

Doing Business 2011

Mongolia

**Making
a Difference for
Entrepreneurs**

COMPARING BUSINESS REGULATION IN 183 ECONOMIES



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1818 H Street NW
Washington, DC 20433
Telephone 202-473-1000
Internet www.worldbank.org

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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 Mongolia. 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).

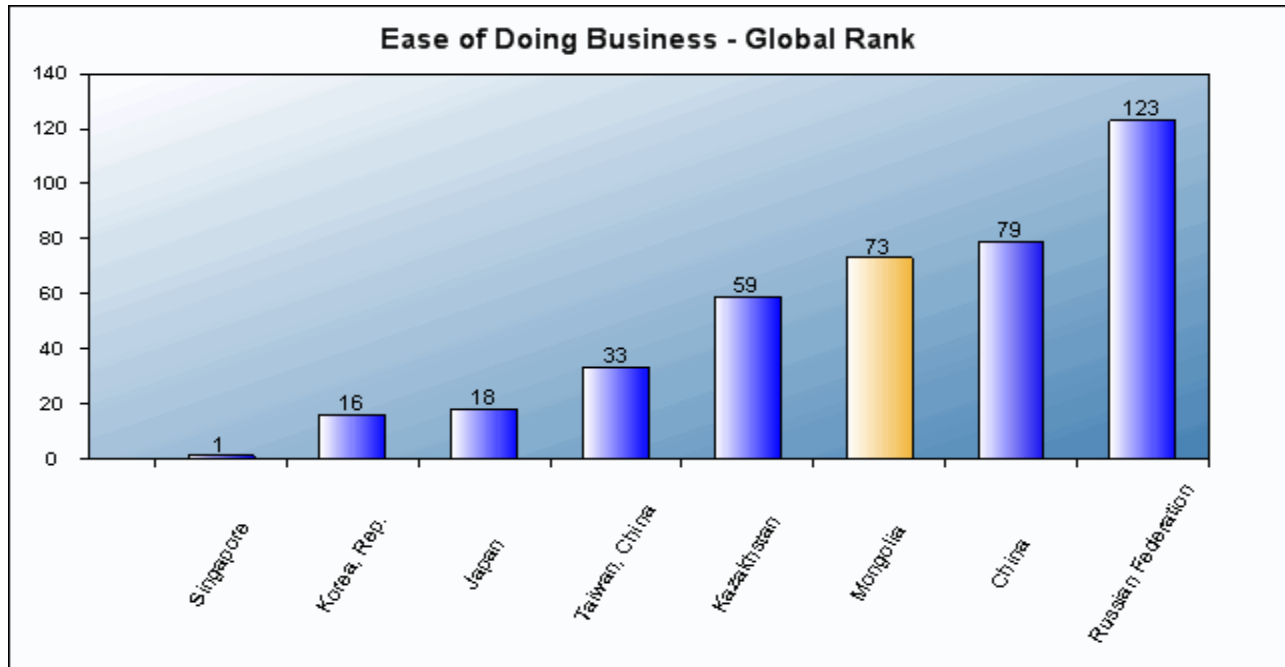
* Except for the Paying Taxes indicator that refers to the period January to December of 2009.

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

Mongolia is ranked 73 out of 183 economies. Singapore is the top ranked economy in the Ease of Doing Business.

Mongolia - Compared to global good practice economy as well as selected economies:



Mongolia's ranking in Doing Business 2011

Rank	Doing Business 2011
Ease of Doing Business	73
Starting a Business	86
Dealing with Construction Permits	104
Registering Property	27
Getting Credit	72
Protecting Investors	28
Paying Taxes	66
Trading Across Borders	158
Enforcing Contracts	35
Closing a Business	119

