

Doing Business 2011

Congo, Rep.

**Making
a Difference for
Entrepreneurs**

COMPARING BUSINESS REGULATION IN 183 ECONOMIES



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1 2 3 4 08 07 06 05

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ISBN: 978-0-8213-7960-8
E-ISBN: 978-0-8213-8630-9
DOI: 10.1596/978-0-8213-7960-8
ISSN: 1729-2638

Library of Congress Cataloging-in-Publication data has been applied for.
Printed in the United States

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Doing Business 2011
Business Reforms

Doing Business 2011: Making a Difference for Entrepreneurs is the eighth in a series of annual reports investigating regulations that enhance business activity and those that constrain it. *Doing Business* presents quantitative indicators on business regulations and the protection of property rights that can be compared across 183 economies, from Afghanistan to Zimbabwe, over time.

A set of regulations affecting 9 stages of a business's life are measured: starting a business, dealing with construction permits, registering property, getting credit, protecting investors, paying taxes, trading across borders, enforcing contracts and closing a business. Data in *Doing Business 2011* are current as of June 1, 2010*. The indicators are used to analyze economic outcomes and identify what reforms have worked, where, and why.

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), the security of property from theft and looting, the transparency of government procurement, macroeconomic conditions or the underlying strength of institutions, are not studied directly by Doing Business. To make the data comparable across economies, 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 policymakers in designing reform.

The data set covers 183 economies: 46 in Sub-Saharan Africa, 32 in Latin America and the Caribbean, 25 in Eastern Europe and Central Asia, 24 in East Asia and Pacific, 18 in the Middle East and North Africa and 8 in South Asia, as well as 30 OECD high-income economies.

The following pages present the summary Doing Business indicators for Congo, Rep.. The data used for this economy profile come from the Doing Business database and are summarized in graphs. These graphs allow a comparison of the economies in each region not only with one another but also with the "good practice" economy for each indicator.

The good-practice economies are identified by their position in each indicator as well as their overall ranking and by their capacity to provide good examples of business regulation to other countries. These good-practice economies do not necessarily rank number 1 in the topic or indicator, but they are in the top 10.

More information is available in the full report. *Doing Business 2011: Making a Difference for Entrepreneurs* presents the indicators, analyzes their relationship with economic outcomes and recommends reforms. The data, along with information on ordering the report, are available on the Doing Business website (www.doingbusiness.org).

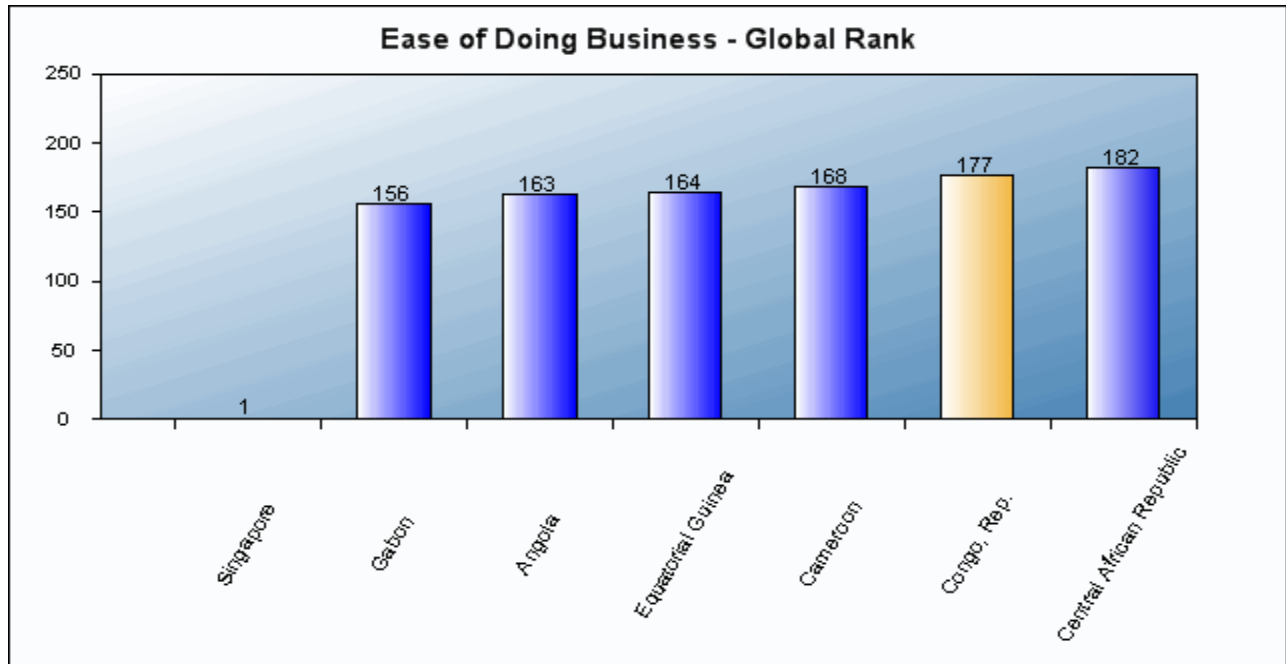
* Except for the Paying Taxes indicator that refers to the period January to December of 2009.

Note: 2008-2010 Doing Business data and rankings have been recalculated to reflect changes to the methodology and the addition of new economies (in the case of the rankings).

Economy Rankings - Ease of Doing Business

Congo, Rep. is ranked 177 out of 183 economies. Singapore is the top ranked economy in the Ease of Doing Business.

Congo, Rep. - Compared to global good practice economy as well as selected economies:



Congo, Rep.'s ranking in Doing Business 2011

Rank	Doing Business 2011
Ease of Doing Business	177
Starting a Business	176
Dealing with Construction Permits	83
Registering Property	133
Getting Credit	138
Protecting Investors	154
Paying Taxes	180
Trading Across Borders	180
Enforcing Contracts	158
Closing a Business	128

Summary of Indicators - Congo, Rep.

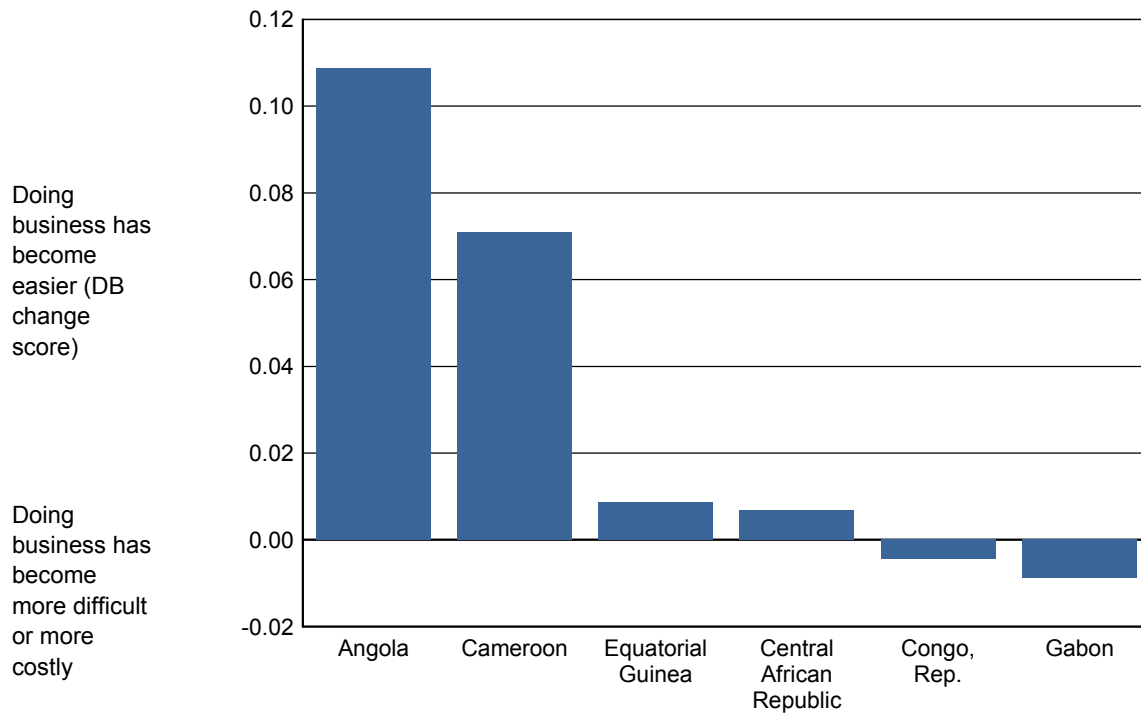
Starting a Business	Procedures (number)	10
	Time (days)	160
	Cost (% of income per capita)	111.4
	Min. capital (% of income per capita)	129.8
Dealing with Construction Permits	Procedures (number)	17
	Time (days)	169
	Cost (% of income per capita)	241.1
Registering Property	Procedures (number)	6
	Time (days)	55
	Cost (% of property value)	10.7
Getting Credit	Strength of legal rights index (0-10)	3
	Depth of credit information index (0-6)	2
	Public registry coverage (% of adults)	2.9
	Private bureau coverage (% of adults)	0.0
Protecting Investors	Extent of disclosure index (0-10)	6
	Extent of director liability index (0-10)	1
	Ease of shareholder suits index (0-10)	3
	Strength of investor protection index (0-10)	3.3
Paying Taxes	Payments (number per year)	61
	Time (hours per year)	606
	Profit tax (%)	0.0
	Labor tax and contributions (%)	32.9
	Other taxes (%)	32.6
	Total tax rate (% profit)	65.5
Trading Across Borders	Documents to export (number)	11
	Time to export (days)	50
	Cost to export (US\$ per container)	3818
	Documents to import (number)	10
	Time to import (days)	62
	Cost to import (US\$ per container)	7709

Enforcing Contracts	Procedures (number)	44
	Time (days)	560
	Cost (% of claim)	53.2
Closing a Business	Recovery rate (cents on the dollar)	17.8
	Time (years)	3.3
	Cost (% of estate)	25

The 5 year measure of cumulative change illustrates how the business regulatory environment has changed in 174 economies from *Doing Business 2006* to *Doing Business 2011*. Instead of highlighting which countries currently have the most business friendly environment, this new approach shows the extent to which an economy's regulatory environment for business has changed compared with 5 years ago.

This snapshot reflects all cumulative changes in an economy's business regulation as measured by the Doing Business indicators-such as a reduction in the time to start a business thanks to a one-stop shop or an increase in the strength of investor protection index thanks to new stock exchange rules that tighten disclosure requirements for related-party transactions.

This figure shows the distribution of cumulative change across the 9 indicators and time between *Doing Business 2006* and *Doing Business 2011*



Many economies have undertaken reforms to smooth the starting a business process in stages—and often as part of a larger regulatory reform program. A number of studies have shown that among the benefits of streamlining the process to start a business have been greater firm satisfaction and savings and more registered businesses, financial resources and job opportunities. Economies with higher entry costs are associated with a larger informal sector and a smaller number of legally registered firms.

Some reform outcomes

In Egypt reductions of the minimum capital requirement in 2007 and 2008 led to an increase of more than 30% in the number of limited liability companies.

In Portugal creation of One-Stop Shop in 2006 and 2007 resulted in a reduction of time to start a business from 54 days to 5. In 2007 and 2008 new business registrations were up by 60% compared with 2006.

In Malaysia reduction of registration fees in 2008 led to an increase in registrations by 16% in 2009.

What does Starting a Business measure?

Procedures to legally start and operate a company (number)

- Preregistration (for example, name verification or reservation, notarization)
- Registration
- Post registration (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
- 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 prior to registration begins

Starting a Business: getting a local limited liability company up and running
Rankings are based on 4 subindicators



Case Study Assumptions

- Doing Business records all procedures that are officially required for an entrepreneur to start up and formally operate an industrial or commercial business.
- Any required information is readily available and that all agencies involved in the start-up process function without corruption.

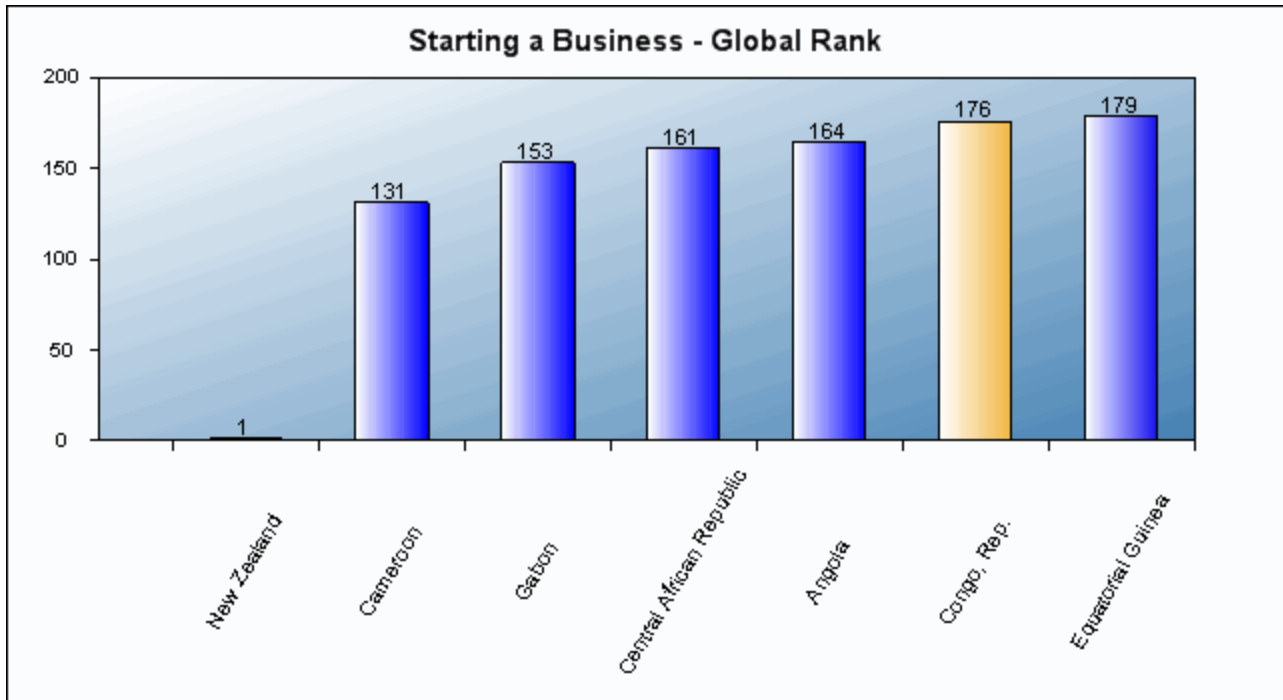
The business:

- is a limited liability company, located in the largest business city
- conducts general commercial activities
- is 100% domestically owned
- has a start-up capital of 10 times income per capita
- has a turnover of at least 100 times income per capita
- has at least 10 and up to 50 employees
- does not qualify for investment incentives or any special benefits
- leases the commercial plant and offices and is not a proprietor of real estate

1. Benchmarking Starting a Business Regulations:

Congo, Rep. is ranked 176 overall for Starting a Business.

