PROTECTING MINORITY INVESTORS

Figure 7.5 How extensive are shareholder rights?

Extent of shareholder rights index (0-10.5)

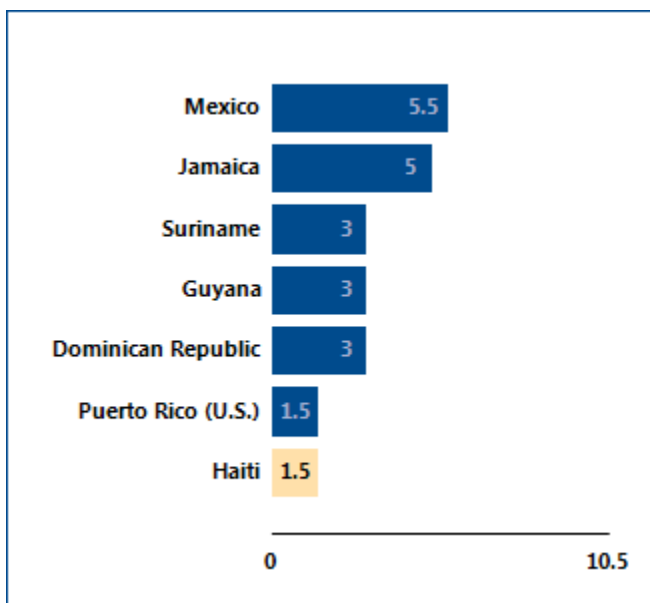


Note: The higher the score, the stronger the protections.

Source: Doing Business database.

Figure 7.6 How strong is the governance structure?

Strength of governance structure index (0-10.5)

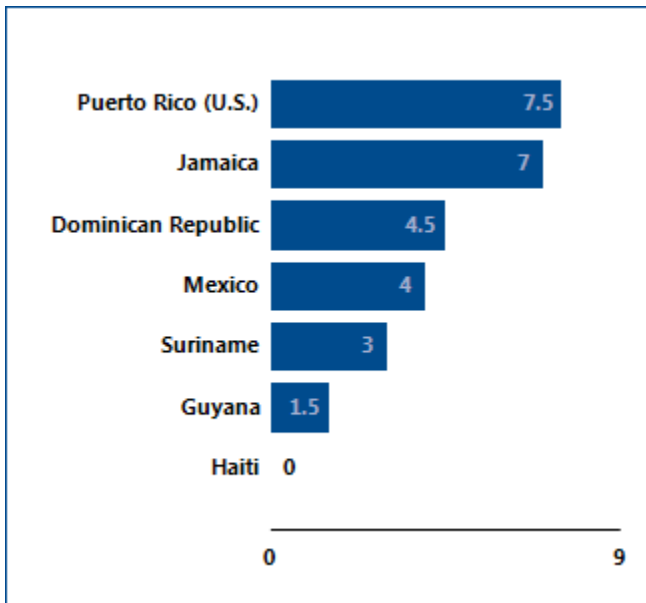


Note: Higher scores indicate more stringent governance structure requirements.

Source: Doing Business database.

Figure 7.7 How extensive is corporate transparency?

Extent of corporate transparency index (0-9)



Note: Higher scores indicate greater transparency.
 Source: Doing Business database.

PROTECTING MINORITY INVESTORS

What are the details?

The protecting minority investors indicators reported here for Haiti are based on detailed information collected through a survey of corporate and securities lawyers about securities regulations, company laws and court rules of evidence and procedure. To construct the six indicators on minority investor protection, scores are assigned to each based on a range of conditions relating

to disclosure, director liability, shareholder suits, shareholder rights, governance structure and corporate transparency in a standard case study (for more details, see the Data Notes section of the *Doing Business 2015* report). The summary below shows the details underlying the scores for Haiti.

Table 7.2 Summary of scoring for the protecting minority investors indicators in Haiti

	Answer	Score
Extent of disclosure index (0-10)		2.0
Which corporate body can provide legally sufficient approval for the Buyer-Seller transaction? (0-3)	Shareholders or board of directors including interested parties	1
Is disclosure by the interested director to the board of directors required? (0-2)	Existence of a conflict without any specifics	1
Is disclosure of the transaction in published periodic filings (annual reports) required? (0-2)	No disclosure obligation	0
Is immediate disclosure of the transaction to the public and/or shareholders required? (0-2)	No disclosure obligation	0
Must an external body review the terms of the transaction before it takes place? (0-1)	No	0
Extent of director liability index (0-10)		3.0
Can shareholders sue directly or derivatively for the damage caused by the Buyer-Seller transaction to the company? (0-1)	Yes	1
Can shareholders hold the interested director liable for the damage caused by the transaction to the company? (0-2)	Not liable	0
Can shareholders hold members of the approving body liable for the damage caused by the transaction to the company? (0-2)	Not liable	0
Must the interested director pay damages for the harm caused to the company upon a successful claim by a shareholder plaintiff? (0-1)	Yes	1
Must the interested director repay profits made from the transaction upon a successful claim by a shareholder plaintiff? (0-1)	Yes	1
Can both fines and imprisonment be applied against the interested director? (0-1)	No	0
Can a court void the transaction upon a successful claim by a shareholder plaintiff? (0-2)	Only in case of fraud or bad faith	0
Ease of shareholder suits index (0-10)		4.0
Before filing suit, can shareholders owning 10% of the company's share capital inspect the transaction documents? (0-1)	No	0
Can the plaintiff obtain any documents from the defendant	Documents that directly prove	2

and witnesses during trial? (0-3)	specific facts in the plaintiff's claim	
Can the plaintiff request categories of documents from the defendant without identifying specific ones? (0-1)	Yes	1
Can the plaintiff directly question the defendant and witnesses during trial? (0-2)	No	0
Is the level of proof required for civil suits lower than that of criminal cases? (0-1)	Yes	1
Can shareholder plaintiffs recover their legal expenses from the company? (0-2)	At the discretion of the court	0
Strength of minority investor protection index (0-10)		2.0
Extent of conflict of interest regulation index (0-10)		3.0
Extent of shareholder rights index (0-10.5)		1.5
Can shareholders amend company bylaws or statutes with a simple majority?	No	0
Can shareholders owning 10% of the company's share capital call for an extraordinary meeting of shareholders?	Yes	1.5
Can shareholders remove members of the board of directors before the end of their term.	No	0
Must a company obtain its shareholders' approval every time it issues new shares?	No	0
Are shareholders automatically granted subscription rights on new shares?	No	0
Must shareholders approve the election and dismissal of the external auditor?	No	0
Can shareholders freely trade shares prior to a major corporate action or meeting of shareholders?	No	0
Strength of governance structure index (0-10.5)		1.5
Is the CEO barred from also serving as chair of the board of directors?	Yes	1.5
Must the board of directors include independent board members?	No	0
Must a company have a separate audit committee?	No	0
Must changes to the voting rights of a series or class of shares be approved only by the holders of the affected shares?	No	0
Must a potential acquirer make a tender offer to all shareholders upon acquiring 50% of a company?	No	0
Is cross-shareholding between 2 independent companies limited to 10% of outstanding shares?	No	0
Is a subsidiary barred from acquiring shares issued by its parent company?	No	0
Extent of corporate transparency index (0-9)		0.0
Must ownership stakes representing 10% be disclosed?	No	0
Must information about board members' other directorships as well as basic information on their primary employment be disclosed?	No	0
Must the compensation of individual managers be disclosed?	No	0
Must financial statements contain explanatory notes on significant accounting policies, trends, risks, uncertainties and other factors influencing the reporting?	No	0
Must annual financial statements be audited by an external	No	0

auditor?		
Must audit reports be disclosed to the public?	No	0
Extent of shareholder governance index (0-10)		1.0

Source: *Doing Business* database.

PAYING TAXES

Taxes are essential. The level of tax rates needs to be carefully chosen—and needless complexity in tax rules avoided. Firms in economies that rank better on the ease of paying taxes in the *Doing Business* study tend to perceive both tax rates and tax administration as less of an obstacle to business according to the World Bank Enterprise Survey research.

What do the indicators cover?