Summary of Indicators - Mongolia

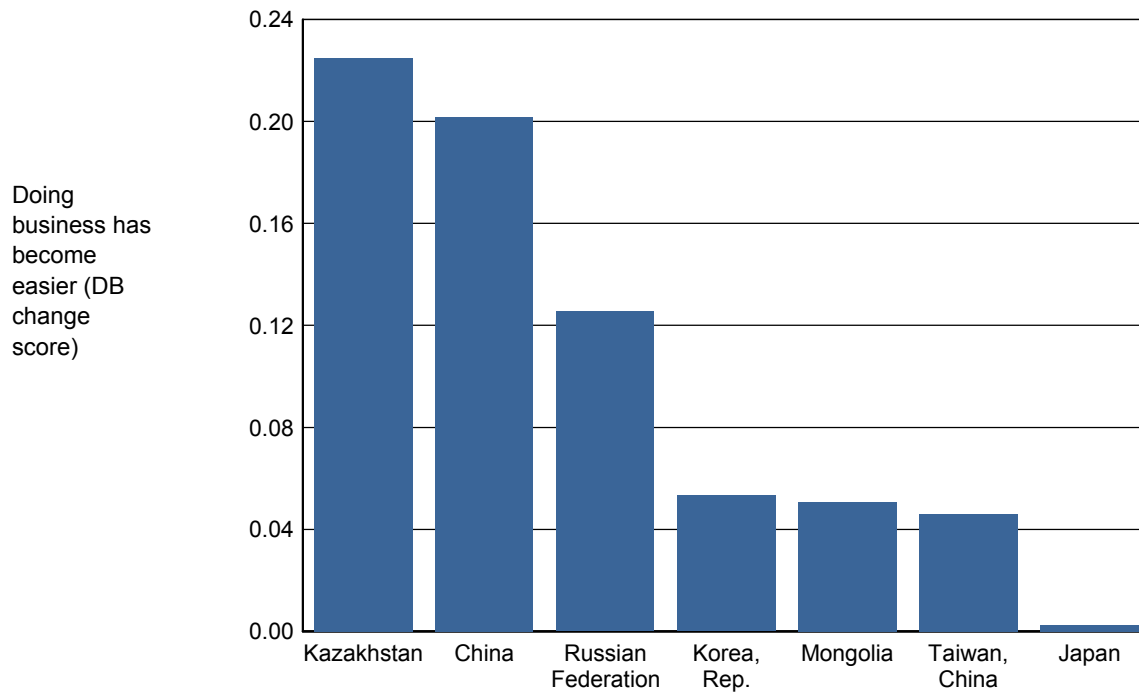
Starting a Business	Procedures (number)	7
	Time (days)	13
	Cost (% of income per capita)	3.2
	Min. capital (% of income per capita)	46.8
Dealing with Construction Permits	Procedures (number)	21
	Time (days)	215
	Cost (% of income per capita)	65.1
Registering Property	Procedures (number)	5
	Time (days)	11
	Cost (% of property value)	2.2
Getting Credit	Strength of legal rights index (0-10)	6
	Depth of credit information index (0-6)	3
	Public registry coverage (% of adults)	19.2
	Private bureau coverage (% of adults)	0.0
Protecting Investors	Extent of disclosure index (0-10)	5
	Extent of director liability index (0-10)	8
	Ease of shareholder suits index (0-10)	6
	Strength of investor protection index (0-10)	6.3
Paying Taxes	Payments (number per year)	43
	Time (hours per year)	192
	Profit tax (%)	9.5
	Labor tax and contributions (%)	12.4
	Other taxes (%)	1.0
	Total tax rate (% profit)	23.0
Trading Across Borders	Documents to export (number)	8
	Time to export (days)	46
	Cost to export (US\$ per container)	2131
	Documents to import (number)	8
	Time to import (days)	47
	Cost to import (US\$ per container)	2274

Enforcing Contracts	Procedures (number)	32
	Time (days)	314
	Cost (% of claim)	30.6
Closing a Business	Recovery rate (cents on the dollar)	20.0
	Time (years)	4.0
	Cost (% of estate)	8

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

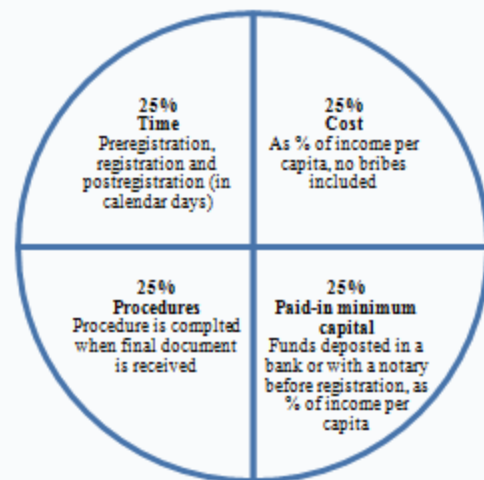
Cost required to complete each procedure (% of income per capita)

- 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.