Ranking of Congo, Rep. in Starting a Business - Compared to good practice and selected economies:



The following table shows Starting a Business data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Procedures (number)	Time (days)	Cost (% of income per capita)	Min. capital (% of income per capita)
Denmark*			0.0	
New Zealand*	1	1		0.0

<i>Selected Economy</i>				
Congo, Rep.	10	160	111.4	129.8

<i>Comparator Economies</i>				
Angola	8	68	163.0	28.7
Cameroon	6	19	51.2	191.8
Central African Republic	8	22	228.4	468.6
Equatorial Guinea	20	136	104.3	21.3
Gabon	9	58	21.9	32.7

* The following economies are also good practice economies for :

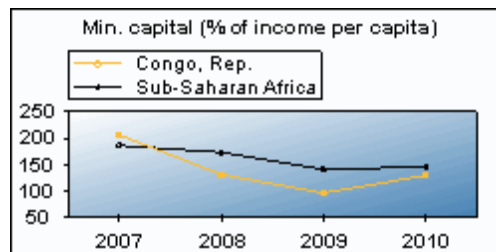
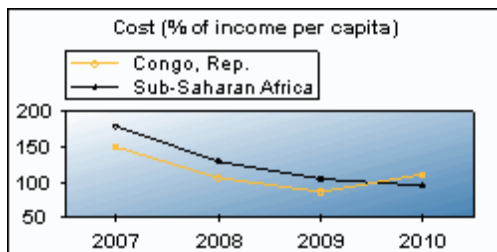
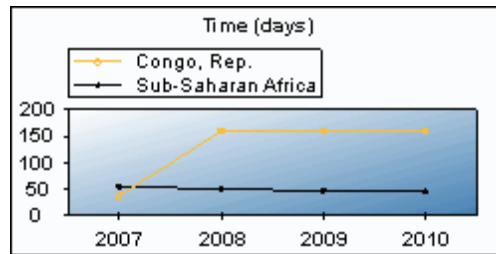
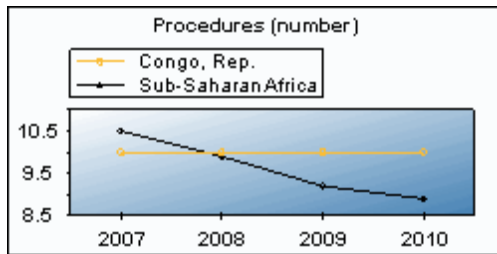
Procedures (number): **Canada**

Cost (% of income per capita): **Slovenia**

2. Historical data: Starting a Business in Congo, Rep.

Starting a Business data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	176	176
Procedures (number)	10	10	10	10
Time (days)	37	160	160	160
Cost (% of income per capita)	150.1	106.4	86.5	111.4
Min. capital (% of income per capita)	206.3	131.2	96.5	129.8

3. The following graphs illustrate the Starting a Business sub indicators in Congo, Rep. over the past 4 years:



What are the time, cost, paid-in minimum capital and number of procedures to get a local, limited liability company up and running?



This table summarizes the procedures and costs associated with setting up a business in the Republic of Congo.

STANDARDIZED COMPANY

Legal Form: Société à Responsabilité Limitée (SARL) -

Limited Liability Company

City: Brazzaville

Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Deposit the legally required capital in a bank and obtain the deposit evidence.	1	no charge
2	Draft and notarize the articles of association with the public notary	3	XAF 312,000
3	Register articles of association with tax authorities	2	XAF 254,186
4	Obtain extracts of criminal record of the company manager	1	XAF 2,000
5	Register articles of association with the commercial registrar at the Clerk's Office of the Court	1	XAF 100,000
6	Register with the Centre des Formalités des Entreprises	90	XAF 130,000
7	Register with the tax authorities	30	XAF 10,000
8	Publish the notice of company formation in a legal journal	4	XAF 50,000

9	* Notify the Ministry of Labor (ONEMO) of the start of operations	2	no charge
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10	* Register with the Social Security Authorities	30	no charge
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* Takes place simultaneously with another procedure.

Starting a Business Details - Congo, Rep.

Procedure	1	Deposit the legally required capital in a bank and obtain the deposit evidence.
Time to complete:	1	
Cost to complete:	no charge	
Comment:	The bank account deposit is only formalized after presentation of the RCCM, the Carte de Commerçant and the NUI. So in practice the minimum capital requirement is deposited with the notary.	
Procedure	2	Draft and notarize the articles of association with the public notary
Time to complete:	3	
Cost to complete:	XAF 312,000	
Comment:	The notary legalizes the articles of association. The entrepreneur pays a registration tax to the notary equivalent to 3% of the initial capital. In addition, notary fees range from XAF 300,000 to XAF 500,000, and stamps fees are about XAF 12,000 (XAF 1,200/page, assuming 10 pages). The notary also issues the authenticated declaration of subscription and payment, which confirms that the entire initial capital has been deposited at the bank. Companies may choose to have the notary draft the articles of association. In this case, the articles would be drafted before the initial capital is deposited. The entrepreneur would then return to the notary to obtain the declaration of subscription (Déclaration notariée de souscription et de versement).	
Procedure	3	Register articles of association with tax authorities
Time to complete:	2	
Cost to complete:	XAF 254,186	
Comment:	Annexes are: 1) declaration de souscription (2-3 pages) 10,000 XAF + Stamps 1200 FCFA/page + VAT of 18% on the notary fees (18% des 300,000 XAF); 2) Bulletin de souscription = 10,000 XAF + stamp (1 page); 3) PV to nominate the director of the LLC = 10,000 XAF; 4) centimes additionnels de 5% (18% X 300,000); 5) the articles of association + stamps depending on the number of pages	
Procedure	4	Obtain extracts of criminal record of the company manager
Time to complete:	1	
Cost to complete:	XAF 2,000	
Comment:	This formality is done with the Court of First Instance.	
Procedure	5	Register articles of association with the commercial registrar at the Clerk's Office of the Court
Time to complete:	1	
Cost to complete:	XAF 100,000	

Comment: To register the articles of association with the Commercial Registrar, the following documents are required:

- Identification of managers.
- Criminal record of the managers.
- Lease (copy).
- Notarized articles of association.

Procedure 6 Register with the Centre des Formalités des Entreprises

Time to complete: 90

Cost to complete: XAF 130,000

Comment: The Centre des Formalités des Entreprises (CFE) is a one-stop shop that centralizes several registration procedures. By registering with the CFE, the firm obtains its merchant card (La Carte de Commerçant) and is registered with the Chamber of Commerce and the Centre National de la Statistique et des Études Économiques (CNSEE). Although the CFE also organizes commercial registration at the court, in practice, it is faster for companies to register directly with the court. Since there are a lot of formalities, it is taking a very long time to obtain the "Carte de commerçant".

Fees include:

- Registration with the CNSEE: XAF 10,000.
- Registration with Chamber of Commerce: XAF 10,000.
- Merchant card: XAF 15,000.
- Registration with the CFE: XAF 10,000.

Procedure 7 Register with the tax authorities

Time to complete: 30

Cost to complete: XAF 10,000

Comment: The LLC is registered with the CIU to obtain the NUI. Once this number is obtained, then the payment of the patente can be done. Time to obtain this NUI is very long and can take up to a month.

Procedure 8 Publish the notice of company formation in a legal journal

Time to complete: 4

Cost to complete: XAF 50,000

Comment: Notice of company formation can be published, either in (a) the Official Gazette, with a 1-month turnaround; or (b) any legal journal, with a 1-week turnaround. The notice includes the company name, capital, and taxpayer identification number (TIN).

Procedure 9 Notify the Ministry of Labor (ONEMO) of the start of operations

Time to complete: 2

Cost to complete: no charge

Comment: Employee contracts must be certified by the labor authorities.

Procedure 10 Register with the Social Security Authorities

Time to complete: 30

Cost to complete: no charge

Comment:

To register with the Social Security Authorities, the following documents are required:

- Manager's identification
- Employees' contracts, certified by the Ministry of Labor.
- Manager's commerce card.
- Copy of the lease.
- Notarized articles of association.

Social security contributions are paid one trimester in advance at the rate of 2.8% of the employee's salary and 3.2% of the employer's earnings.

In many economies, especially developing ones, complying with building regulations is so costly in time and money that many builders opt out. Builders may pay bribes to pass inspections or simply build illegally, leading to hazardous construction. Where the regulatory burden is large, entrepreneurs may tend to move their activity into the informal economy. There they operate with less concern for safety, leaving everyone worse off. In other economies compliance is simple, straightforward and inexpensive, yielding better results.

Some reform outcomes

In Burkina Faso, a one-stop shop for construction permits, "Centre de Facilitation des Actes de Construire", was opened in May 2008. The new regulation merged 32 procedures into 15, reduced the time required from 226 days to 122 and cut the cost by 40%. From May 2009 to May 2010 611 building permits were granted in Ouagadougou, up from an average of about 150 a year in 2002-06.

Toronto, Canada revamped its construction permitting process in 2005 by introducing time limits for different stages of the process and presenting a unique basic list of requirements for each project. Later it provided for electronic information and risk-based approvals with fast-track procedures. Between 2005 and 2008 the number of commercial building permits increased by 17%, the construction value of new commercial buildings by 84%.

What does the Dealing with Construction Permits indicator measure?

Procedures to legally build a warehouse (number)

- Submitting all relevant documents and obtaining all necessary clearances, licenses, permits and certificates
- Completing all required notifications and receiving all necessary inspections
- Obtaining utility connections for electricity, water, sewerage and a land telephone line
- Registering the warehouse after its completion (if required for use as collateral or for transfer of warehouse)

Time required to complete each procedure (calendar days)

- Does not include time spent gathering information
- Each procedure starts on a separate 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

Case Study Assumptions

The business:

- is a small to medium-size limited liability company in the construction industry, located in the economy's largest business city
- is 100% domestically and privately owned and operated
- has 60 builders and other employees
- has at least one employee who is a licensed architect and registered with the local association of architects

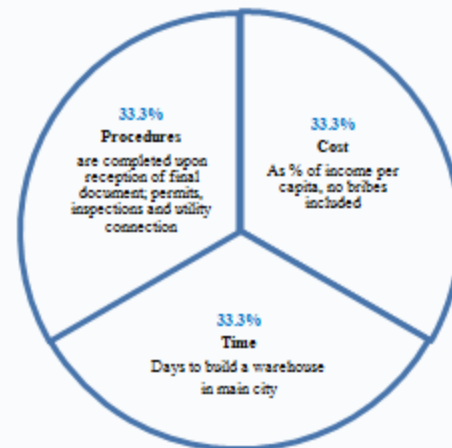
The warehouse:

- is a new construction (there was no previous construction on the land)
- has 2 stories, both above ground, with a total surface of approximately 1,300.6 sq. meters (14,000 sq. feet)
- has complete architectural and technical plans prepared by a licensed architect
- will be connected to electricity, water, sewerage (sewage system, septic tank or their equivalent) and a land telephone line
- will be used for general storage of non-hazardous goods, such as books
- will take 30 weeks to construct (excluding all delays due to administrative and regulatory requirements)

Dealing with Construction Permits:

Building a warehouse

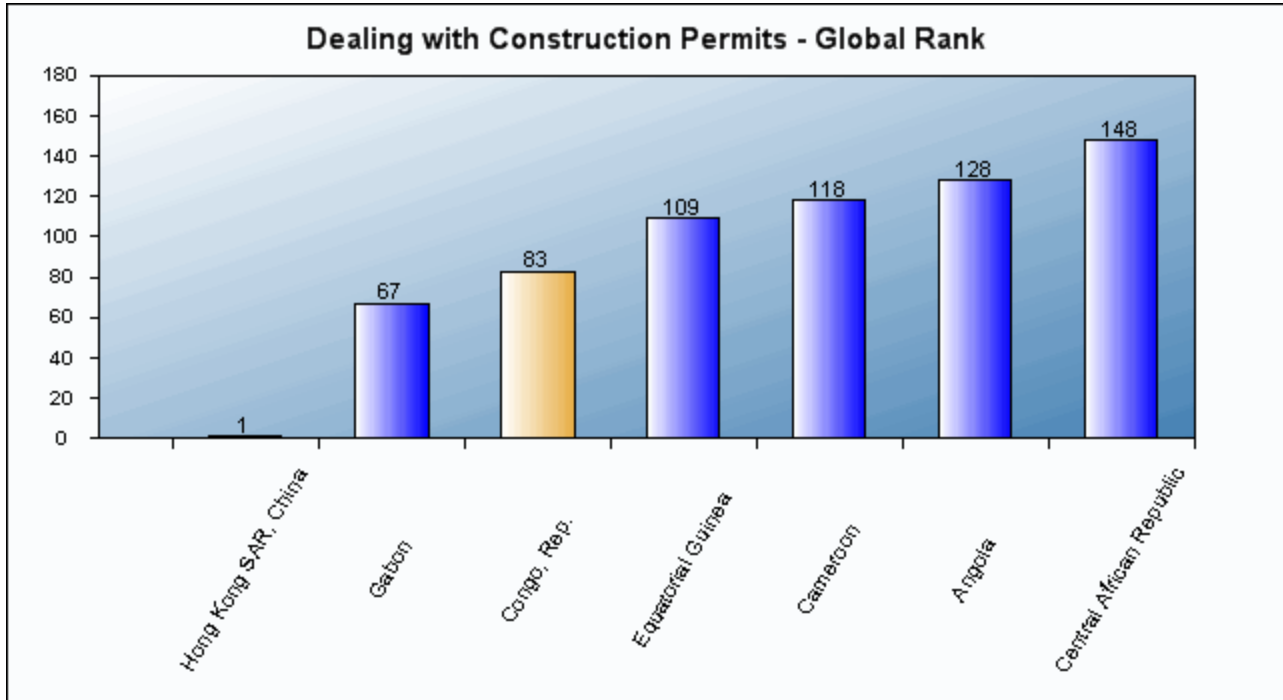
Rankings are based on 3 subindicators



1. Benchmarking Dealing with Construction Permits Regulations:

Congo, Rep. is ranked 83 overall for Dealing with Construction Permits.