Using a case scenario, *Doing Business* measures the taxes and mandatory contributions that a medium-size company must pay in a given year as well as the administrative burden of paying taxes and contributions. This case scenario uses a set of financial statements and assumptions about transactions made over the year. Information is also compiled on the frequency of filing and payments as well as time taken to comply with tax laws. The ranking of economies on the ease of paying taxes is determined by sorting their distance to frontier scores on the ease of paying taxes. These scores are the simple average of the distance to frontier scores for each of the component indicators, with a threshold and a nonlinear transformation applied to one of the component indicators, the total tax rate⁵. The financial statement variables have been updated to be proportional to 2012 income per capita; previously they were proportional to 2005 income per capita. To make the data comparable across economies, several assumptions are used.

- TaxpayerCo is a medium-size business that started operations on January 1, 2012.
- The business starts from the same financial position in each economy. All the taxes and mandatory contributions paid during the second year of operation are recorded.

⁵ The nonlinear distance to frontier for the total tax rate is equal to the distance to frontier for the total tax rate if the total tax rate is less than the threshold and defined as the total tax rate of the 15th percentile of the distribution for all economies included in the analysis. It is calculated and adjusted on a yearly basis. The second year of operation is recorded for an "optimal tax rate" that minimizes distortions or maximizes efficiency in the tax system of an economy overall. Instead, it is mainly empirical in nature, set at the lower end of the distribution of tax rates levied on medium-size enterprises in the manufacturing sector as observed through the paying taxes indicator. Exemptions are also recorded. Taxes and mandatory contributions are measured at all levels of government. A range of standard deductions and exemptions are also recorded.

WHAT THE PAYING TAXES INDICATORS MEASURE

Tax payments for a manufacturing company in 2013 (number per year adjusted for electronic and joint filing and payment)

Total number of taxes and contributions paid, including consumption taxes (value added tax, sales tax or goods and service tax)

Method and frequency of filing and payment

Time required to comply with 3 major taxes (hours per year)

Collecting information and computing the tax payable

Completing tax return forms, filing with proper agencies

Arranging payment or withholding

Preparing separate tax accounting books, if required

Total tax rate (% of profit before all taxes)

Profit or corporate income tax

Social contributions and labor taxes paid by the employer

Property and property transfer taxes

Dividend, capital gains and financial transactions taxes

Waste collection, vehicle, road and other taxes

- Taxes and mandatory contributions include corporate income tax, turnover tax and all labor taxes and contributions paid by the company.
- A range of standard deductions and exemptions are also recorded.

PAYING TAXES

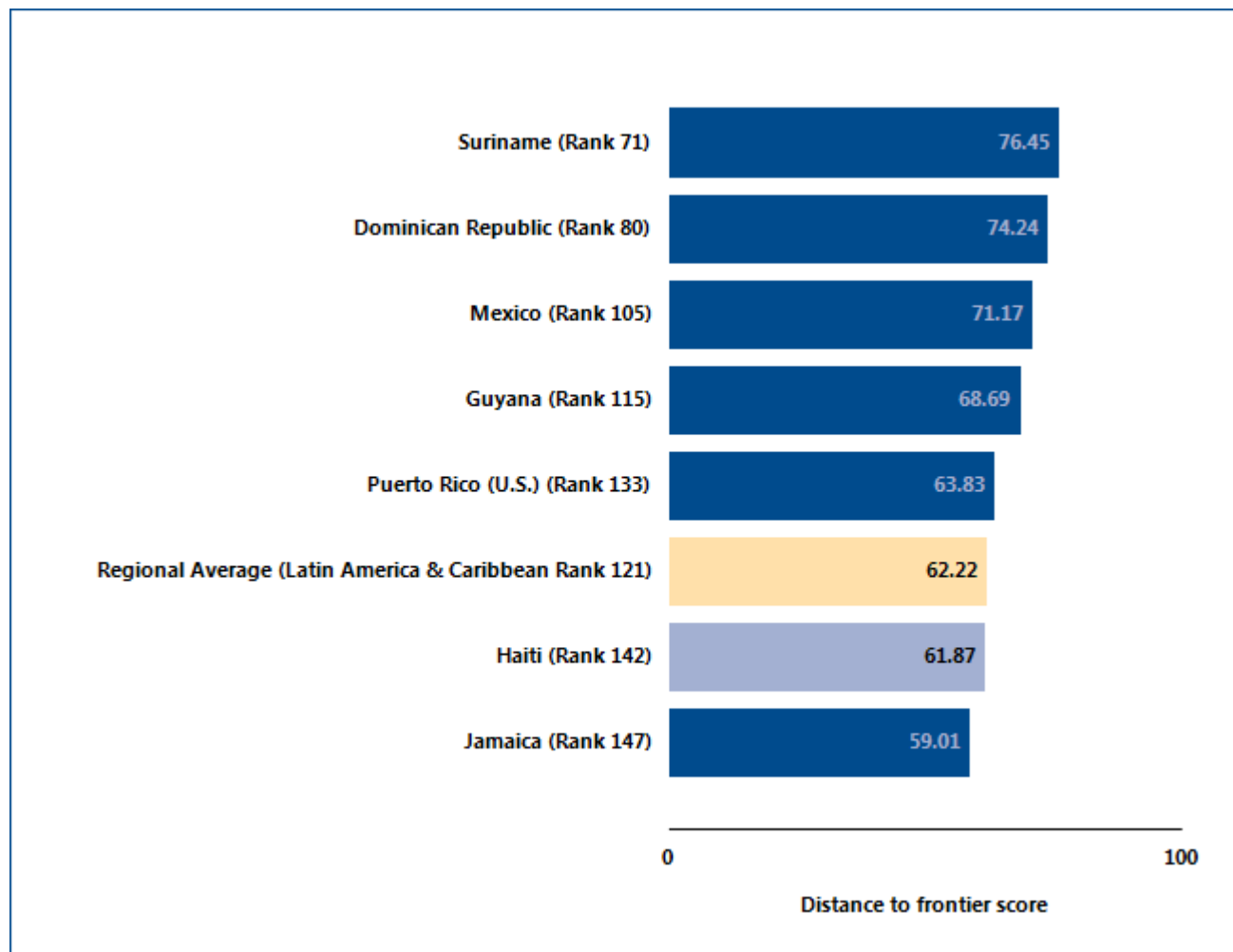
Where does the economy stand today?

What is the administrative burden of complying with taxes in Haiti—and how much do firms pay in taxes? On average, firms make 47.0 tax payments a year, spend 184.0 hours a year filing, preparing and paying taxes and pay total taxes amounting to 40.3% of profit (see the summary at the end of this chapter for details). Most indicator sets refer to a case scenario in the largest business city of an economy, except for 11 economies for which the data are a population-weighted average of the

2 largest business cities. See the chapter on distance to frontier and ease of doing business ranking at the end of this profile for more details.

Globally, Haiti stands at 142 in the ranking of 189 economies on the ease of paying taxes (figure 8.1). The rankings for comparator economies and the regional average ranking provide other useful information for assessing the tax compliance burden for businesses in Haiti.

Figure 8.1 How Haiti and comparator economies rank on the ease of paying taxes



Source: Doing Business database.

PAYING TAXES

What are the details?

The indicators reported here for Haiti are based on the taxes and contributions that would be paid by a standardized case study company used by *Doing Business* in collecting the data (see the section in this chapter on what the indicators cover). Tax practitioners are asked to review a set of financial statements as well as a standardized list of assumptions and transactions that the company completed during its 2nd year of operation. Respondents are asked how much taxes and mandatory contributions the business must pay and how these taxes are filed and paid.

LOCATION OF STANDARDIZED COMPANY

City: Port au Prince

The taxes and contributions paid are listed in the summary below, along with the associated number of payments, time and tax rate.