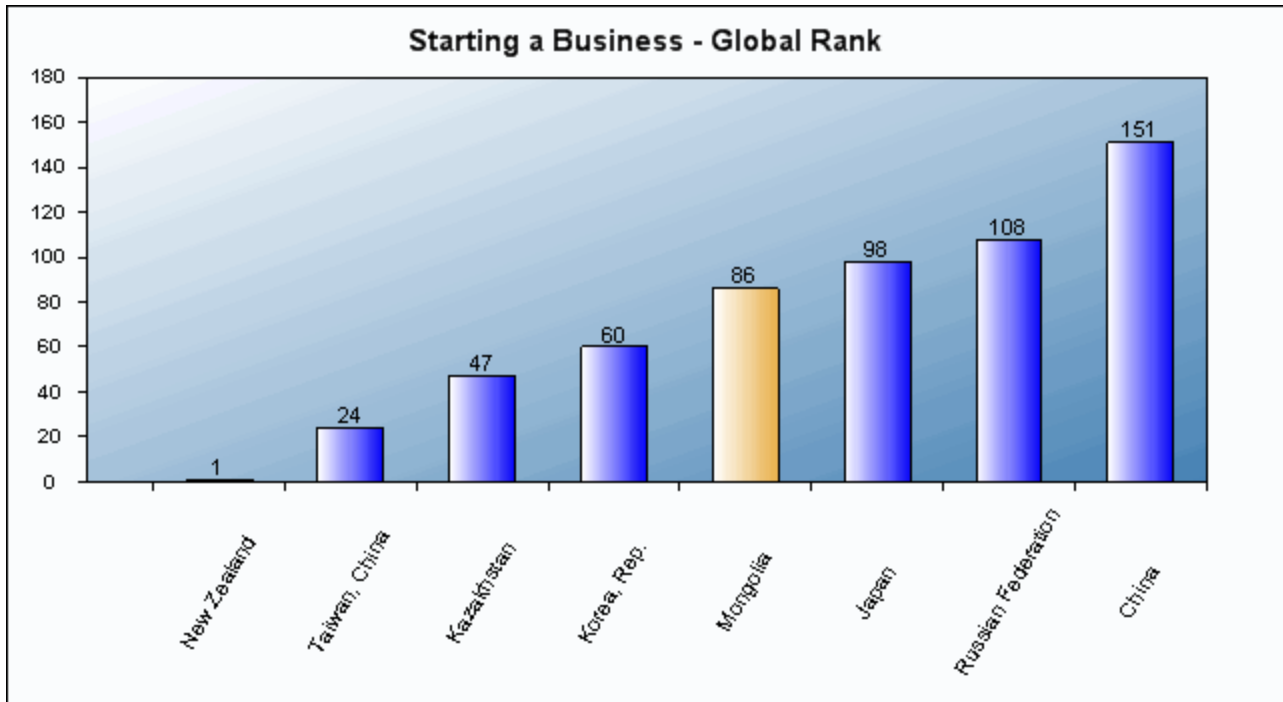
The business:

- 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:

Mongolia is ranked 86 overall for Starting a Business.

Ranking of Mongolia in Starting a Business - Compared to good practice and selected economies:



The following table shows Starting a Business data for Mongolia 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>				
Mongolia	7	13	3.2	46.8

<i>Comparator Economies</i>				
China	14	38	4.5	118.3
Japan	8	23	7.5	0.0
Kazakhstan	6	19	1.0	0.0
Korea, Rep.	8	14	14.7	0.0
Russian Federation	9	30	3.6	1.9
Taiwan, China	6	15	4.1	0.0

* The following economies are also good practice economies for :