Ranking of Congo, Rep. in Dealing with Construction Permits - Compared to good practice and selected economies:



The following table shows Dealing with Construction Permits data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Procedures (number)	Time (days)	Cost (% of income per capita)
Denmark	6		
Qatar			0.8
Singapore		25	

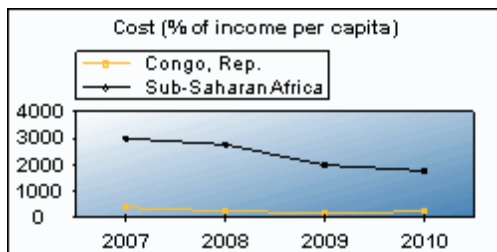
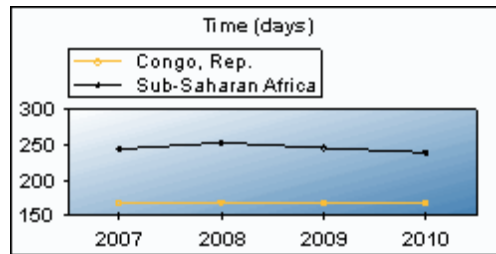
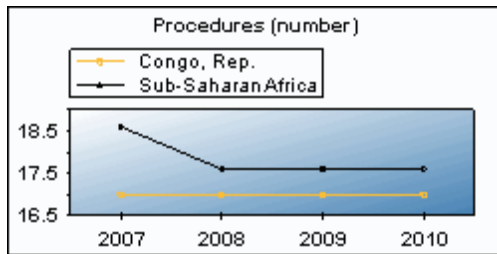
<i>Selected Economy</i>			
Congo, Rep.	17	169	241.1

<i>Comparator Economies</i>			
Angola	12	328	694.3
Cameroon	14	213	1235.8
Central African Republic	21	239	259.5
Equatorial Guinea	18	201	220.7
Gabon	16	210	42.9

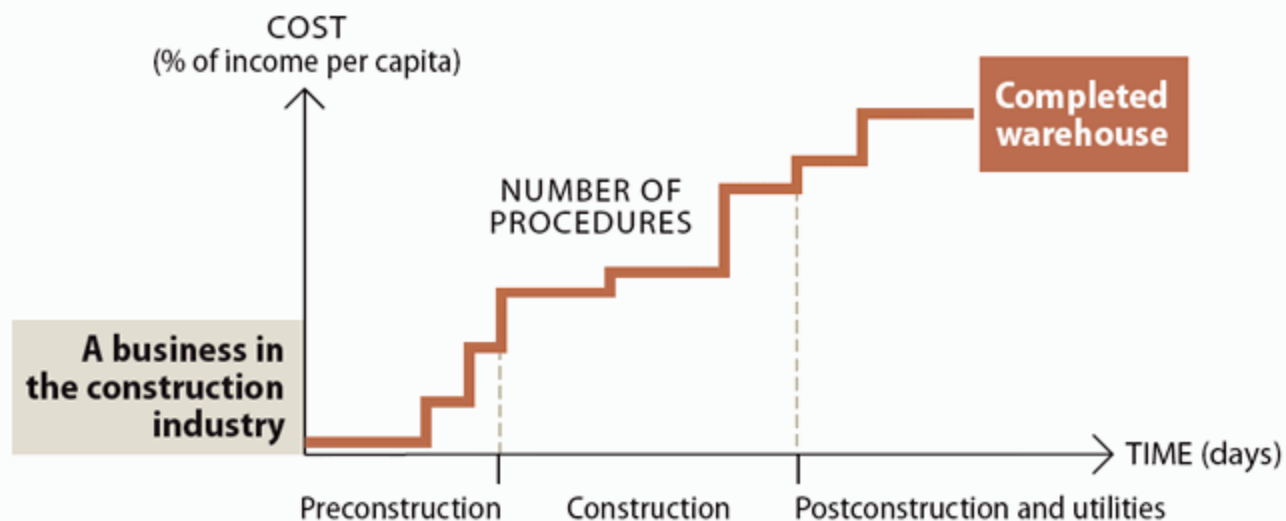
2. Historical data: Dealing with Construction Permits in Congo, Rep.

Dealing with Construction Permits data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	77	83
Procedures (number)	17	17	17	17
Time (days)	169	169	169	169
Cost (% of income per capita)	383.3	243.8	179.3	241.1

3. The following graphs illustrate the Dealing with Construction Permits sub indicators in Congo, Rep. over the past 4 years:



What are the time, cost and number of procedures to comply with formalities to build a warehouse?



The table below summarizes the procedures, time, and costs to build a warehouse in the Republic of Congo.

BUILDING A WAREHOUSE

City: Brazzaville

Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Obtain survey map	3 days	XAF 50,000
2	Obtain a geotechnical study	10 days	XAF 1,000,000
3	Submit the building permit application	60 days	no charge
4	Obtain a building permit and pay the fees	1 day	XAF 450,000
5	Receive an inspection from the Ministry of construction	1 day	no charge
6	Receive an inspection from the Municipality	1 day	no charge
7	Receive an inspection from the fire department	1 day	no charge
8	Obtain a certificate de conformite de l'electricite	14 days	XAF 130,000

9	Apply for connection to water mains	1 day	no charge
10	Receive inspection for purposes of drawing up the estimate	7 days	no charge
11	Connection to water mains	70 days	XAF 73,200
12 *	Apply for connection to the electricity mains	1 day	XAF 7,000
13	Receive inspection for purposes of drawing up the estimate	1 day	no charge
14	Connect to electricity mains	20 days	XAF 60,436
15 *	Apply for a telephone line	1 day	XAF 4,165
16	Receive inspection for purposes of drawing up the estimate	3 days	no charge
17	Obtain installation of telephone line	14 days	XAF 83,230

* Takes place simultaneously with another procedure.

Dealing with Construction Permits Details - Congo, Rep.

Procedure 1 Obtain survey map

Time to complete: 3 days

Cost to complete: XAF 50,000

Agency: Survey Department (Direction des Cadastres)

Comment: In Brazzaville, a normal lot is 400m², and for the size of the lot in the case study, this will be 2 lots and the cost per lot is 25, 000 XAF. Total cost to obtain the cadastral map is 50 000 XAF.

Procedure 2 Obtain a geotechnical study

Time to complete: 10 days

Cost to complete: XAF 1,000,000

Agency: BCBTP

Comment: This is the only agency to do this type of study. For the purpose of this case study, there will be “2 points de sondage”. This study is mandatory to enable the civil engineer to do the foundation plan (Plan de beton arme or BA). This study will also be submitted with the request for a building permit

Procedure 3 Submit the building permit application

Time to complete: 60 days

Cost to complete: no charge

Agency: Mayor’s Office, Brazzaville

Comment: The building permit is obtained after notifying the cadastre and curator (conservateur). The required documents to obtain a building permit are the following - Occupation permit or land title. - Survey abstract. - Very large-scale boundary plan, drawn up by the Lands and Survey Department (Direction du Cadastre et de la Topographie). - Sketches and drawings of the proposed works, produced by an architect or a certified draftsman. - Building permit application (handwritten). - Authorization for the cutting and clearing of trees, if necessary. - Certification of party walls (walls shared by tenants of adjoining buildings). - A certified undertaking to build and maintain streets adjoining the elevations. Once deposited at the municipality, the file will be internally transmitted to the Ministry of Construction, urbanism and Habitat for technical analysis of the request. Within 1 -2 weeks, the Ministry will deliver the Accord préalable for an amount of 25, 000 XAF. This Ministry will conduct an onsite visit and once the final approval is apposed on the file, it will be transmitted back to the Municipality for the delivery of the final permit.

Procedure 4 Obtain a building permit and pay the fees

Time to complete: 1 day

Cost to complete: XAF 450,000

Agency: Mayor’s Office, Brazzaville

Comment: Payment is done at the municipality only after when the permit is approved. 450,000 XAF for the Commune de Brazzaville and 25,000 for the Ministry of Construction, Urbanisme and Habitat

Procedure 5 Receive an inspection from the Ministry of construction

Time to complete: 1 day

Cost to complete: no charge

Agency: Ministry of Construction, Urbanisme, Habitat

Comment:

Procedure 6 Receive an inspection from the Municipality

Time to complete: 1 day

Cost to complete: no charge

Agency: Mayor's Office, Brazzaville

Comment: The contractor must inform the Municipality when the foundation is being done, so that a team can inspect that the foundation is done according to the plan de Beton Arme. This is the only inspection done by the Municipality.

Procedure 7 Receive an inspection from the fire department

Time to complete: 1 day

Cost to complete: no charge

Agency: Firedepartment of Brazzaville

Comment: This is a mandatory requirement for safety purposes. A simple phone call and the fire department will visit the construction regularly (nothing is scheduled and there not a lot of inspections). A certificat de conformite will be delivered at the end of the construction by the Fire department.

Procedure 8 Obtain a certificate de conformite de l'electricite

Time to complete: 14 days

Cost to complete: XAF 130,000

Comment: The inspection is necessary to check that the electrical work is in accordance to the plan and is done in two steps: There is one inspection and then a contre-expertise to ensure that the first inspection was properly done. This is done by a private company.

Procedure 9 Apply for connection to water mains

Time to complete: 1 day

Cost to complete: no charge

Agency: Société Nationale de Distribution d'Eau

Comment:

Procedure 10 Receive inspection for purposes of drawing up the estimate

Time to complete: 7 days

Cost to complete: no charge

Agency: Société Nationale de Distribution d'Eau

Comment: A cost estimate (devis) is needed for both electricity and water.

Procedure 11 Connection to water mains

Time to complete: 70 days

Cost to complete: XAF 73,200

Agency: Société Nationale de Distribution d'Eau

Comment:

- Study = 5,000 XAF
- Connection = 25, 000 XAF
- Fixed cost = 28,200 XAF
- Labor = 15, 000 XAF

Procedure 12 Apply for connection to the electricity mains

Time to complete: 1 day

Cost to complete: XAF 7,000

Agency: Société Nationale d'Electricité (SNE)

Comment:

Procedure 13 Receive inspection for purposes of drawing up the estimate

Time to complete: 1 day

Cost to complete: no charge

Agency: Société Nationale d'Electricité (SNE)

Comment: The contractor may pay XAF 10,000 to cover transport expenses incurred by the building inspectors.

Procedure 14 Connect to electricity mains

Time to complete: 20 days

Cost to complete: XAF 60,436

Agency: Société Nationale d'Electricité (SNE)

Comment: The fee for electrical connection is XAF 60,436 for aerial connection or XAF 67,273 for underground connection.

Procedure 15 Apply for a telephone line

Time to complete: 1 day

Cost to complete: XAF 4,165

Agency: Congo Telecom & Communication

Comment:

Procedure 16 Receive inspection for purposes of drawing up the estimate

Time to complete: 3 days

Cost to complete: no charge

Agency: Congo Telecom & Communication

Comment:

Procedure 17 Obtain installation of telephone line

Time to complete: 14 days

Cost to complete: XAF 83,230

Agency: Congo Telecom & Communication

Comment:

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. *Doing Business* records the full sequence of procedures necessary for a business to purchase a property from another business and transfer the property title to the buyer's name. In the past 6 years 105 economies undertook 146 reforms making it easier to transfer property. Globally, the time to transfer property fell by 38% and the cost by 10% over this time. The most popular feature of property registration reform in these 6 years, implemented in 52 economies, was lowering transfer taxes and government fees.

Some reform outcomes

Georgia now allows property transfers to be completed through 500 authorized users, notably banks. This saves time for entrepreneurs. A third of people transferring property in 2009 chose authorized users, up from 7% in 2007. Also, Georgia's new electronic registry managed 68,000 sales in 2007, twice as many as in 2003.

Belarus's unified and computerized registry was able to cope with the addition of 1.2 million new units over 3 years. The registry issued 1 million electronic property certificates in 2009.

What does the Registering Property indicator measure?

Registering Property: transfer of property between 2 local companies

Rankings are based on 3 subindicators

Procedures to legally transfer title on immovable property (number)

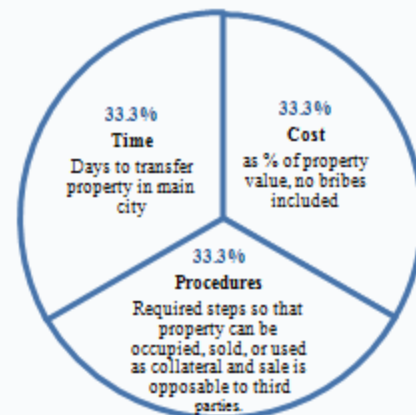
- Preregistration (for example, checking for liens, notarizing sales agreement, paying property transfer taxes)
- Registration in the economy's largest business city
- Post registration (for example, transactions with the local authority, tax authority or cadastre)

Time required to complete each procedure (calendar days)

- Does not include time spent gathering information
- Each procedure starts on a separate day
- Procedure completed once final document is received
- No prior personal 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



Case Study Assumptions

The parties (buyer and seller):

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

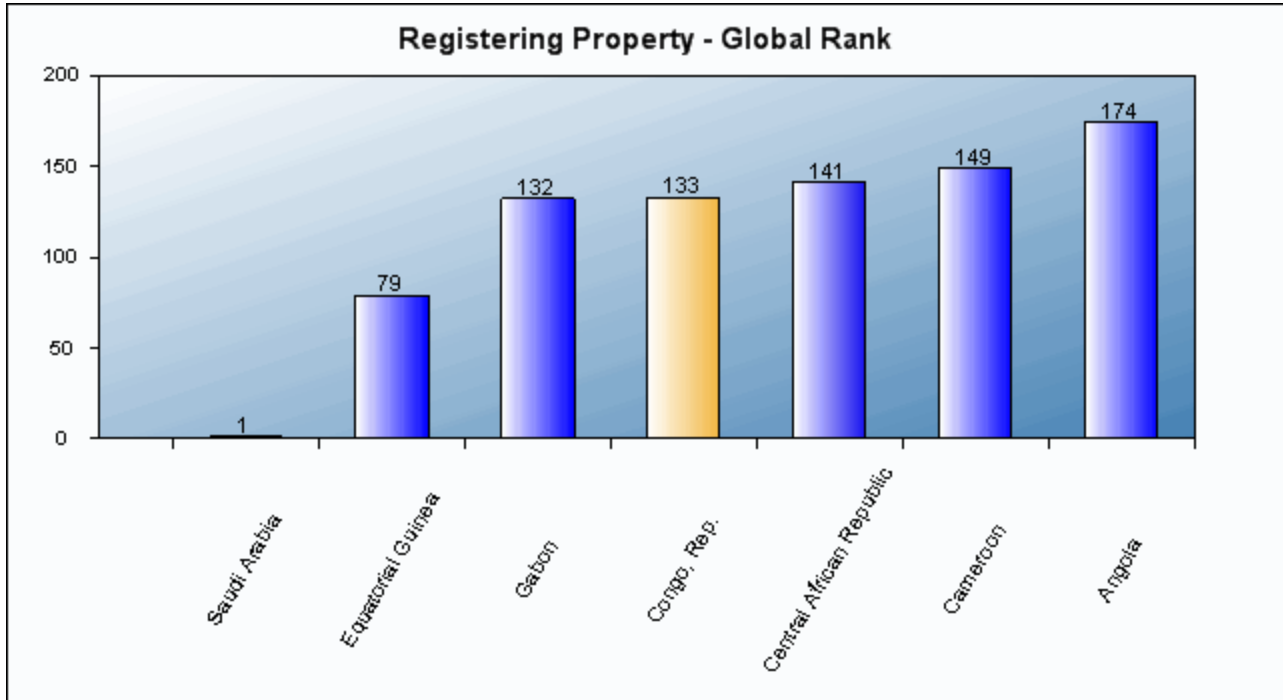
The property (fully owned by the seller):

- Has a value of 50 times income per capita. The sale price equals the value.
- Has no mortgages attached and has been under the same ownership for the past 10 years.
- Is registered in the land registry or cadastre, or both, and is free of title disputes.
- Is located in a periurban commercial zone, and no rezoning is required.
- Consists of a 557.4 square meters (6,000 square feet) land and 10 years old 2-story warehouse of 929 square meters (10,000 square feet) located on the land. The warehouse is in good condition and complies with all safety standards, building codes and legal requirements. The property will be transferred in its entirety.

1. Benchmarking Registering Property Regulations:

Congo, Rep. is ranked 133 overall for Registering Property.