Table 8.2 Summary of tax rates and administration

Tax or mandatory contribution	Payments (number)	Notes on payments	Time (hours)	Statutory tax rate	Tax base	Total tax rate (% of profit)	Notes on total tax rate
Corporate income tax	4		40	30%	taxable profits	22.3	
Social security contributions	12		72	6%	gross salaries	6.8	
Employee social security contribution	0	paid jointly	0	6%	gross salaries	6.8	not included
Business license	1		0	0.2%	turnover	3.5	
Payroll tax	12		0	2%	gross salaries	3.4	
Health insurance contributions	1		0	3%	gross salaries	2.3	
Capital gains tax	1		0	15%	capital gain	0.8	
Local tax: Fonds de Gestion et de Developpement des Collectivites Territoriales	1		0	1%	taxable profits	0.7	
Property tax	1		0	15%	annual rental value	0.5	

Tax or mandatory contribution	Payments (number)	Notes on payments	Time (hours)	Statutory tax rate	Tax base	Total tax rate (% of profit)	Notes on total tax rate
Vehicle tax	1		0	varies between HTG 1000 and HTG 5000	size of engine	0.1	
Value added tax (VAT)	12		72	10%	value added	0	not included
Fuel tax	1		0		included in the fuel price	0	small amount
Totals	47.0		184.0			40.3	

Source: Doing Business database.

TRADING ACROSS BORDERS

In today's globalized world, making trade between economies easier is increasingly important for business. Excessive document requirements, burdensome customs procedures, inefficient port operations and inadequate infrastructure all lead to extra costs and delays for exporters and importers, stifling trade potential. Research shows that exporters in developing countries gain more from a 10% drop in their trading costs than from a similar reduction in the tariffs applied to their products in global markets.

What do the indicators cover?

Doing Business measures the time and cost (excluding tariffs and the time and cost for sea transport) associated with exporting and importing a standard shipment of goods by sea transport, and the number of documents necessary to complete the transaction. The indicators cover predefined stages such as documentation requirements and procedures at customs and other regulatory agencies as well as at the port. They also cover trade logistics, including the time and cost of inland transport to the largest business city. The ranking of economies on the ease of trading across borders is determined by sorting their distance to frontier scores for trading across borders. These scores are the simple average of the distance to frontier scores for each of the component indicators. To make the data comparable across economies, *Doing Business* uses several assumptions about the business and the traded goods.

The business:

- Is located in the economy's largest business city. For the 11 economies with a population of more than 100 million, data for a second city have been added.
- Is a private, limited liability company, domestically owned and does not operate with special export or import privileges.
- Conducts export and import activities, but does not have any special accreditation such as an authorized economic operator status.

WHAT THE TRADING ACROSS BORDERS INDICATORS MEASURE

Documents required to export and import (number)

- Bank documents
- Customs clearance documents
- Port and terminal handling documents
- Transport documents

Time required to export and import (days)

- Obtaining, filling out and submitting all the documents
- Inland transport and handling
- Customs clearance and inspections
- Port and terminal handling
- Does not include sea transport time

Cost required to export and import (US\$ per container)

- All documentation
- Inland transport and handling
- Customs clearance and inspections
- Port and terminal handling
- Official costs only, no bribes

The traded product:

- Is not hazardous nor includes military items.
- Does not require refrigeration or any other special environment.
- Do not require any special phytosanitary or environmental safety standards other than accepted international standards.
- Is one of the economy's leading export or import products.
- Is transported in a dry-cargo, 20-foot full container load.

TRADING ACROSS BORDERS

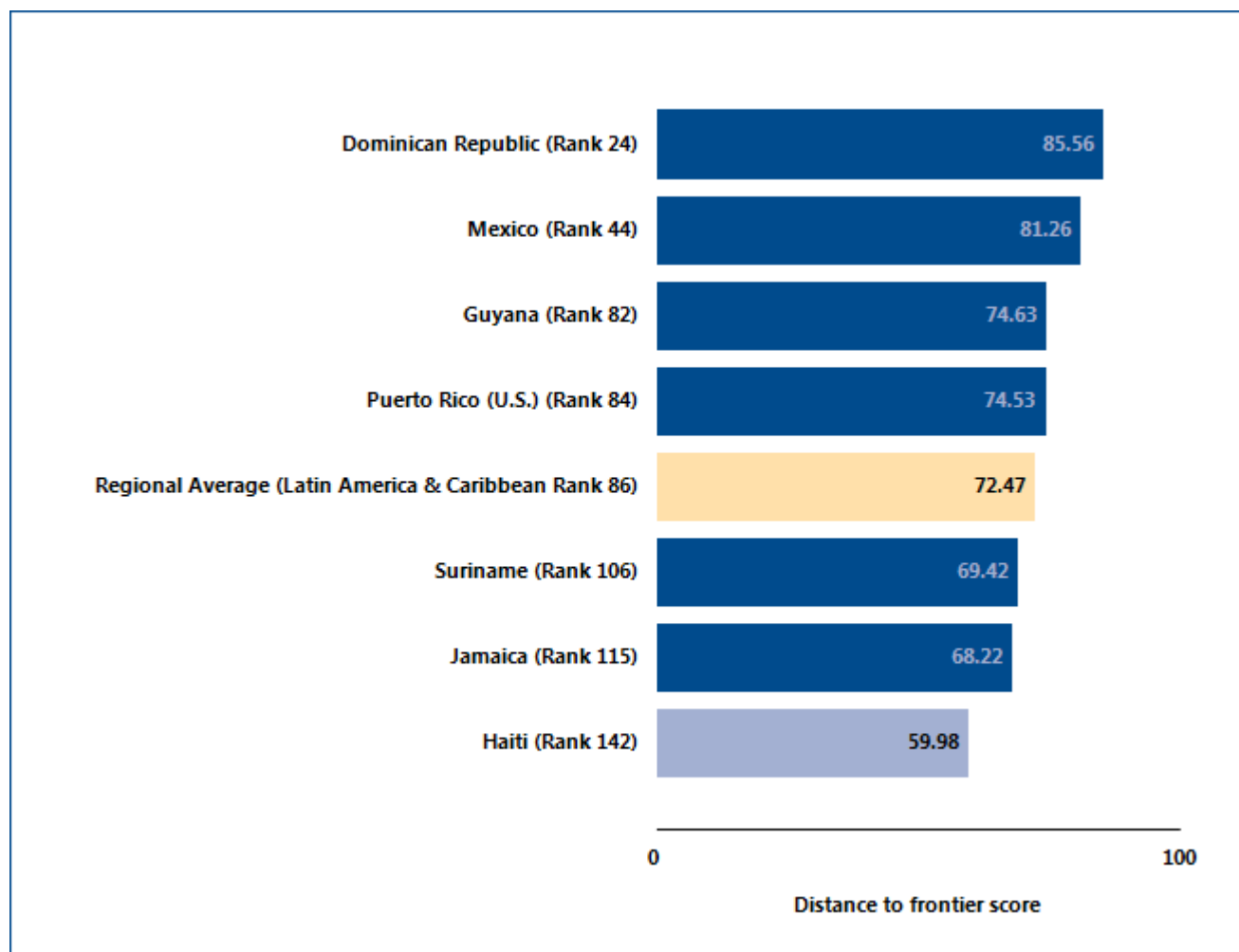
Where does the economy stand today?

What does it take to export or import in Haiti? According to data collected by *Doing Business*, exporting a standard container of goods requires 8 documents, takes 28.0 days and costs \$1200.0. Importing the same container of goods requires 9 documents, takes 26.0 days and costs \$1555.0 (see the summary of four predefined stages and documents at the end of this chapter for details). Most indicator sets refer to a case scenario in the largest business city of an economy, except for 11 economies for which the data are a population-weighted average of the

2 largest business cities. See the chapter on distance to frontier and ease of doing business ranking at the end of this profile for more details.

Globally, Haiti stands at 142 in the ranking of 189 economies on the ease of trading across borders (figure 9.1). The rankings for comparator economies and the regional average ranking provide other useful information for assessing how easy it is for a business in Haiti to export and import goods.

Figure 9.1 How Haiti and comparator economies rank on the ease of trading across borders



Source: *Doing Business* database.

TRADING ACROSS BORDERS

In economies around the world, trading across borders as measured by *Doing Business* has become faster and easier over the years. Governments have introduced tools to facilitate trade—including single windows, risk-based inspections and electronic data interchange

systems. These changes help improve the trading environment and boost firms' international competitiveness. What trade reforms has *Doing Business* recorded in Haiti (table 9.1)?