Ranking of Congo, Rep. in Registering Property - Compared to good practice and selected economies:



The following table shows Registering Property data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Procedures (number)	Time (days)	Cost (% of property value)
New Zealand*		2	
Norway*	1		
Saudi Arabia			0.0

<i>Selected Economy</i>			
Congo, Rep.	6	55	10.7

<i>Comparator Economies</i>			
Angola	7	184	11.5
Cameroon	5	93	19.3
Central African Republic	5	75	18.5
Equatorial Guinea	6	23	6.3
Gabon	7	39	10.5

* The following economies are also good practice economies for :

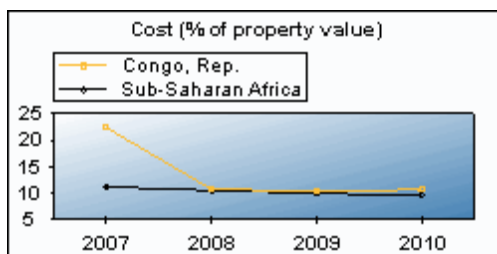
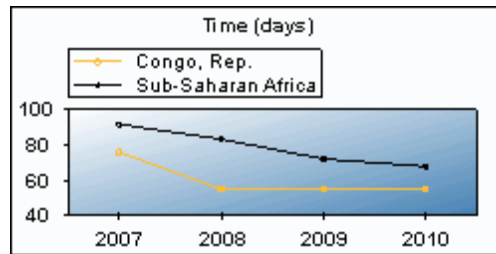
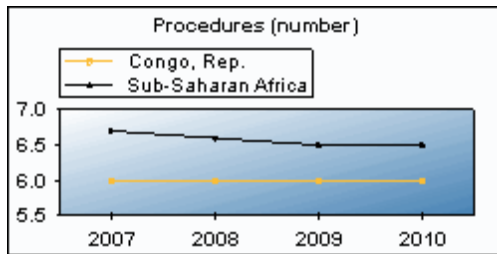
Procedures (number): United Arab Emirates

Time (days): Saudi Arabia, Thailand, United Arab Emirates

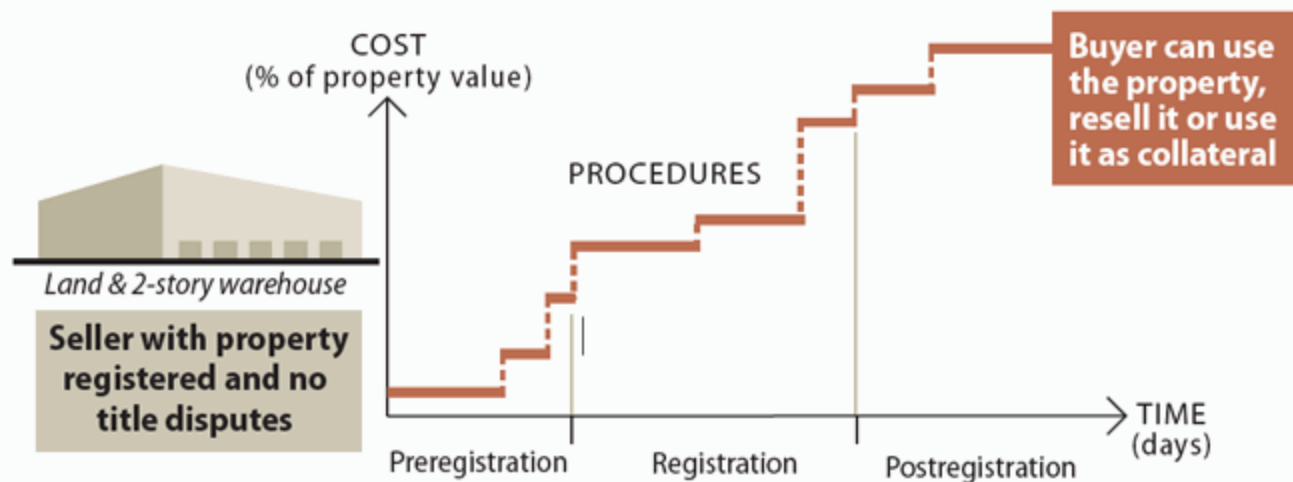
2. Historical data: Registering Property in Congo, Rep.

Registering Property data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	126	133
Procedures (number)	6	6	6	6
Time (days)	76	55	55	55
Cost (% of property value)	22.4	10.8	10.3	10.7

3. The following graphs illustrate the Registering Property sub indicators in Congo, Rep. over the past 4 years:



What are the time, cost and number of procedures required to transfer a property between 2 local companies?



This topic examines the steps, time, and cost involved in registering property in the Republic of Congo.

STANDARDIZED PROPERTY

Property Value: 38,530,988.99

City: Brazzaville

Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Sale agreement ("protocole de vente") is signed by parties at Cadaster	2 days	10,000 FCFA
2	Evaluation of the property ("enquete parcellaire")	21 days	50 FCFA per square meter
3	The notary checks for encumbrances on the property (land and building)	2 days	20,000 FCFA
4	Notary drafts the sale agreement and both parties sign	1 day	Notary fees on a sliding scale 0 to 5 000 000 7%5 000 001 to 20 000 000 5%20 000 001 to 50 000 000 3%50 000 001 to 100 000 000 2%100 000 001 and over 0.50%

5	Register the sale agreement with the Property Registry	1 day	5% property value (registration fee) + 5% of the registration fee + 0.5% property value (transfer tax) + 0.2% Frais de conservation + Frais de depot 10,000 CFA + Publication fees 10, 000 CFA + Frais d'ordonnance 10, 000 CFA + Transcription fees 5,000 CFA + Copy fees 10,000 CFA + Stamp duty 1300 CFA/page (maximum of 6 pages and the notary must do 4 copies of the sale agreement = 6 *4 *1300)
6	Land title is prepared and issued to the new owner	28 days	(included in procedure 5)

Registering Property Details - Congo, Rep.

Procedure	1	Sale agreement ("protocole de vente") is signed by parties at Cadaster
Time to complete:		2 days
Cost to complete:		10,000 FCFA
Agency:		Departement des affaires foncieres, du cadastre et de la topographie
Comment:		Both buyer and seller must go first to the Cadastre and sign a protocol de vente, without mentioning the sale price. The Cadastre will make sure that the buyer is the rightful owner and is entitled to sell this property.
Procedure	2	Evaluation of the property ("enquete parcellaire")
Time to complete:		21 days
Cost to complete:		50 FCFA per square meter
Agency:		Cadastre
Comment:		The cadastre will do the evaluation of the property (enquete parcellaire) to draw a 'plan de bornage' or delimitation of the land. The cost at 50 CFA/square meter was fixed by the Law No 4-2007 of May 11, 2007 (Financial Law).
Procedure	3	The notary checks for encumbrances on the property (land and building)
Time to complete:		2 days
Cost to complete:		20,000 FCFA
Agency:		Property Registry (Conservation Fonciere)
Comment:		The notary will check for encumbrances at the Conservation Fonciere and obtain a certificate "de non-inscription d'hypotheques". The cost is fixed by the Art.94. Régime de la propriété foncière - Loi n°17-2000 du 30 décembre 2000 (2000 CFA/year)
Procedure	4	Notary drafts the sale agreement and both parties sign
Time to complete:		1 day
Cost to complete:		Notary fees on a sliding scale 0 to 5 000 000 7%5 000 001 to 20 000 000 5%20 000 001 to 50 000 000 3%50 000 001 to 100 000 000 2%100 000 001 and over 0.50%
Comment:		The parties can draw the sale agreement among themselves, but this sale agreement must be notarize. Therefore most parties will retain the services of a notary to draw the sale agreement.
Procedure	5	Register the sale agreement with the Property Registry

Time to complete:	1 day
Cost to complete:	5% property value (registration fee) + 5% of the registration fee + 0.5% property value (transfer tax) + 0.2% Frais de conservation + Frais de depot 10,000 CFA + Publication fees 10, 000 CFA + Frais d'ordonnance 10, 000 CFA + Transcription fees 5,000 CFA + Copy fees 10,000 CFA + Stamp duty 1300 CFA/page (maximum of 6 pages and the notary must do 4 copies of the sale agreement = 6 *4 *1300)
Agency:	Property Registry (Conservation Fonciere)
Comment:	The Conservateur will check the file and transmit it to one colleague to calculate if all costs are accurate

Procedure 6 Land title is prepared and issued to the new owner

Time to complete:	28 days
Cost to complete:	(included in procedure 5)
Agency:	Property Registry (Conservation Fonciere)
Comment:	<p>The Land registrar (conservateur des titres fonciers) will change the name on the property title ("transcription") and issue a copy of the land title ("Titre Foncier") to the Limited Liability Company and keep the technical file.</p> <p>First-time registrations only will be published as a legal announcement in the Semaine Africaine. According to the law, 17/200 du 30 decembre 2000, article 93 -94, only first time registration ("immatriculation") is subject to a publication as a legal notice in the newspaper(La Semaine Africaine). This announcement is made by the Conservateur and there is a two months wait period to receive any disputes to the registration. After this period the registrar writes a certificate of contestation or no contestation and gives the relevant file to the president of the court in the area where the property is located. In case of no contestation, the president of said court orders the registration and the transcription of the rights of the buyer to the property. After publication, the land title is prepared and issued in the name of the Company.</p> <p>Official cost for publication is FCFA 20,000</p>

Through two sets of indicators, *Doing Business* assesses the legal rights of borrowers and lenders with respect to secured transactions and the sharing of credit information. The depth of credit information index measures rules and practices affecting the coverage, scope and accessibility of credit information available through either a public credit registry or a private credit bureau. Credit information systems mitigate the ‘information asymmetry’ in lending and enable lenders to view a borrower’s financial history (positive or negative), providing them with valuable information to consider when assessing risk. Credit information systems benefit borrowers as well, allowing good borrowers to establish a reputable credit history which will enable them to access credit more easily. The Legal Rights Index measures the degree to which collateral and bankruptcy laws protect the rights of borrowers and lenders and thus facilitate lending. Sound collateral laws will enable businesses to use their assets, especially movable property, as security to generate capital while having strong creditor’s rights has been associated with higher ratios of private sector credit to GDP.

Some reform outcomes

After Vietnam’s new Civil Code was enacted in 2005, a decree further clarified the provisions governing secured transactions. Since the inclusion of the new provisions, the number of registrations increased from 43,000 (2005) to 120,000 (end of 2008).

In 2008, when Zambia established a private credit bureau, its database initially covered about 25,000 borrowers. Thanks to a strong communication campaign and a central bank directive, coverage has grown 10-fold in the past 2 years, exceeding 200,000 by the beginning of 2010.

What do the Getting Credit indicators measure?

Strength of legal rights index (0–10)

- Protection of rights of borrowers and lenders through collateral laws
- Protection of secured creditors’ rights through bankruptcy laws

Depth of credit information index (0–6)

- Scope and accessibility of credit information distributed by public credit registries and private credit bureaus

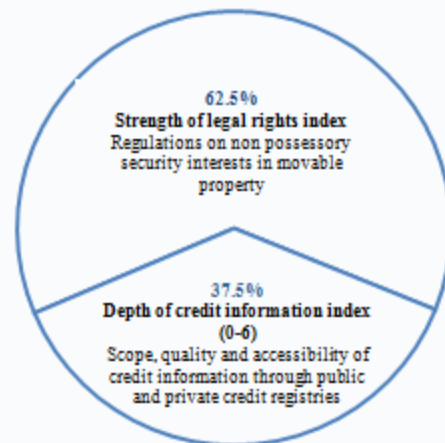
Public credit registry coverage (% of adults)

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

Private credit bureau coverage (% of adults)

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

Getting Credit: collateral rules and credit information



Note: Private bureau coverage and public credit registry coverage are measured but do not count for the rankings.

Case Study Assumptions (applying to the Legal Rights Index only)

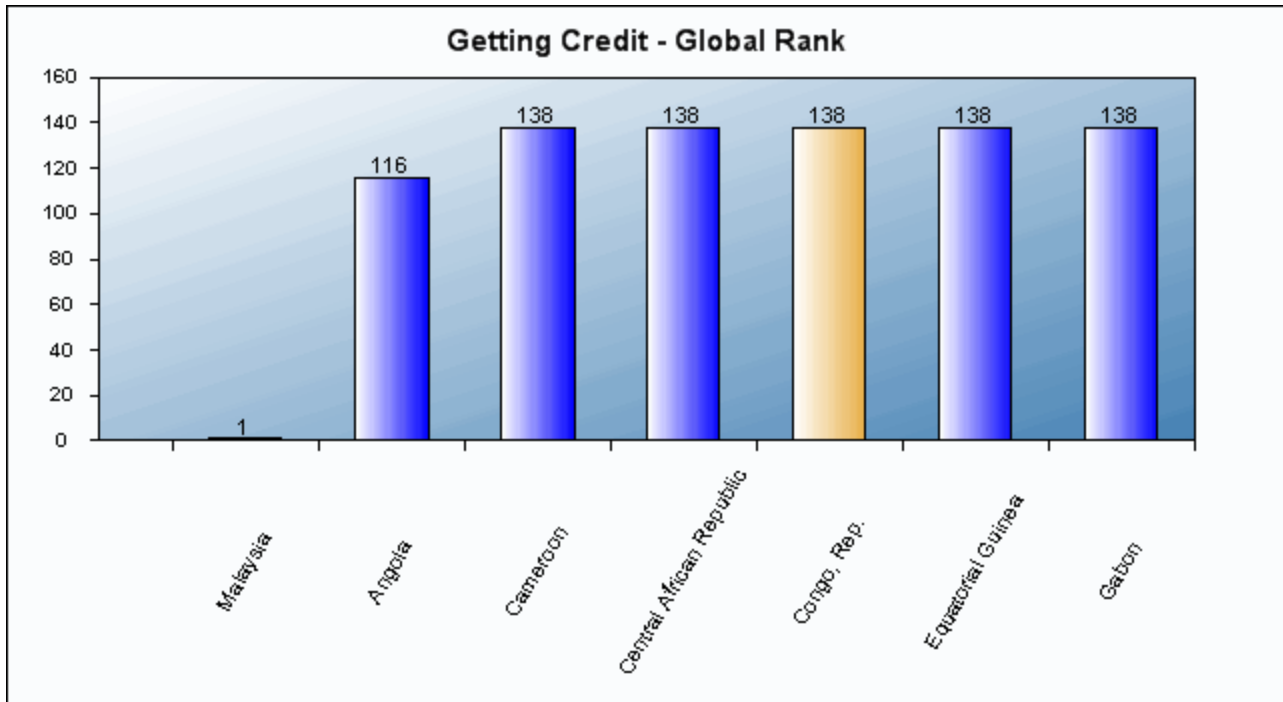
The Debtor

- is a Private Limited Liability Company
- has its Headquarters and only base of operations in the largest business city
- obtains a loan from a local bank (the Creditor) for an amount up to 10 times income (GNI) per capita
- Both creditor and debtor are 100% domestically owned.

1. Benchmarking Getting Credit Regulations:

Congo, Rep. is ranked 138 overall for Getting Credit.

Ranking of Congo, Rep. in Getting Credit - Compared to good practice and selected economies:



The following table shows Getting Credit data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Strength of legal rights index (0-10)	Depth of credit information index (0-6)	Public registry coverage (% of adults)	Private bureau coverage (% of adults)
New Zealand*				100.0
Portugal			67.1	
Singapore*	10			
United Kingdom		6		

<i>Selected Economy</i>				
Congo, Rep.	3	2	2.9	0.0

<i>Comparator Economies</i>				
Angola	4	3	2.4	0.0
Cameroon	3	2	2.9	0.0
Central African Republic	3	2	2.0	0.0
Equatorial Guinea	3	2	2.5	0.0
Gabon	3	2	22.5	0.0

* The following economies are also good practice economies for :

Strength of legal rights index (0-10): Hong Kong, China, Kenya, Kyrgyz Republic, Malaysia

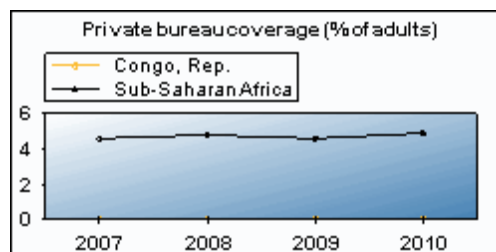
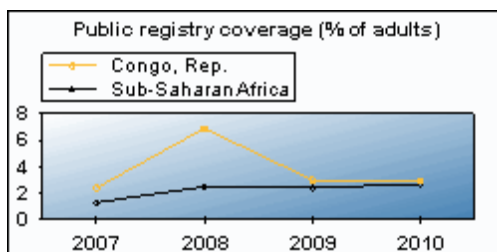
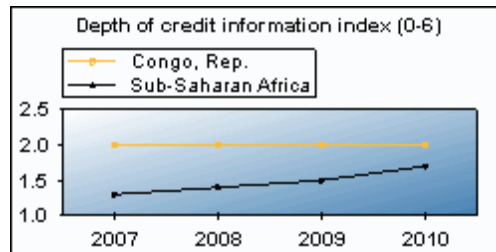
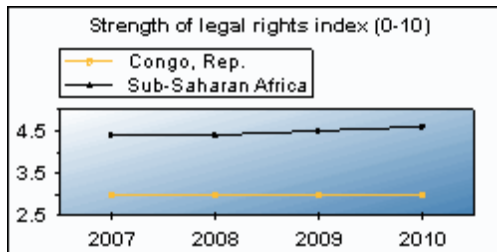
Private bureau coverage (% of adults): Argentina, Australia, Canada, Iceland, Ireland, Norway, Sweden, United Kingdom, United States

27 countries have the highest credit information index.

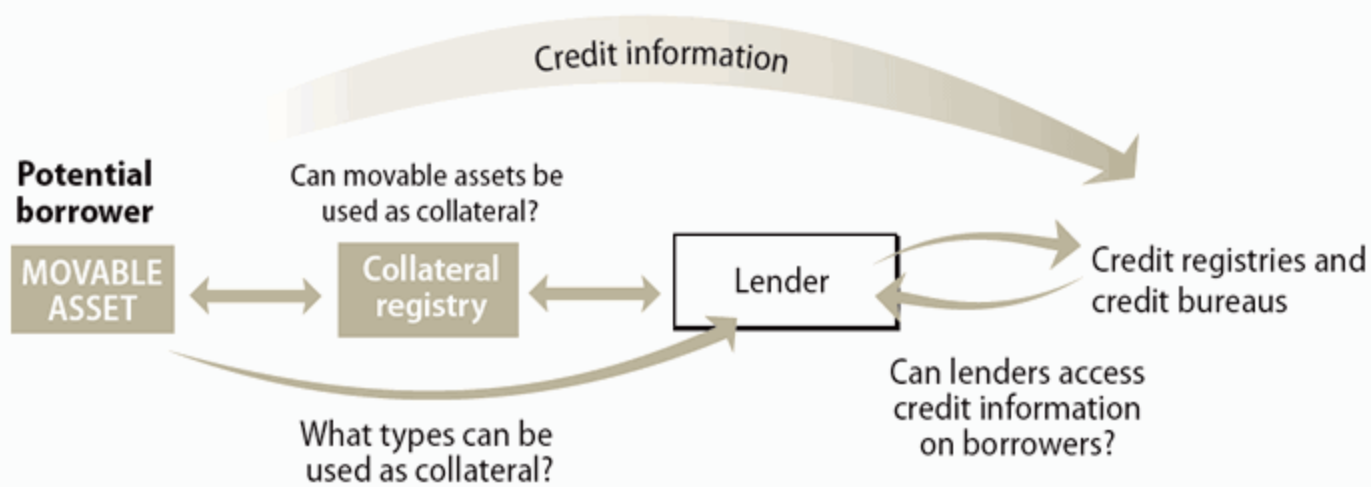
2. Historical data: Getting Credit in Congo, Rep.

Getting Credit data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	135	138
Strength of legal rights index (0-10)	3	3	3	3
Depth of credit information index (0-6)	2	2	2	2
Private bureau coverage (% of adults)	0.0	0.0	0.0	0.0
Public registry coverage (% of adults)	2.4	6.9	3.0	2.9

3. The following graphs illustrate the Getting Credit sub indicators in Congo, Rep. over the past 4 years:



**Do lenders have credit information on entrepreneurs seeking credit?
Is the law favorable to borrowers and lenders using movable assets as collateral?**



The following table summarize legal rights of borrowers and lenders, and the availability and legal framework of credit registries in the Republic of Congo.

Getting Credit Indicators (2010)			Indicator
Private bureau coverage (% of adults)	Private credit bureau	Public credit registry	2
Are data on both firms and individuals distributed?	No	Yes	1
Are both positive and negative data distributed?	No	No	0
Does the registry distribute credit information from retailers, trade creditors or utility companies as well as financial institutions?	No	No	0
Are more than 2 years of historical credit information distributed?	No	No	0
Is data on all loans below 1% of income per capita distributed?	No	Yes	1
Is it guaranteed by law that borrowers can inspect their data in the largest credit registry?	No	No	0
Coverage	0.0	2.9	
Number of individuals		0	58,232
Number of firms		0	4,060

Can any business use movable assets as collateral while keeping possession of the assets; and any financial institution accept such assets as collateral ?	Yes
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 ?	No
Is a general description of debts and obligations permitted in collateral agreements, so that all types of obligations and debts can be secured by stating a maximum amount rather than a specific amount between the parties ?	Yes
Is a collateral registry in operation, that is unified geographically and by asset type, as well as indexed by the grantor's name of a security right ?	No
Do secured creditors have absolute priority to their collateral outside bankruptcy procedures?	No
Do secured creditors have absolute priority to their collateral in bankruptcy procedures?	No
During reorganization, are secured creditors' claims exempt from an automatic stay on enforcement?	No
Does the law authorize parties to agree on out of court enforcement?	No

Stronger investor protections matter for the ability of companies to raise the capital needed to grow, innovate, diversify and compete. This is all the more crucial in times of financial crisis when entrepreneurs must navigate through defiant environments to finance their activities. Using 3 indices of investor protection, *Doing Business* measures how economies regulate a standard case of self-dealing, use of corporate assets for personal gains. Since 2005, 51 economies have strengthened investor protections as measured by *Doing Business*.

Some reform outcomes

In Indonesia, an economy that consistently improved its laws regulating investor protections, the number of firms listed on the Indonesia Stock Exchange increased from 331 to 396 between 2004 and 2009. Meanwhile, market capitalization grew from 680 trillion rupiah (\$75 billion) to 1,077 trillion rupiah (\$119 billion).

After Thailand amended its laws in 2006 and 2008, more than 85 transactions that failed to comply with the disclosure standards were suspended. Thirteen were deemed prejudicial and were therefore canceled, thus preventing damage to the companies involved and preserving their value. Companies were not deterred either, as more than 30 new companies joined the stock exchange since 2005 bringing the number of listed companies to 523.

What do the Protecting Investors indicators measure?

Extent of disclosure index (0–10)

- Who can approve related-party transactions
- Requirements for external and internal disclosure in case of related-party transactions

Extent of director liability index (0–10)

- Ability of shareholders to hold the interested party and the approving body liable in case of a prejudicial related-party transaction
- Available legal remedies (damages, repayment of profits, fines, imprisonment and rescission of the transaction)
- Ability of shareholders to sue directly or derivatively

Ease of shareholder suits index (0–10)

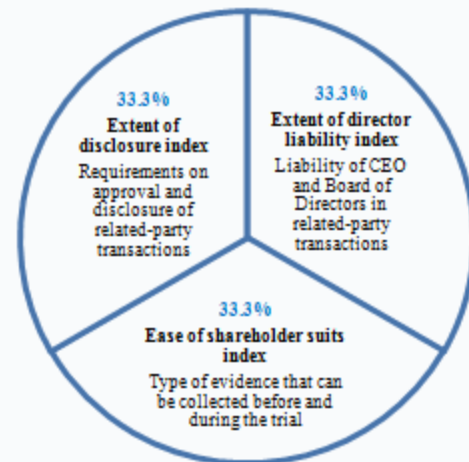
- Documents and information available during trial
- Access to internal corporate documents (directly or through a government inspector)

Strength of investor protection index (0–10)

- Simple average of the extent of disclosure, extent of director liability and ease of shareholder suits indices

Protecting Investors: minority shareholder rights in related-party transactions

Rankings are based on 3 subindicators



Case Study Assumptions

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.

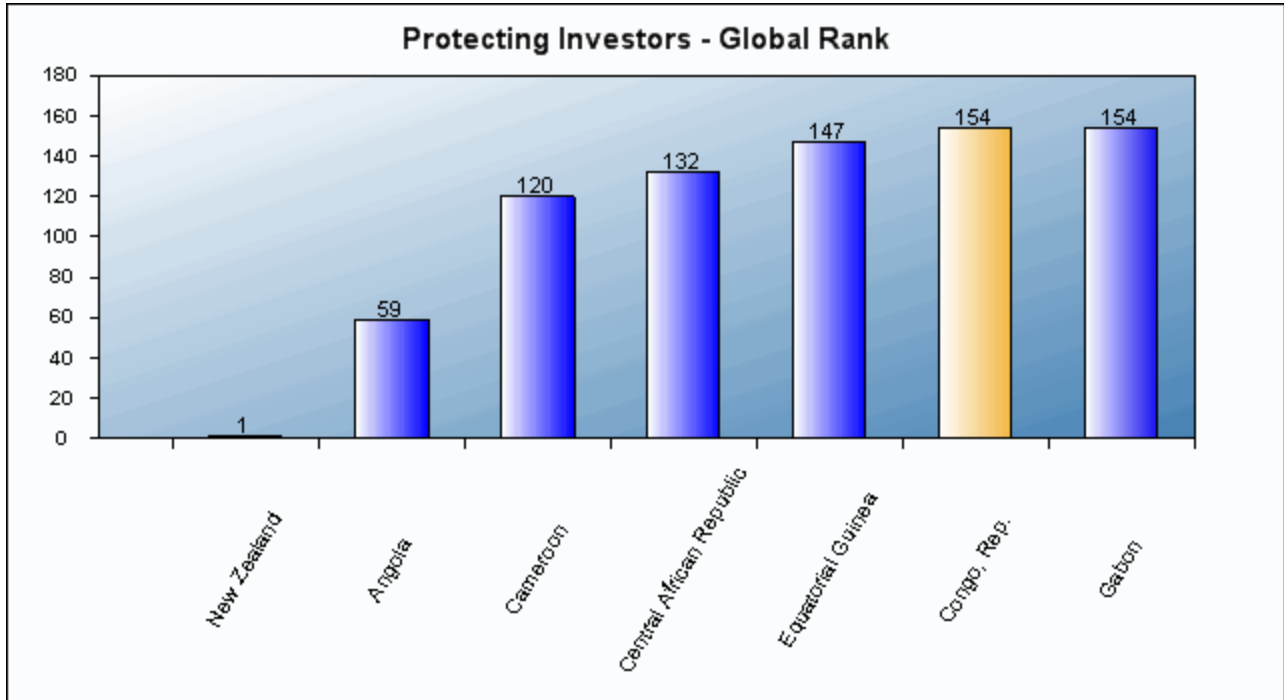
The transaction

- 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 the purchasing company.
- Shareholders sue the interested parties and the members of the board of directors.

1. Benchmarking Protecting Investors Regulations:

Congo, Rep. is ranked 154 overall for Protecting Investors.

Ranking of Congo, Rep. in Protecting Investors - Compared to good practice and selected economies:



The following table shows Protecting Investors data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Strength of investor protection index (0-10)
New Zealand	9.7

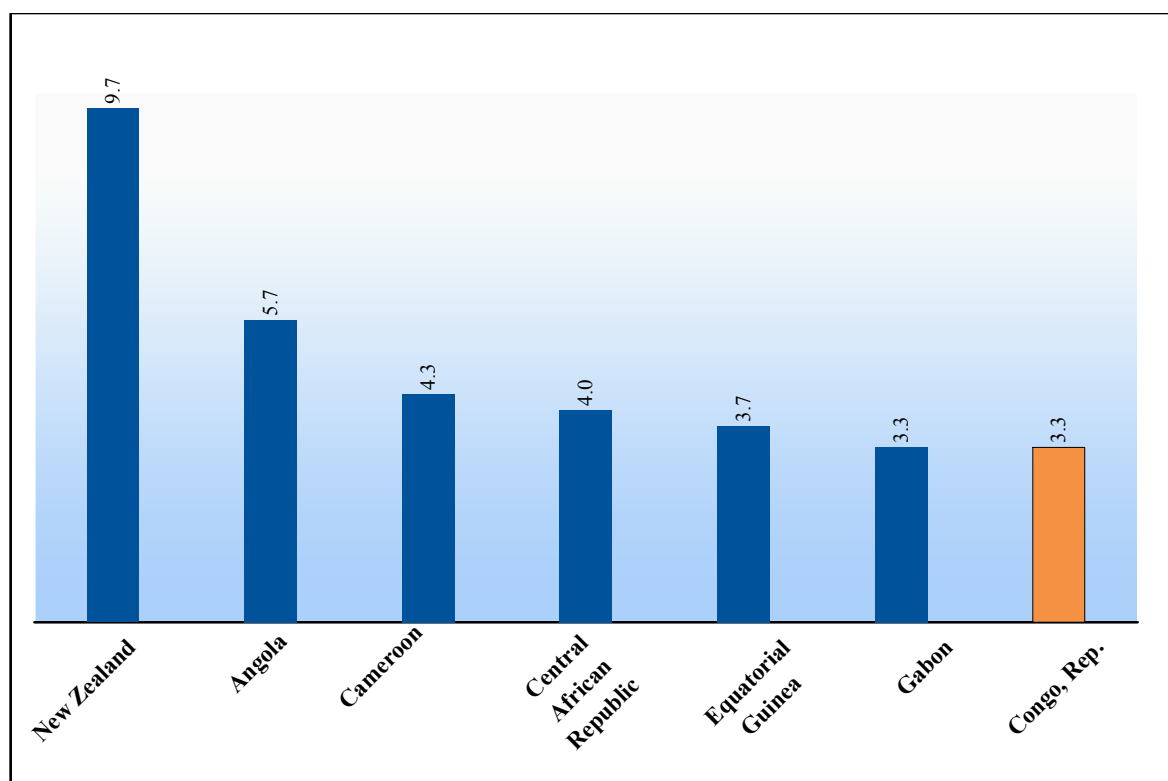
<i>Selected Economy</i>	
Congo, Rep.	3.3

<i>Comparator Economies</i>	
Angola	5.7
Cameroon	4.3
Central African Republic	4.0
Equatorial Guinea	3.7
Gabon	3.3