Table 9.1 How has Haiti made trading across borders easier—or not?
By *Doing Business* report year from DB2010 to DB2015

DB year	Reform
DB2010	Haiti speeded up the clearance of goods through customs by implementing the ASYCUDA system and introducing 24-hour operations at the port.

Note: For information on reforms in earlier years (back to DB2006), see the *Doing Business* reports for these years, available at <http://www.doingbusiness.org>.

Source: *Doing Business* database.

TRADING ACROSS BORDERS

What are the details?

The indicators reported here for Haiti are based on a set of specific predefined stages for trading a standard shipment of goods by ocean transport (see the section in this chapter on what the indicators cover). Information on the required documents and the time and cost to complete export and import is collected from local freight forwarders, shipping lines, customs brokers, port officials and banks.

LOCATION OF STANDARDIZED COMPANY

Port Name: Port-au-Prince

City: Port au Prince

The predefined stages, and the associated time and cost, for exporting and importing a standard shipment of goods are listed in the summary below, along with the required documents.

Table 9.2 Summary of predefined stages and documents for trading across borders in Haiti

Stages to export	Time (days)	Cost (US\$)
Customs clearance and inspections	4	200
Documents preparation	17	350
Inland transportation and handling	2	250
Ports and terminal handling	5	400
Totals	28	1,200

Stages to import	Time (days)	Cost (US\$)
Customs clearance and inspections	5	285
Documents preparation	14	340
Inland transportation and handling	2	230
Ports and terminal handling	5	700
Totals	26	1,555

Documents to export

Bill of Lading
Cargo release order
Certificate of origin
Commercial invoice
Customs export declaration
Export license
Tax certificate (Quittus)
Technical standard/health certificate

Documents to import

Bill of lading
Cargo release order
Commercial invoice
Customs import declaration
Import license (DPI)
Inspection report (SGS)
Tax certificate
Technical standard/health certificate
Terminal handling receipts

Source: *Doing Business* database.

ENFORCING CONTRACTS

Effective commercial dispute resolution has many benefits. Courts are essential for entrepreneurs because they interpret the rules of the market and protect economic rights. Efficient and transparent courts encourage new business relationships because businesses know they can rely on the courts if a new customer fails to pay. Speedy trials are essential for small enterprises, which may lack the resources to stay in business while awaiting the outcome of a long court dispute.

What do the indicators cover?

Doing Business measures the efficiency of the judicial system in resolving a commercial dispute before local courts. Following the step-by-step evolution of a standardized case study, it collects data relating to the time, cost and procedural complexity of resolving a commercial lawsuit. The ranking on the ease of enforcing contracts is the simple average of the percentile rankings on its component indicators: procedures, time and cost.

The dispute in the case study involves the breach of a sales contract between 2 domestic businesses. The case study assumes that the court hears an expert on the quality of the goods in dispute. This distinguishes the case from simple debt enforcement. To make the data comparable across economies, *Doing Business* uses several assumptions about the case:

- The seller and buyer are located in the economy's largest business city. For the 11 economies with a population of more than 100 million, data for a second city have been added.
- The buyer orders custom-made goods, then fails to pay.
- The seller sues the buyer before a competent court.
- The value of the claim is 200% of the income per capita or the equivalent in local currency of USD 5,000, whichever is greater.

WHAT THE ENFORCING CONTRACTS

INDICATORS MEASURE

Procedures to enforce a contract through the courts (number)

- Steps to file and serve the case
- Steps for trial and judgment
- Steps to enforce the judgment

Time required to complete procedures (calendar days)

- Time to file and serve the case
- Time for trial and obtaining judgment
- Time to enforce the judgment

Cost required to complete procedures (% of claim)

- Average attorney fees
- Court costs
- Enforcement costs

- The seller requests a pretrial attachment to secure the claim.
- The dispute on the quality of the goods requires an expert opinion.
- The judge decides in favor of the seller; there is no appeal.
- The seller enforces the judgment through a public sale of the buyer's movable assets.

ENFORCING CONTRACTS

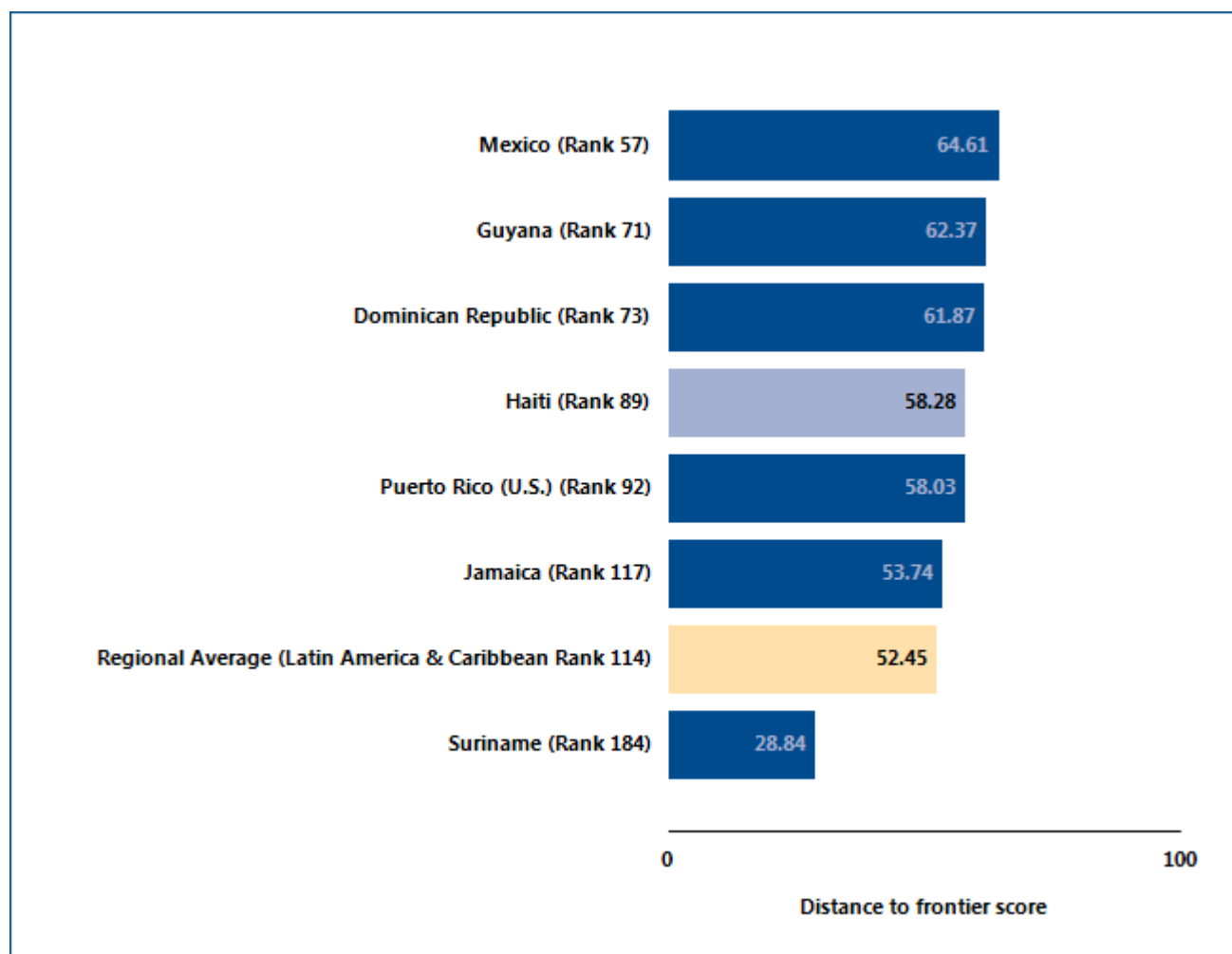
Where does the economy stand today?

How efficient is the process of resolving a commercial dispute through the courts in Haiti? According to data collected by *Doing Business*, contract enforcement takes 530.0 days, costs 42.6% of the value of the claim and requires 35.0 procedures (see the summary at the end of this chapter for details). Most indicator sets refer to a case scenario in the largest business city of an economy, except for 11 economies for which the data are a population-weighted average of the 2 largest business

cities. See the chapter on distance to frontier and ease of doing business ranking at the end of this profile for more details.

Globally, Haiti stands at 89 in the ranking of 189 economies on the ease of enforcing contracts (figure 10.1). The rankings for comparator economies and the regional average ranking provide other useful benchmarks for assessing the efficiency of contract enforcement in Haiti.

Figure 10.1 How Haiti and comparator economies rank on the ease of enforcing contracts



Source: *Doing Business* database.

ENFORCING CONTRACTS

What are the details?

The indicators reported here for Haiti are based on a set of specific procedural steps required to resolve a standardized commercial dispute through the courts (see the section in this chapter on what the indicators cover). These procedures, and the time and cost of completing them, are identified through study of the codes of civil procedure and other court regulations, as well as through questionnaires completed by local litigation lawyers (and, in a quarter of the economies covered by *Doing Business*, by judges as well).

COURT NAME	
Claim value:	HTG 215,766
Court name:	Port-au-Prince District Court, Commercial Section
City:	Port au Prince

Table 10.2 Summary of time, cost and procedures for enforcing a contract in Haiti

Indicator	Haiti	Latin America & Caribbean average
Time (days)	530	737
Filing and service	30	
Trial and judgment	320	
Enforcement of judgment	180	
Cost (% of claim)	42.6	30.6
Attorney cost (% of claim)	20.0	
Court cost (% of claim)	12.6	
Enforcement Cost (% of claim)	10.0	
Procedures (number)	35	40
Number of procedures (without bonus points)	35	
Total number of procedures (including bonus points)	35	

No.	Procedures
	Filing and service:
1	Plaintiff requests payment: Plaintiff or his lawyer asks Defendant orally or in writing to comply with the contract.
2	Plaintiff hires a lawyer: Plaintiff hires a lawyer.
*	Plaintiff files a summons and complaint: Plaintiff files a summons and complaint with the court (orally or in writing).
*	Plaintiff pays court fees: Plaintiff pays court fees (e.g. court duties, stamp duties, or any other type of court fees). Answer 'yes' even if Plaintiff recovers these costs.
3	Registration of court case: Registration of court case by the court administration (this can include assigning a reference number to the case).
*	Assignment of court case to a judge: Assignment of court case to a judge (through a random procedure, automated system, ruling of an administrative judge, court officer, etc).
*	Arrangements for physical delivery of summons and complaint: Plaintiff takes the necessary steps to arrange for physical service of process on Defendant (e.g. instructing a court officer or a private bailiff).
*	Mailing of summons and complaint: Court or process server, including (private) bailiff, mails summons and complaint to Defendant.
4	Attempt at physical delivery: An attempt to physically deliver summons and complaint to Defendant is made.
5	Substituted service: Substituted service is completed by publication in newspapers, by affixing a notice in court or on public bulletin boards, etc.
*	Application for pre-judgment attachment: Plaintiff submits an application in writing for the attachment of Defendant's property prior to judgment.
*	Decision on pre-judgment attachment: Judge decides whether to grant Plaintiff's request for pre-judgment attachment of Defendant's property and notifies Plaintiff and Defendant of the decision.
6	Pre-judgment attachment order: Defendant's property is attached prior to judgment. Attachment order either involves physical attachment, or is achieved by freezing, registering, marking, or otherwise separating and restricting Defendant's movement of specific moveable assets.
7	Hearing on pre-judgment attachment: A hearing takes place as a matter of law or standard practice to resolve the question of whether Defendant's assets can be attached prior to judgment. This process may include the submission of separate summons and petitions.
	Trial and judgment:
*	Defendant files preliminary objections.: Defendant presents preliminary objections to the court. (Preliminary exemptions differ from answers on the merits. Examples of preliminary motions are motions to dismiss on the basis of the statute of limitations or jurisdictional objections, etc.) Checke

No.	Procedures
8	Judge's resolution on preliminary objections: Judge decides on preliminary objections separately from the merits of the case. Checked as 'yes' if preliminary objections are commonly made (step 30) and if judge resolves the question before rendering his decision.
9	Defendant files an answer to Plaintiff's claim: Defendant files a written pleading which includes his answer or defense on the merits of the case (see assumption 4).
10	Plaintiff's written reply to Defendant's answer: Plaintiff responds to Defendant's answer with a written pleading, which may or may not include witness statements or expert (witness) statements.
11	Filing of written submissions: Plaintiff and Defendant file written pleadings and submissions with the court and transmit copies of the written pleadings or submissions to one another. The pleadings may or may not include witness statements or expert (witness) statements.
12	Adjournments: Court procedure is delayed because one or both parties request and obtain an adjournment to submit written pleadings. Check as 'yes' if this commonly happens.
*	Setting of date(s) for oral hearing or trial: Judge sets the date(s) for the oral hearing or trial.
*	List of (expert) witnesses: The parties file a list of (expert) witnesses with the court (see assumption 5-a).
13	Adjournments: Court proceedings are delayed because one or both parties request and obtain an adjournment to prepare for the oral hearing or trial as a matter of common practice.
14	Oral hearing (prevalent in civil law): The parties argue the merits of the case at an oral hearing before the judge. Witnesses and a court-appointed independent expert may be heard and questioned at the oral hearing.
15	Adjournments: Court proceedings are delayed because one or both parties request and obtain an adjournment during the oral hearing or trial, resulting in an additional or later trial or hearing date.
16	Advice by public prosecutor or third party: The office of the public prosecutor or any other third party advises the court on how to decide the case.
*	Final arguments: The parties present their final factual and legal arguments to the court either by oral presentation or by a written submission.
17	Judgment date: The judge sets a date for delivery of the judgment.
18	Notification of judgment in court: The parties are notified of the judgment at a court hearing.
19	Writing of judgment: The judge produces a written copy of the judgment.
20	Registration of judgment: The court office registers the judgment after receiving a written copy of the judgment.
21	Court notification of availability of the written judgment: The court notifies the parties that the written judgment is available at the courthouse.
22	Plaintiff receives a copy of the judgment: Plaintiff receives a copy of the written judgment which is 100% in favor of Plaintiff (see assumption 6).
23	Appeal period: By law Defendant has the opportunity to appeal the judgment during a specified period. Defendant decides not to appeal. Seller decides to start enforcing the judgment when the appeal period ends (see assumption 8).

No.	Procedures
	Enforcement of judgment:
*	Plaintiff hires a lawyer: Plaintiff hires a lawyer to enforce the judgment or continues to be represented by a lawyer during the enforcement of judgment phase.
24	Plaintiff retains an enforcement agent to enforce the judgment.: Plaintiff retains the services of a court enforcement officer such as a court bailiff or sheriff, or a private bailiff.
*	Plaintiff requests an enforcement order: Plaintiff applies to the court to obtain the enforcement order ('seal' on judgment).
25	Attachment of enforcement order to judgment: The judge attaches the enforcement order ('seal') to the judgment.
*	Delivery of enforcement order: The court's enforcement order is delivered to a court enforcement officer or a private bailiff.
*	Plaintiff's request for physical enforcement: As Plaintiff commonly fears that Defendant might physically resist the taking into custody of its previously attached movable assets, Plaintiff requests the judge or the police authorities to obtain police assistance during the physical enforcement of the
26	Identification of Defendant's assets by court official or Defendant for purposes of enforcement: The judge, a court enforcement officer, a private bailiff or the Defendant himself identifies Defendant's movable assets for the purposes of enforcing the judgment through a sale of Defendant's assets.
27	Creditor notification of intent to attach: A court enforcement officer or private bailiff notifies other creditors of the intent to attach Defendant's goods.
28	Attachment: Defendant's movable goods are attached (physically or by registering, marking or separating assets).
29	Report on execution of attachment: A court enforcement officer or private bailiff delivers a report on the attachment of Defendant's movable goods to the judge.
30	Enforcement disputes before court: The enforcement of the judgment is delayed because Defendant opposes aspects of the enforcement process before the judge.
31	Call for public auction: Judge calls a public auction by, for example, advertising or publication in the newspapers.
32	Sale through public auction: The Defendant's movable property is sold at public auction.
33	Distribution of proceeds: The proceeds of the public auction are distributed to Plaintiff (and, where applicable, to other creditors, according to the rules of priority).
34	Reimbursement of Plaintiff's enforcement fees: Defendant reimburses Plaintiff's enforcement fees which Plaintiff had advanced previously.
35	Payment: Court orders that the proceeds of the public auction or the direct sale be delivered to Plaintiff.