2. Historical data: Protecting Investors in Congo, Rep.

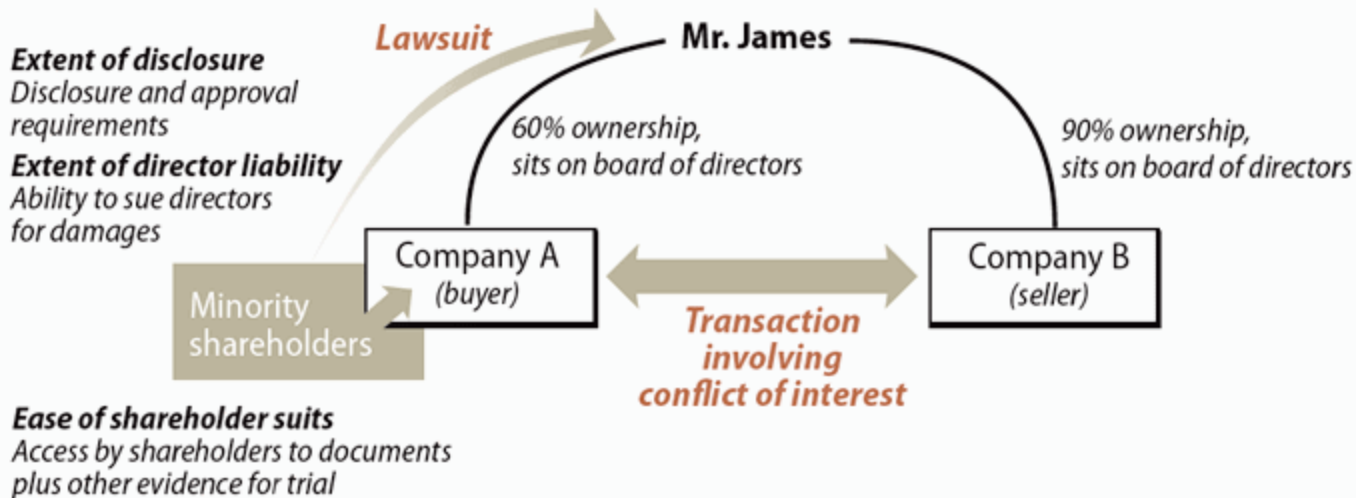
Protecting Investors data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	153	154
Strength of investor protection index (0-10)	3.3	3.3	3.3	3.3

3. The following graph illustrates the Protecting Investors index in Congo, Rep. compared to best practice and selected Economies:



Note: The higher the score, the greater the investor protection.

How well are minority shareholders protected against self-dealing in related-party transactions?



The table below provides a full breakdown of how the disclosure, director liability, and shareholder suits indexes are calculated in the Republic of Congo.

Protecting Investors Data (2010)	Indicator
Extent of disclosure index (0-10)	6
What corporate body provides legally sufficient approval for the transaction?	3
Whether immediate disclosure of the transaction to the public and/or shareholders is required?	0
Whether disclosure of the transaction in published periodic filings (annual reports) is required?	2
Whether disclosure of the conflict of interest by Mr. James to the board of directors is required?	1
Whether an external body must review the terms of the transaction before it takes place?	0
Extent of director liability index (0-10)	1
Whether shareholders can hold Mr. James liable for the damage that the Buyer-Seller transaction causes to the company?	0
Whether shareholders can hold the approving body (the CEO or board of directors) liable for the damage that the Buyer-Seller transaction causes to the company?	0
Whether a court can void the transaction upon a successful claim by a shareholder plaintiff?	0
Whether Mr. James pays damages for the harm caused to the company upon a successful claim by the shareholder plaintiff?	0

Whether Mr. James repays profits made from the transaction upon a successful claim by the shareholder plaintiff?	0
Whether fines and imprisonment can be applied against Mr. James?	0
Whether shareholders can sue directly or derivatively for the damage that the Buyer-Seller transaction causes to the company?	1
Ease of shareholder suits index (0-10)	3
Whether the plaintiff can obtain any documents from the defendant and witnesses during trial?	3
Whether the plaintiff can directly question the defendant and witnesses during trial?	0
Whether the plaintiff can request categories of documents from the defendant without identifying specific ones?	0
Whether shareholders owning 10% or less of Buyer's shares can request an inspector to investigate the transaction?	0
Whether the level of proof required for civil suits is lower than that of criminal cases?	0
Whether shareholders owning 10% or less of Buyer's shares can inspect transaction documents before filing suit?	0
Strength of investor protection index (0-10)	3.3

Taxes are essential to provide public amenities, infrastructure and services which are crucial for a properly functioning economy. *Doing Business* data show that economies where it is more difficult and costly to pay taxes have larger shares of informal sector activity. More than 60% of economies have reformed in the last 6 years and are starting to see concrete results.

Some reform outcomes

Colombia introduced a new electronic system for social security and labor taxes in 2006 and by 2008 the social security contributions collected from small and medium-size companies rose by 42%, to 550 billion pesos.

Mauritius reduced the corporate income tax rate from 25% to 15% and removed exemptions and industry-specific allowances in 2006 and saw their corporate income tax revenue grow by 27% in the following year, and in 2008/09 it increased by 65%.

What do the Paying taxes indicators measure?

Tax payments for a manufacturing company in 2009
(number per year adjusted for electronic or 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)

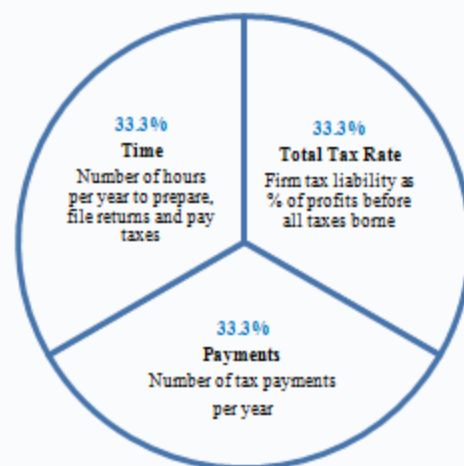
- Collecting information and computing the tax payable
- Completing tax return forms, filing with proper agencies
- Arranging payment or withholding
- Preparing separate tax accounting books, if required

Total tax rate (% of profit)

- Profit or corporate income tax
- Mandatory 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

Paying Taxes: tax compliance for a local manufacturing company

Rankings are based on 3 subindicators



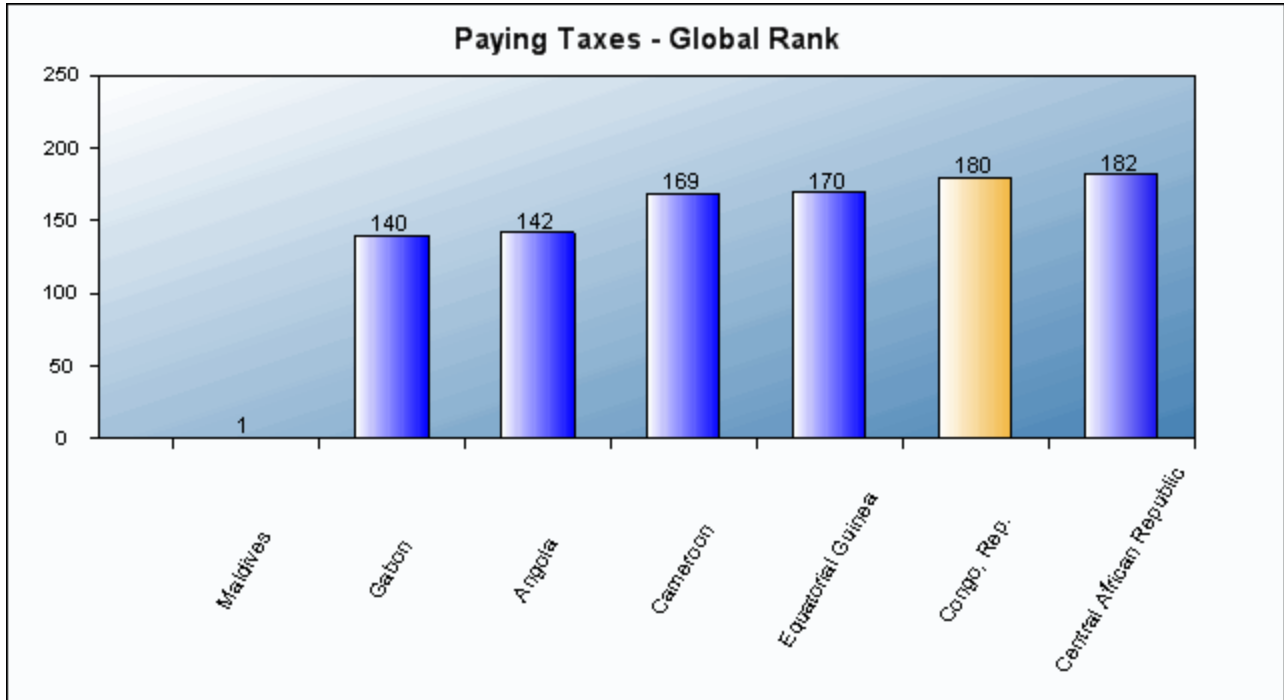
Case Study Assumptions

- TaxpayerCo is a medium-size business that started operations 2 years ago.
- Tax practitioners are asked to review its financial statements, as well as a standard list of transactions that the company completed during the year.
- Respondents are asked how much in taxes and mandatory contributions the business must pay and what the process is for doing so.
- 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.
- Taxes and mandatory contributions are measured at all levels of government
- Taxes and mandatory contributions include corporate income tax, turnover tax, all labor taxes and contributions paid by the company.
- A range of standard deductions and exemptions are also recorded.

1. Benchmarking Paying Taxes Regulations:

Congo, Rep. is ranked 180 overall for Paying Taxes.

Ranking of Congo, Rep. in Paying Taxes - Compared to good practice and selected economies:



The following table shows Paying Taxes data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Payments (number per year)	Time (hours per year)	Total tax rate (% profit)
Maldives*	3	0	
Timor-Leste			0.2

<i>Selected Economy</i>			
Congo, Rep.	61	606	65.5

<i>Comparator Economies</i>			
Angola	31	282	53.2
Cameroon	44	654	49.1
Central African Republic	54	504	203.8
Equatorial Guinea	46	492	59.5
Gabon	26	488	43.5

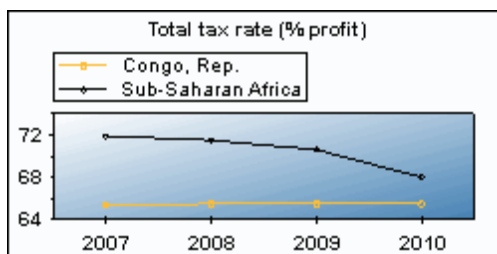
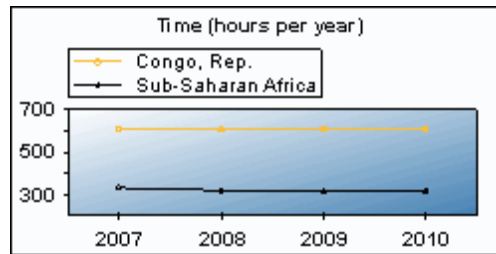
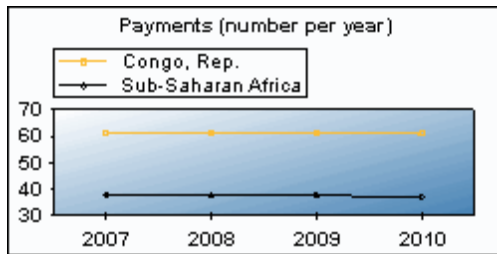
* The following economies are also good practice economies for :

Payments (number per year): Qatar

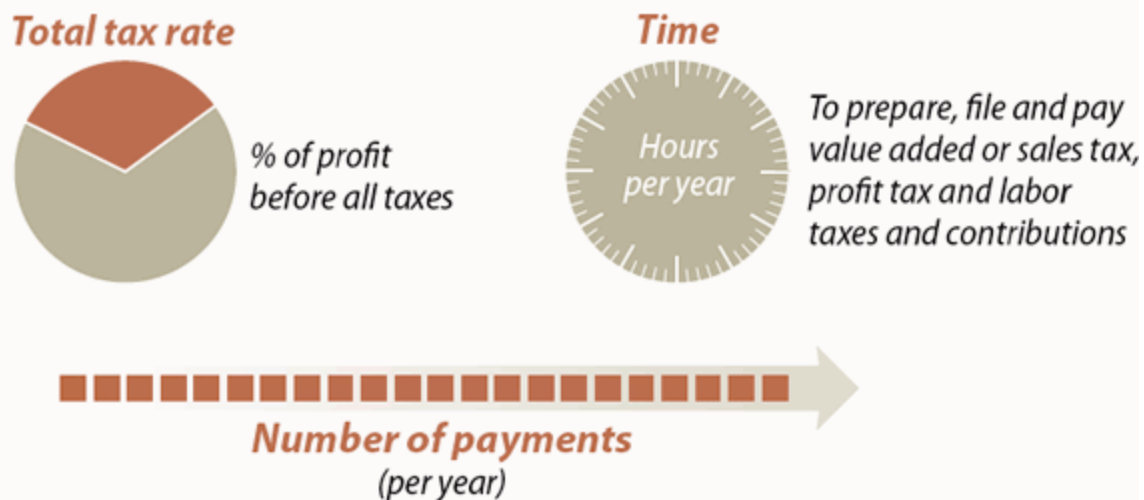
2. Historical data: Paying Taxes in Congo, Rep.

Paying Taxes data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	180	180
Total tax rate (% profit)	65.4	65.5	65.5	65.5
Payments (number per year)	61	61	61	61
Time (hours per year)	606	606	606	606

3. The following graphs illustrate the Paying Taxes sub indicators in Congo, Rep. over the past 4 years:



What are the time, total tax rate and number of payments necessary for a local medium-sized company to pay all taxes?



The table below addresses the taxes and mandatory contributions that a medium-size company must pay or withhold in a given year in Congo, Rep., as well as measures of administrative burden in paying taxes.

Tax or mandatory contribution	Payments (number)	Notes on Payments	Time (hours)	Statutory tax rate	Tax base	Total tax rate (% profit)	Notes on TTR
Stamp duty	1			fixed fee or proportional fee	amount of transaction		
Tax on insurance contracts	1			various brackets	amount of insurance contract		
Value added tax (VAT)	12		181	18.0%	value added		
Tax on rental value	0	Paid jointly with business tax		14.0%	rental value	0.00	
Registration fees on lease agreements	1			5.0%	annual rental value	0.20	
Municipal employees tax	1			fixed fee (XAF 2000 per employee)		0.40	
Vehicle tax	1			various rates	horse power of engine	0.60	

Fuel tax (Irrecoverable VAT)			18.0%	value of fuel consumption	0.60
Apprenticeship tax	12		1.0%	gross salaries	1.10
Environmental taxes	1		various brackets		2.40
Sales tax	0	Paid jointly with VAT	0.9%	value added	2.70
Payroll tax	12		5.0%	gross salaries	5.60
Business tax	1		Various rates	depending on core business	11.10
Minimum flat tax	1		1.0%	turnover	17.70
Corporate income tax	5	275	38.0%	taxable profit	18.70
Social security contributions	12	150	22.785-23%	gross salaries	25.70
Totals	61	606			65.5

Making trade between countries easier is increasingly important for business in today's globalized world. 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. Trade facilitation tools such as electronic data interchange systems, risk-based inspections, and single windows help improve an economy's trading environment and boost firms' international competitiveness. *Doing Business* trade indicators take into account documents, cost and time associated with every procedure for trading a standard shipment of goods by ocean transport. Research indicates that exporters in developing countries have much more to gain by a 10% drop in their trading costs than from a similar decrease of the tariffs applied to their products in global markets.