* Not counted in the total number of procedures.

Source: *Doing Business* database.

RESOLVING INSOLVENCY

A robust bankruptcy system functions as a filter, ensuring the survival of economically efficient companies and reallocating the resources of inefficient ones. Fast and cheap insolvency proceedings result in the speedy return of businesses to normal operation and increase returns to creditors. By improving the expectations of creditors and debtors about the outcome of insolvency proceedings, well-functioning insolvency systems can facilitate access to finance, save more viable businesses and thereby improve growth and sustainability in the economy overall.

What do the indicators cover?

Doing Business studies the time, cost and outcome of insolvency proceedings involving domestic legal entities. These variables are used to calculate the recovery rate, which is recorded as cents on the dollar recouped by secured creditors through reorganization, liquidation or debt enforcement (foreclosure) proceedings. To determine the present value of the amount recovered by creditors, *Doing Business* uses the lending rates from the International Monetary Fund, supplemented with data from central banks and the Economist Intelligence Unit.

In addition, *Doing Business* evaluates the adequacy and integrity of the existing legal framework applicable to liquidation and reorganization proceedings through the strength of insolvency framework index. The index tests whether economies adopted internationally accepted good practices in four areas: commencement of proceedings, management of debtor's assets, reorganization proceedings and creditor participation.

The ranking of the Resolving Insolvency indicator is based on the recovery rate and the total score of the strength of insolvency framework index. The Resolving Insolvency indicator does not measure insolvency proceedings of individuals and financial institutions. The data are derived from survey responses by local insolvency practitioners and verified through a study of laws and regulations as well as public information on bankruptcy systems.

WHAT THE RESOLVING INSOLVENCY INDICATORS MEASURE

Time required to recover debt (years)

Measured in calendar years

Appeals and requests for extension are included

Cost required to recover debt (% of debtor's estate)

Measured as percentage of estate value

Court fees

Fees of insolvency administrators

Lawyers' fees

Assessors' and auctioneers' fees

Other related fees

Outcome

Whether business continues operating as a going concern or business assets are sold piecemeal

Recovery rate for creditors

Measures the cents on the dollar recovered by secured creditors

Outcome for the business (survival or not) determines the maximum value that can be recovered

Official costs of the insolvency proceedings are deducted

Depreciation of furniture is taken into account

Present value of debt recovered

Strength of insolvency framework index (0-16)

Sum of the scores of four component indices:

Commencement of proceedings index (0-3)

Management of debtor's assets index (0-6)

Reorganization proceedings index (0-3)

Creditor participation index (0-4)

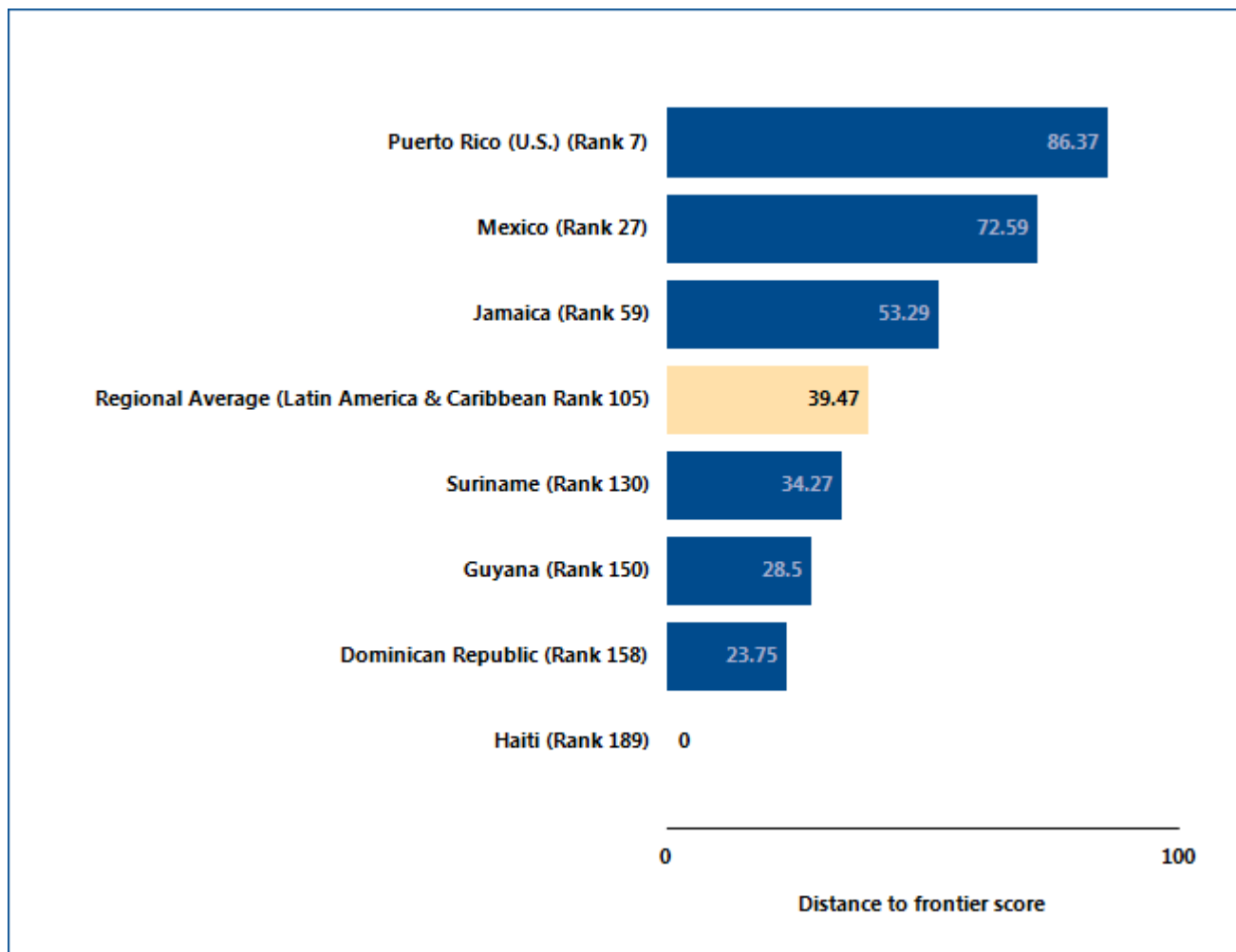
RESOLVING INSOLVENCY

Where does the economy stand today?

Combination of quality regulations and efficient practice characterize the top-performing economies. How efficient are insolvency proceedings in Haiti? Haiti receives a no practice mark for resolving insolvency, indicating that in each of the previous 5 years there were no cases involving a judicial reorganization, judicial liquidation or debt enforcement procedure (foreclosure). A “no practice” mark puts the economy at the bottom of

the ranking on the relevant indicator. Globally, Haiti stands at 189 in the ranking of 189 economies on the ease of resolving insolvency (figure 11.1). The rankings for comparator economies and the regional average ranking provide other useful benchmarks for assessing the efficiency of insolvency proceedings in Haiti.

Figure 11.1 How Haiti and comparator economies rank on the ease of resolving insolvency



Source: Doing Business database.

LABOR MARKET REGULATION

Doing Business measures flexibility in the regulation of employment, specifically as it affects the hiring and redundancy of workers and the rigidity of working hours. This year, for the first time, the indicators measuring flexibility in labor market regulations focus on those affecting the food retail industry, using a standardized case study of a cashier in a supermarket. Also new is that *Doing Business* collects data on regulations applying to employees hired through temporary-work agencies as well as on those applying to permanent employees or employees hired on fixed-term contracts. The indicators also cover additional areas of labor market regulation, including social protection schemes and benefits as well as labor disputes.

Over the period from 2007 to 2011 improvements were made to align the methodology for the labor market regulation indicators (formerly the employing workers indicators) with the letter and spirit of the International Labour Organization (ILO) conventions. Only 6 of the 188 ILO conventions cover areas measured by *Doing Business*: employee termination, weekend work, holiday with pay, night work, protection against unemployment and medical care and sickness benefits. The *Doing Business* methodology is fully consistent with these 6 conventions. The ILO conventions covering areas related to the labor market regulation indicators do not include the ILO core labor standards—8 conventions covering the right to collective bargaining, the elimination of forced labor, the abolition of child labor and equitable treatment in employment practices.

Between 2009 and 2011 the World Bank Group worked with a consultative group—including labor lawyers, employer and employee representatives, and experts from the ILO, the Organisation for Economic Co-operation and Development (OECD), civil society and the private sector—to review the methodology for the labor market regulation indicators and explore future areas of research.

A full report with the conclusions of the consultative group is available at:
<http://www.doingbusiness.org/methodology/employing-workers>.

Doing Business 2015 presents the data for the labor market regulation indicators in an annex. The report does not present rankings of economies on these indicators nor include the topic in the aggregate distance to frontier score or ranking on the ease of doing business. Detailed data collected on labor market regulations are available on the *Doing Business* website (<http://www.doingbusiness.org>). The data on labor market regulations are based on a detailed survey of employment regulations that is completed by local lawyers and public officials. Employment laws and regulations as well as secondary sources are reviewed to ensure accuracy. To make the data comparable across economies, several assumptions about the worker and the business are used.

The worker:

- Is a cashier in a supermarket or a grocery store
- Is a full-time employee
- Is not a member of the labor union, unless membership is mandatory

The business:

- Is a limited liability company (or the equivalent in the economy) with 60 employees.
- Operates a supermarket or grocery store in the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- Is subject to collective bargaining agreements if such agreements cover more than 50% of the food retail sector and they apply even to firms that are not party to them.
- Abides by every law and regulation but does not grant workers more benefits than those mandated by law, regulation or (if applicable) collective bargaining agreements.

LABOR MARKET REGULATION

What are the details?

The data reported here for Haiti are based on a detailed survey of labor market regulation that is completed by local lawyers and public officials. Employment laws and

regulations as well as secondary sources are reviewed to ensure accuracy.

Difficulty of hiring index

Difficulty of hiring covers 4 areas: (i) whether fixed-term contracts are prohibited for permanent tasks; (ii) the maximum cumulative duration of fixed-term contracts; (iii) the minimum wage for a cashier, age 19, with 1 year of work experience; and (iv) the ratio of the minimum

wage to the average value added per worker. The average value added per worker is the ratio of an economy's GNI per capita to the working-age population as a percentage of the total population.

Difficulty of hiring index	Data
Fixed-term contracts prohibited for permanent tasks?	No
Maximum length of a single fixed-term contract (months)	No limit
Maximum length of fixed-term contracts, including renewals (months)	No Limit
Minimum wage applicable to the worker assumed in the case study (US\$/month)	154.48
Ratio of minimum wage to value added per worker	1.39

Source: *Doing Business* database.

LABOR MARKET REGULATION

Rigidity of hours index

Rigidity of hours covers 7 areas: (i) whether the workweek can extend to 50 hours or more (including overtime) for 2 months in a year to respond to a seasonal increase in workload; (ii) the maximum number of days allowed in the workweek; (iii) the premium for night work (as a percentage of hourly pay); (iv) the premium for work on a weekly rest day (as a percentage of hourly pay); (v) whether there are restrictions on night work; (vi) whether there are restrictions on weekly holiday work; and (vii) the average paid annual leave for workers with 1 year of tenure, 5 years of tenure and 10 years of tenure.

Rigidity of hours index	Data
50-hour workweek allowed for 2 months a year in case of a seasonal increase in workload?	Yes
Maximum working days per week	6.0
Premium for night work (% of hourly pay)	50%
Premium for work on weekly rest day (% of hourly pay)	50%
Major restrictions on night work?	No
Major restrictions on weekly holiday?	No
Paid annual leave for a worker with 1 year of tenure (in working days)	13.0
Paid annual leave for a worker with 5 years of tenure (in working days)	13.0
Paid annual leave for a worker with 10 years of tenure (in working days)	13.0
Paid annual leave (average for workers with 1, 5 and 10 years of tenure, in working days)	13.0

Source: *Doing Business* database.

LABOR MARKET REGULATION

Difficulty of redundancy index

Difficulty of redundancy index looks at 9 questions: (i) what the length is in months of the maximum probationary period; (ii) whether redundancy is disallowed as a basis for terminating workers; (iii) whether the employer needs to notify a third party (such as a government agency) to terminate 1 redundant worker; (iv) whether the employer needs to notify a third party to terminate a group of 9 redundant workers; (v)

whether the employer needs approval from a third party to terminate 1 redundant worker; (vi) whether the employer needs approval from a third party to terminate a group of 9 redundant workers; (vii) whether the law requires the employer to reassign or retrain a worker before making the worker redundant; (viii) whether priority rules apply for redundancies; and (ix) whether priority rules apply for reemployment.

Difficulty of redundancy index	Data
Maximum length of probationary period (months)	0.0
Dismissal due to redundancy allowed by law?	Yes
Third-party notification if 1 worker is dismissed?	No
Third-party approval if 1 worker is dismissed?	No
Third-party notification if 9 workers are dismissed?	No
Third-party approval if 9 workers are dismissed?	No
Retraining or reassignment obligation before redundancy?	No
Priority rules for redundancies?	No
Priority rules for reemployment?	No

Source: *Doing Business* database.

LABOR MARKET REGULATION

Redundancy cost

Redundancy cost measures the cost of advance notice requirements, severance payments and penalties due when terminating a redundant worker, expressed in weeks of salary. The average value of notice

requirements and severance payments applicable to a worker with 1 year of tenure, a worker with 5 years and a worker with 10 years is considered. One month is recorded as 4 and 1/3 weeks.

Redundancy cost indicator (in salary weeks)	Data
Notice period for redundancy dismissal for a worker with 1 year of tenure	4.3
Notice period for redundancy dismissal for a worker with 5 years of tenure	8.7
Notice period for redundancy dismissal for a worker with 10 years of tenure	17.3
Notice period for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure)	10.1
Severance pay for redundancy dismissal for a worker with 1 year of tenure	0.0
Severance pay for redundancy dismissal for a worker with 5 years of tenure	0.0
Severance pay for redundancy dismissal for a worker with 10 years of tenure	0.0
Severance pay for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure)	0.0

Source: *Doing Business* database.

Social protection schemes and benefits & Labor disputes

Doing Business collects data on the existence of unemployment protection schemes as well as data on whether employers are legally required to provide health insurance for employees with permanent contracts.

Doing Business also assesses the mechanisms available to resolve labor disputes. More specifically, it collects data on what courts would be competent to hear labor disputes and whether the competent court is specialized in resolving labor disputes.

Social protection schemes and benefits & Labor disputes indicator	Data
Availability of unemployment protection scheme?	No
Health insurance existing for permanent employees?	..
Availability of courts or court sections specializing in labor disputes?	Yes

Source: *Doing Business* database.

DISTANCE TO FRONTIER AND EASE OF DOING BUSINESS RANKING

This year's report presents results for 2 aggregate measures: the distance to frontier score and the ease of doing business ranking, which for the first time this year is based on the distance to frontier score. The ease of doing business ranking compares economies with one another; the distance to frontier score benchmarks economies with respect to regulatory best practice, showing the absolute distance to the best performance on each *Doing Business* indicator. When compared across years, the distance to frontier score shows how much the regulatory environment for local entrepreneurs in an economy has changed over time in absolute terms, while the ease of doing business ranking can show only how much the regulatory environment has changed relative to that in other economies.