Some reform outcomes

In Georgia, reducing customs clearance time by a day has led to operational savings of an estimated \$288 per truck, or an annual \$133 million for the country's whole trading community given the growing amount of cross-border trade in recent years.

In Korea, predictable cargo processing times and rapid turnover by ports and warehouses provide a benefit to the Korean economy of some \$2 billion annually.

What do the Trading Across Borders indicators measure?

Trading Across Borders: exporting and importing by ocean transport

Rankings are based on 3 subindicators

Documents required to export and import (number)

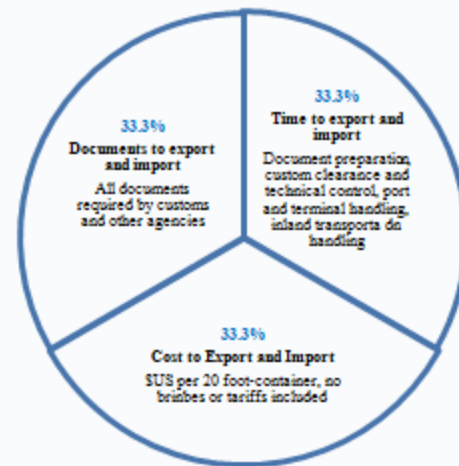
- Bank documents
- Customs clearance documents
- Port and terminal handling documents
- Transport documents

Time required to export and import (days)

- Obtaining all the documents
- Inland transport and handling
- Customs clearance and inspections
- Port and terminal handling
- Does not include ocean 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



Case Study Assumptions

The Business

- Has at least 60 employees and is located in the economy's largest business city
- Is a private, limited liability company, which exports more than 10% of its sales. It is fully domestically owned and does not operate in an export processing zone or an industrial estate with special export or import privileges

The traded product

- Is transported in a dry-cargo, 20-foot full container load; weighs 10 tons and is valued at \$20,000
- Is not hazardous or include military items; it does not require special phytosanitary or environmental safety standards, refrigeration or any other special environment
- Is one of the economy's leading export or import products

1. Benchmarking Trading Across Borders Regulations:

Congo, Rep. is ranked 180 overall for Trading Across Borders.

Ranking of Congo, Rep. in Trading Across Borders - Compared to good practice and selected economies:



The following table shows Trading Across Borders data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Documents to export (number)	Time to export (days)	Cost to export (US\$ per container)	Documents to import (number)	Time to import (days)	Cost to import (US\$ per container)
Denmark*		5				
France	2			2		
Malaysia			450			
Singapore					4	439

<i>Selected Economy</i>						
Congo, Rep.	11	50	3818	10	62	7709

<i>Comparator Economies</i>						
Angola	11	52	1850	8	49	2840
Cameroon	11	23	1379	12	26	1978
Central African Republic	9	54	5491	17	62	5554
Equatorial Guinea	7	29	1411	7	48	1411
Gabon	7	20	1945	8	22	1955

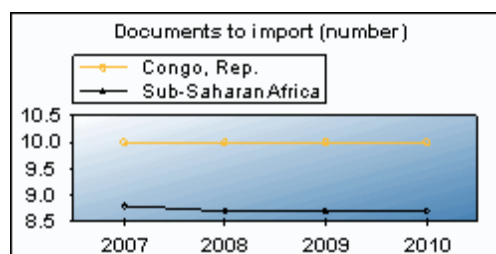
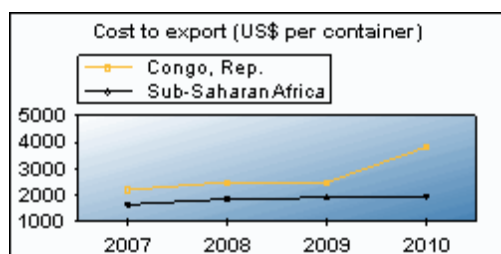
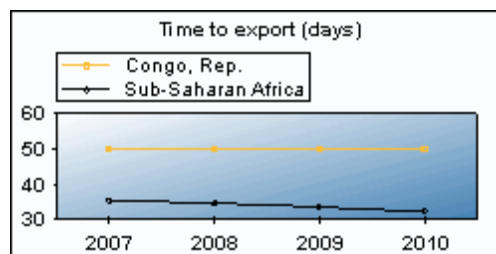
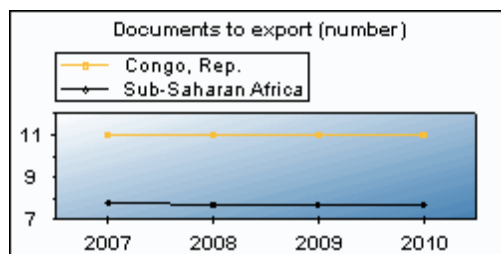
* The following economies are also good practice economies for :

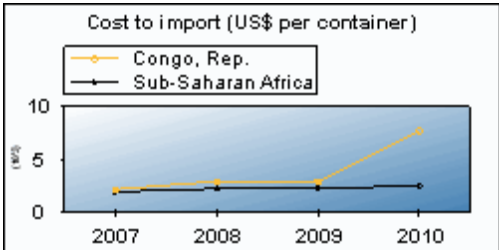
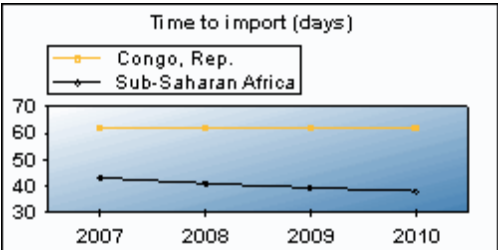
Time to export (days): Estonia

2. Historical data: Trading Across Borders in Congo, Rep.

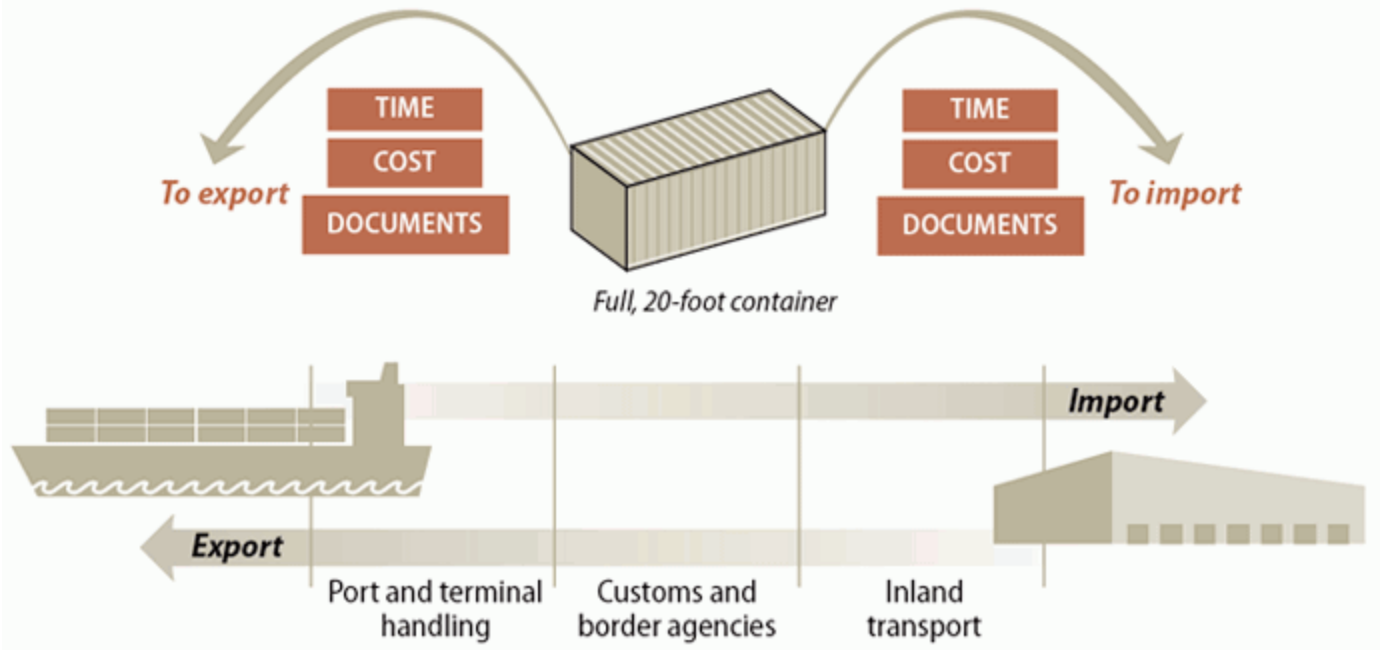
Trading Across Borders data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	176	180
Cost to export (US\$ per container)	2201	2490	2490	3818
Cost to import (US\$ per container)	2201	2959	2959	7709
Documents to export (number)	11	11	11	11
Documents to import (number)	10	10	10	10
Time to export (days)	50	50	50	50
Time to import (days)	62	62	62	62

3. The following graphs illustrate the Trading Across Borders sub indicators in Congo, Rep. over the past 4 years:





How much time, how many documents and what cost to export and import across borders by ocean transport?



These tables list the procedures necessary to import and export a standardized cargo of goods in Congo, Rep.. The documents required to export and import the goods are also shown.

Nature of Export Procedures (2010)	Duration (days)	US\$ Cost
Documents preparation	32	813
Customs clearance and technical control	8	400
Ports and terminal handling	4	365
Inland transportation and handling	6	2240
Totals	50	3818

Nature of Import Procedures (2010)	Duration (days)	US\$ Cost
Documents preparation	42	813
Customs clearance and technical control	10	400
Ports and terminal handling	6	896
Inland transportation and handling	4	5600
Totals	62	7709

Documents for Export and Import

Export

Bill of lading
Cargo release order
Certificate of origin
Commercial invoice
Customs examination
Customs export declaration
Export license
Inspection report (from SGS or COTECNA)
Packing list
Technical standard/health certificate
Terminal handling receipts

Import

Bill of lading
Certificate of origin
Commercial invoice
Cargo Tracking Note
Customs import declaration
Cargo release order
Inspection Report (COTECNA)
Packing list
Technical standard/health certificate
Terminal handling receipts

Well functioning courts help businesses expand their network and markets. Where contract enforcement is efficient, firms have greater access to credit and are more likely to engage with new borrowers or customers. *Doing Business* measures the efficiency of the judicial system in resolving a commercial sale dispute before local courts. Following the step-by-step evolution of a standardized case study, data relating to the time, cost and procedural complexity of resolving a commercial lawsuit are collected through study of the codes of civil procedure and other court regulations, as well as through surveys completed by local litigation lawyers (and, in a quarter of the countries, by judges as well).

Some reform outcomes

In Rwanda the implementation of specialized commercial courts in May 2008 resulted in a significant decrease of the case backlog, and contributed to reduce the time to resolve a commercial dispute by nearly 3 months.

In Austria a "data highway" for the courts that allows attachments to be sent electronically has produced savings of €4.4 million in postage alone.

What do the Enforcing Contracts indicators measure?

Enforcing Contracts: resolving a commercial dispute through the courts

Rankings are based on 3 subindicators

Procedures to enforce a contract (number)

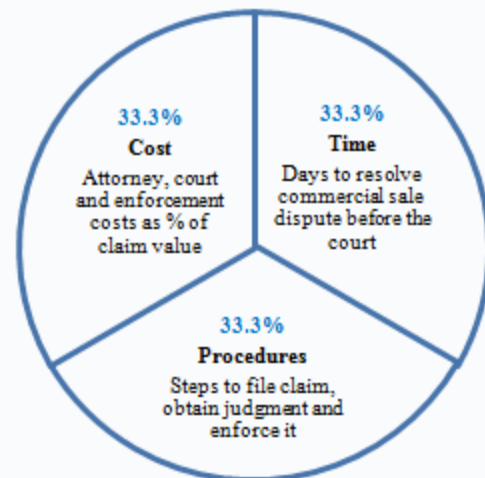
- Any interaction between the parties in a commercial dispute, or between them and the judge or court officer
- Steps to file the case
- Steps for trial and judgment
- Steps to enforce the judgment

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)

- No bribes
- Average attorney fees
- Court costs, including expert fees
- Enforcement costs



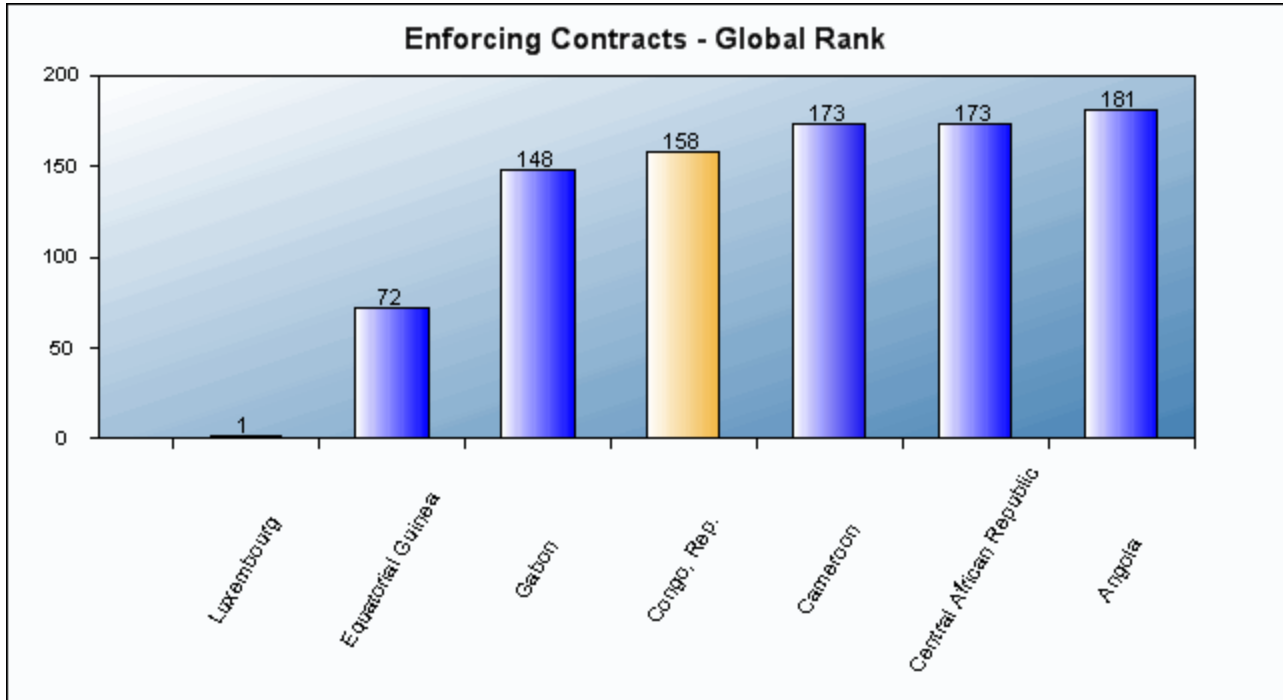
Case Study Assumptions

- Seller and Buyer are domestic companies
- Buyer orders custom-made goods, then does not pay
- Seller sues Buyer before competent court
- Value of claim is 200% of GNI per capita
- Seller requests pre-trial attachment to secure claim
- Dispute on quality of the goods requires expert opinion
- Judge decides in favor of Seller, no appeal
- Seller enforces judgment through a public sale of Buyer's movable assets.