Distance to Frontier

The distance to frontier score captures the gap between an economy's performance and a measure of best practice across the entire sample of 31 indicators for 10 *Doing Business* topics (the labor market regulation indicators are excluded). For starting a business, for example, Canada and New Zealand have the smallest number of procedures required (1), and New Zealand the shortest time to fulfill them (0.5 days). Slovenia has the lowest cost (0.0), and Australia, Colombia and 110 other economies have no paid-in minimum capital requirement (table 15.1 in the *Doing Business 2015* report).

Calculation of the distance to frontier score

Calculating the distance to frontier score for each economy involves 2 main steps. First, individual component indicators are normalized to a common unit where each of the 31 component indicators y (except for the total tax rate) is rescaled using the linear transformation $(\text{worst} - y)/(\text{worst} - \text{frontier})$. In this formulation the frontier represents the best performance on the indicator across all economies since 2005 or the third year after data for the indicator were collected for the first time. For legal indicators such as those on getting credit or protecting minority investors, the frontier is set at the highest possible value. For the total tax rate, consistent with the use of a threshold in calculating the rankings on this indicator, the frontier is

defined as the total tax rate at the 15th percentile of the overall distribution for all years included in the analysis. For the time to pay taxes the frontier is defined as the lowest time recorded among all economies that levy the 3 major taxes: profit tax, labor taxes and mandatory contributions, and value added tax (VAT) or sales tax. In addition, the cost to export and cost to import for each year are divided by the GDP deflator, to take the general price level into account when benchmarking these absolute-cost indicators across economies with different inflation trends. The base year for the deflator is 2013 for all economies.

In the same formulation, to mitigate the effects of extreme outliers in the distributions of the rescaled data for most component indicators (very few economies need 700 days to complete the procedures to start a business, but many need 9 days), the worst performance is calculated after the removal of outliers. The definition of outliers is based on the distribution for each component indicator. To simplify the process, 2 rules were defined: the 95th percentile is used for the indicators with the most dispersed distributions (including time, cost, minimum capital and number of payments to pay taxes), and the 99th percentile is used for number of procedures and number of documents to trade. No outlier was removed for component indicators bound by definition or construction, including legal index scores (such as the depth of credit information index, extent of conflict of interest regulation index and strength of insolvency framework index) and the recovery rate (figure 15.1 in the *Doing Business 2015* report).

Second, for each economy the scores obtained for individual indicators are aggregated through simple averaging into one distance to frontier score, first for each topic and then across all 10 topics: starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting minority investors, paying taxes, trading across borders, enforcing contracts and resolving insolvency. More complex aggregation methods—such as principal components and unobserved components—yield a ranking nearly identical to the simple average used by *Doing Business*⁶. Thus *Doing Business* uses the simplest

⁶ See Djankov, Manraj and others (2005). Principal components and unobserved components methods yield a ranking nearly identical to

method: weighting all topics equally and, within each topic, giving equal weight to each of the topic components⁷.

An economy's distance to frontier score is indicated on a scale from 0 to 100, where 0 represents the worst performance and 100 the frontier. All distance to frontier calculations are based on a maximum of 5 decimals. However, indicator ranking calculations and the ease of doing business ranking calculations are based on 2 decimals. The difference between an economy's distance to frontier score in any previous year and its score in 2014 illustrates the extent to which the economy has closed the gap to the regulatory frontier over time. And in any given year the score measures how far an economy is from the best performance at that time.

Treatment of the total tax rate

This year, for the first time, the total tax rate component of the paying taxes indicator set enters the distance to frontier calculation in a different way than any other indicator. The distance to frontier score obtained for the total tax rate is transformed in a nonlinear fashion before it enters the distance to frontier score for paying taxes. As a result of the nonlinear transformation, an increase in the total tax rate has a smaller impact on the distance to frontier score for the total tax rate—and therefore on the distance to frontier score for paying taxes—for economies with a below-average total tax rate than it would have in the calculation done in previous years (line B is smaller than line A in figure 15.2 of the *Doing Business 2015* report). And for economies with an extreme total tax rate (a rate that is very high relative to the average), an increase has a greater impact on both these distance to frontier scores than before (line D is bigger than line C in figure 15.2 of the *Doing Business 2015* report).

The nonlinear transformation is not based on any economic theory of an "optimal tax rate" that minimizes distortions or maximizes efficiency in an economy's

that from the simple average method because both these methods assign roughly equal weights to the topics, since the pairwise correlations among indicators do not differ much. An alternative to the simple average method is to give different weights to the topics, depending on which are considered of more or less importance in the context of a specific economy.

⁷ For getting credit, indicators are weighted proportionally, according to their contribution to the total score, with a weight of 60% assigned to the strength of legal rights index and 40% to the depth of credit information index. Indicators for all other topics are assigned equal weights

overall tax system. Instead, it is mainly empirical in nature. The nonlinear transformation along with the threshold reduces the bias in the indicator toward economies that do not need to levy significant taxes on companies like the *Doing Business* standardized case study company because they raise public revenue in other ways—for example, through taxes on foreign companies, through taxes on sectors other than manufacturing or from natural resources (all of which are outside the scope of the methodology). In addition, it acknowledges the need of economies to collect taxes from firms.

Calculation of scores for economies with 2 cities covered

For each of the 11 economies for which a second city was added in this year's report, the distance to frontier score is calculated as the population-weighted average of the distance to frontier scores for the 2 cities covered (table 12.1). This is done for the aggregate score, the scores for each topic and the scores for all the component indicators for each topic.

Table 12.1 Weights used in calculating the distance to frontier scores for economies with 2 cities covered

Economy	City	Weight (%)
Bangladesh	Dhaka	78
	Chittagong	22
Brazil	São Paulo	61
	Rio de Janeiro	39
China	Shanghai	55
	Beijing	45
India	Mumbai	47
	Delhi	53
Indonesia	Jakarta	78
	Surabaya	22
Japan	Tokyo	65
	Osaka	35
Mexico	Mexico City	83
	Monterrey	17
Nigeria	Lagos	77
	Kano	23
Pakistan	Karachi	65
	Lahore	35
Russian Federation	Moscow	70
	St. Petersburg	30
United States	New York	60
	Los Angeles	40

Source: United Nations, Department of Economic and Social Affairs, Population Division, World Urbanization Prospects, 2014 Revision. <http://esa.un.org/unpd/wup/CD-ROM/Default.aspx>.

Economies that improved the most across 3 or more *Doing Business* topics in 2013/14

Doing Business 2015 uses a simple method to calculate which economies improved the ease of doing business the most. First, it selects the economies that in 2013/14 implemented regulatory reforms making it easier to do business in 3 or more of the 10 topics included in this year's aggregate distance to frontier score. Twenty-one economies meet this criterion: Azerbaijan; Benin; the Democratic Republic of Congo; Côte d'Ivoire; the Czech Republic; Greece; India; Ireland; Kazakhstan; Lithuania; the former Yugoslav Republic of Macedonia; Poland; Senegal; the Seychelles; Spain; Switzerland; Taiwan, China; Tajikistan; Togo; Trinidad and Tobago; and the United Arab Emirates. Second, *Doing Business* sorts these economies on the increase in their distance to frontier score from the previous year using comparable data.

Selecting the economies that implemented regulatory reforms in at least 3 topics and had the biggest improvements in their distance to frontier scores is intended to highlight economies with ongoing, broad-based reform programs. The improvement in the distance to frontier score is used to identify the top improvers because this allows a focus on the absolute improvement—in contrast with the relative improvement shown by a change in rankings—that economies have made in their regulatory environment for business.

Ease of *Doing Business* ranking

The ease of doing business ranking ranges from 1 to 189. The ranking of economies is determined by sorting the aggregate distance to frontier scores, rounded to 2 decimals.

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Contributors

More than 10,700 specialists in 189 economies who participate in *Doing Business*
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Data on business density (number of newly registered companies per 1,000 working-age people) for 139 economies
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Distance to frontier

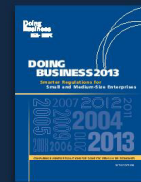
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ISBN 978-1-4648-0351-2



SKU 210351