1. Benchmarking Enforcing Contracts Regulations:

Congo, Rep. is ranked 158 overall for Enforcing Contracts.

Ranking of Congo, Rep. in Enforcing Contracts - Compared to good practice and selected economies:



The following table shows Enforcing Contracts data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Procedures (number)	Time (days)	Cost (% of claim)
Bhutan			0.1
Ireland	20		
Singapore		150	

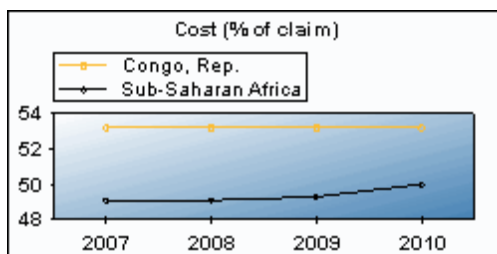
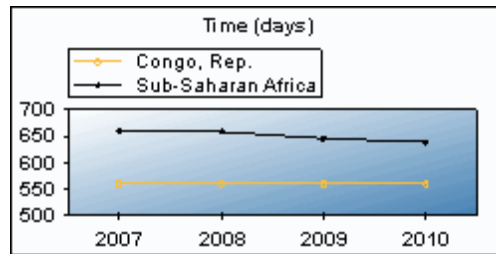
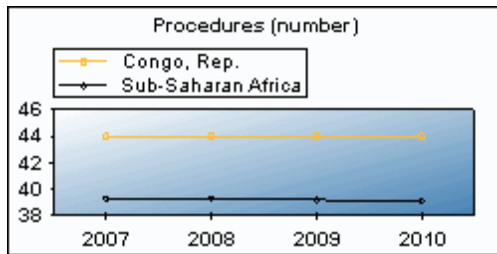
<i>Selected Economy</i>			
Congo, Rep.	44	560	53.2

<i>Comparator Economies</i>			
Angola	46	1011	44.4
Cameroon	43	800	46.6
Central African Republic	43	660	82.0
Equatorial Guinea	40	553	18.5
Gabon	38	1070	34.3

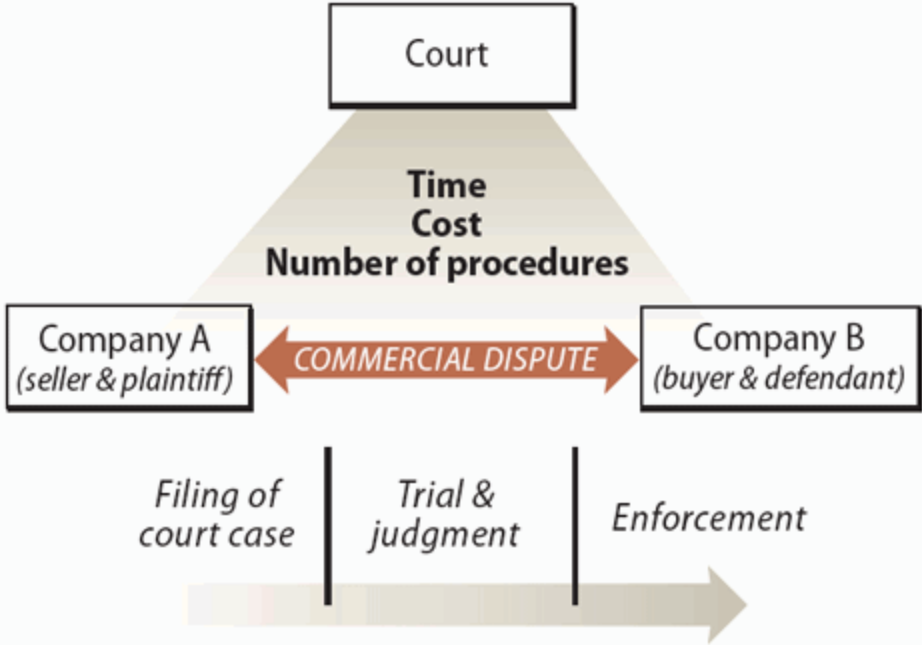
2. Historical data: Enforcing Contracts in Congo, Rep.

Enforcing Contracts data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	158	158
Procedures (number)	44	44	44	44
Time (days)	560	560	560	560
Cost (% of claim)	53.2	53.2	53.2	53.2

3. The following graphs illustrate the Enforcing Contracts sub indicators in Congo, Rep. over the past 4 years:



What are the time, cost and number of procedures to resolve a commercial dispute through the courts?



This topic looks at the efficiency of contract enforcement in Congo, Rep..

Nature of Procedure (2010)	Indicator
Procedures (number)	44
Time (days)	560
Filing and service	18.0
Trial and judgment	242.0
Enforcement of judgment	300.0
Cost (% of claim)*	53.20
Attorney cost (% of claim)	34.7
Court cost (% of claim)	12.5
Enforcement Cost (% of claim)	6.0

Court information: Brazzaville Commercial Court ("Tribunal de Commerce de Brazzaville")

* Claim assumed to be equivalent to 200% of income per capita.

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 businesses' speedy return 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.

Some reform outcomes

A study of the 2005 bankruptcy reform in Brazil found that it had led to an average reduction of 22% in the cost of credit for Brazilian companies, a 39% increase in overall credit and a 79% increase in long-term credit in the economy. The purpose of the reform was to improve creditor protection in insolvency proceedings.

Following the introduction of debtor-in-possession reorganizations in Korea in 2006, the number of reorganization filings increased from 76 in 2006 to 670 in 2009.

What does the Closing a Business indicator measure?

Closing a Business: insolvency proceedings against local company

Time required to recover debt (years)

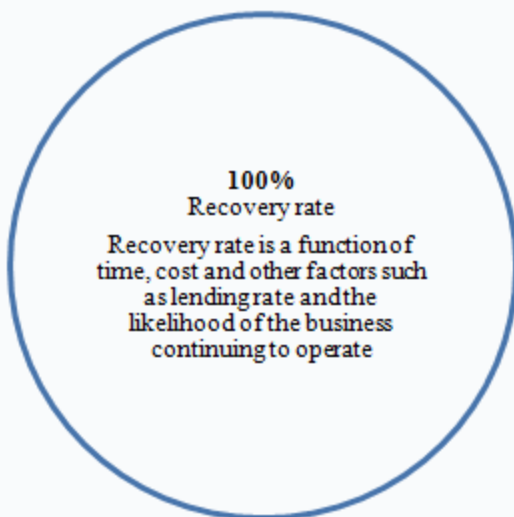
- Measured in calendar years
- Appeals and requests for extension are included

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

- Measured as percentage of estate value
- Court fees
- Fees of insolvency administrators
- Lawyers' fees
- Assessors' and auctioneers' fees
- All other fees and costs

Recovery rate for creditors (cents on the dollar)

- Measures the cents on the dollar recovered by creditors
- Present value of debt recovered
- Costs of the insolvency proceedings are deducted
- Depreciation of furniture is taken into account
- Outcome for the business (survival or not) affects the maximum value that can be recovered



Case Study Assumptions

The Company

- is domestically owned
- is a limited liability company operating a hotel
- operates in the economy's largest business city
- has 201 employees, 1 secured creditor and 50 unsecured creditors
- has a higher value as a going concern and a lower value in a piecemeal sale of assets

1. Benchmarking Closing Business Regulations:

Congo, Rep. is ranked 128 overall for Closing a Business.

Ranking of Congo, Rep. in Closing Business - Compared to good practice and selected economies:



The following table shows Closing Business data for Congo, Rep. compared to good practice and comparator economies:

Good Practice Economies	Recovery rate (cents on the dollar)	Time (years)	Cost (% of estate)
Ireland		0.4	
Japan	92.7		
Singapore*			1

<i>Selected Economy</i>			
Congo, Rep.	17.8	3.3	25

<i>Comparator Economies</i>			
Angola	8.4	6.2	22
Cameroon	13.6	3.2	34
Central African Republic	0.0	4.8	76
Equatorial Guinea	0.0	no practice	no practice
Gabon	15.2	5.0	15

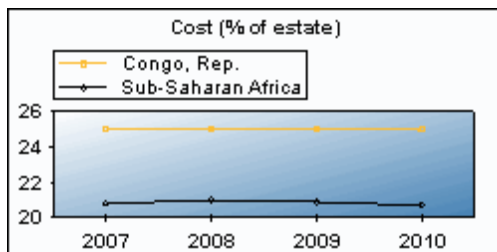
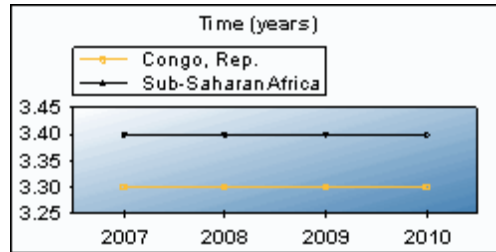
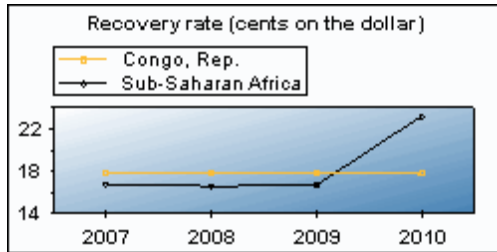
* The following economies are also good practice economies for :

Cost (% of estate): Colombia, Kuwait, Norway

2. Historical data: Closing Business in Congo, Rep.

Closing a Business data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	127	128
Time (years)	3.3	3.3	3.3	3.3
Cost (% of estate)	25	25	25	25
Recovery rate (cents on the dollar)	17.8	17.8	17.8	17.8


3. The following graphs illustrate the Closing Business sub indicators in Congo, Rep. over the past 4 years:



Since 2004 Doing Business has been tracking reforms aimed at simplifying business regulations, strengthening property rights, opening access to credit and enforcing contracts by measuring their impact on 10 indicator sets . * Nearly 1,000 reforms have had an impact on these indicators. *Doing Business 2011*, covering June 2009 to June 2010, reports that 117 economies implemented 216 reforms to make it easier to start a business. 64% of economies measured by Doing Business have reformed this year, focusing on easing business start-up, lightening the tax burden, simplifying import and export regulations and improving credit information systems.

The top 10 most-improved in Doing Business 2011

Economy	Indicator									
	Starting a Business	Dealing with Construction Permits	Registering Property	Getting Credit	Protecting Investors	Paying Taxes	Trading Across Borders	Enforcing Contracts	Closing a Business	Employing Workers
Kazakhstan	✓	✓				✓	✓			
Rwanda		✓		✓			✓			
Peru	✓	✓	✓				✓			
Vietnam	✓	✓		✓						
Cape Verde	✓		✓				✓			
Tajikistan	✓				✓	✓				
Zambia	✓						✓	✓		
Hungary		✓	✓				✓			✓
Grenada	✓		✓				✓			
Brunei Darussalam	✓						✓	✓		

 Positive Change
 Negative Change

* For *Doing Business 2011* the Employing Workers indicator is not included in the aggregate ease of doing business ranking.

Summary of changes to business regulation in top 10 most improved economies in *Doing Business 2011* and selected comparator economies.

Angola	Angola reduced the time for trading across borders by making investments in port infrastructure and administration.
Brunei Darussalam	Brunei Darussalam made starting a business easier by improving efficiency at the company registrar and implementing an electronic system for name searches. Brunei Darussalam reduced the corporate income tax rate from 23.5% to 22% while also introducing a lower tax rate for small businesses, ranging from 5.5% to 11%. The introduction of an electronic customs system in Brunei Darussalam made trading easier.
Cameroon	Cameroon made starting a business easier by establishing a new one-stop shop and abolishing the requirement for verifying business premises and its corresponding fees.
Cape Verde	Cape Verde made start-up easier by eliminating the need for a municipal inspection before a business begins operations and computerizing the system for delivering the municipal license. Cape Verde eased property registration by switching from fees based on a percentage of the property value to lower fixed rates. Cape Verde abolished the stamp duties on sales and checks.
Congo, Rep.	The Republic of Congo reduced its corporate income tax rate from 38% to 36% in 2010.
Grenada	Grenada eased business start-up by transferring responsibility for the commercial registry from the courts to the civil administration. The appointment of a registrar focusing only on property cut the time needed to transfer property in Grenada by almost half. Grenada's customs administration made trading faster by simplifying procedures, reducing inspections, improving staff training and enhancing communication with users.
Hungary	Hungary implemented a time limit for the issuance of building permits. Hungary reduced the property registration fee by 6% of the property value. Hungary simplified taxes and tax bases. Amendments to Hungary's bankruptcy law encourage insolvent companies to consider reaching agreements with creditors out of court so as to avoid bankruptcy.
Kazakhstan	Kazakhstan eased business start-up by reducing the minimum capital requirement to 100 tenge (\$0.70) and eliminating the need to have the memorandum of association and company charter notarized. Kazakhstan made dealing with construction permits easier by implementing a one-stop shop related to technical conditions for utilities. Kazakhstan strengthened investor protections by requiring greater corporate disclosure in company annual reports. Kazakhstan speeded up trade through efforts to modernize customs, including implementation of a risk management system and improvements in customs automation.
Peru	Peru eased business start-up by simplifying the requirements for operating licenses and creating an online one-stop shop for business registration. Peru streamlined construction permitting by implementing administrative reforms. Peru introduced fast-track procedures at the land registry, cutting by half the time needed to register property. Peru made trading easier by implementing a new web-based electronic data interchange system, risk-based inspections and payment deferrals.
Rwanda	Rwanda made dealing with construction permits easier by passing new building regulations at the end of April 2010 and implementing new time limits for the issuance of various permits. Rwanda enhanced access to credit by allowing borrowers the right to inspect their own credit report and mandating that loans of all sizes be reported to the central bank's public credit registry. Rwanda reduced the number of trade documents required and enhanced its joint border management procedures with Uganda and other neighbors, leading to an improvement in the trade logistics environment.
Tajikistan	Tajikistan made starting a business easier by creating a one-stop shop that consolidates registration with the state and the tax authority. Tajikistan strengthened investor protections by requiring greater corporate disclosure in the annual report and greater access to corporate information for minority investors. Tajikistan lowered its corporate income tax rate.

Vietnam

Vietnam eased company start-up by creating a one-stop shop that combines the processes for obtaining a business license and tax license and by eliminating the need for a seal for company licensing. Vietnam made dealing with construction permits easier by reducing the cost to register newly completed buildings by 50% and transferring the authority to register buildings from local authorities to the Department of National Resources and Environment. Vietnam improved its credit information system by allowing borrowers to examine their own credit report and correct errors.

Zambia

Zambia eased business start-up by eliminating the minimum capital requirement. Zambia eased trade by implementing a one-stop border post with Zimbabwe, launching web-based submission of customs declarations and introducing scanning machines at border posts. Zambia improved contract enforcement by introducing an electronic case management system in the courts that provides electronic referencing of cases, a database of laws, real-time court reporting and public access to court records.



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