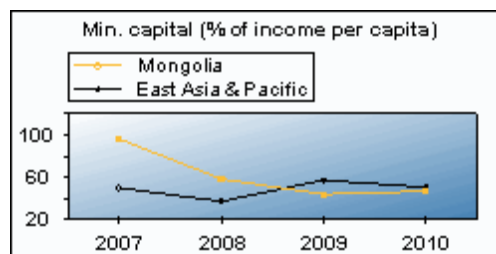
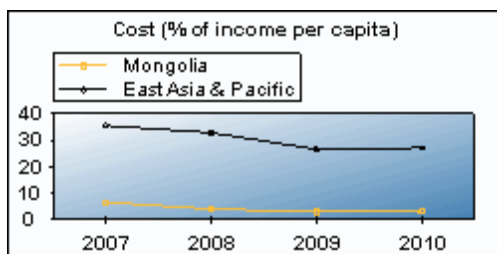
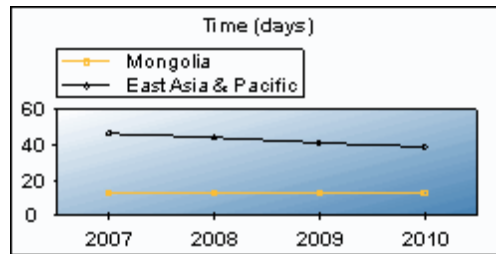
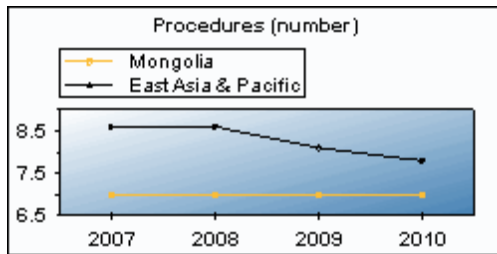
Procedures (number): Canada

Cost (% of income per capita): Slovenia

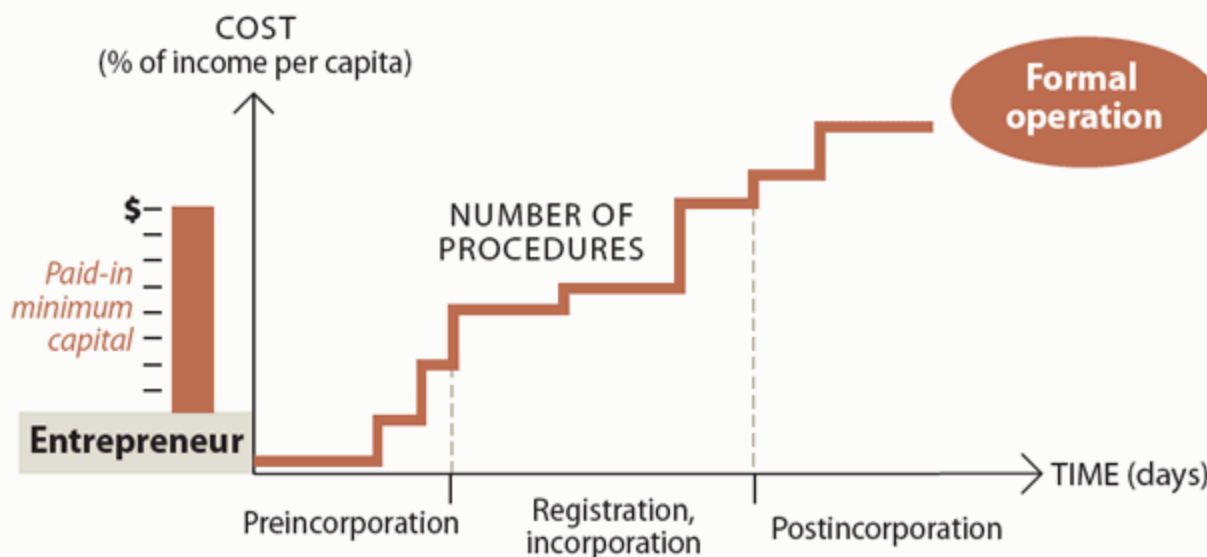
2. Historical data: Starting a Business in Mongolia

Starting a Business data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	80	86
Procedures (number)	7	7	7	7
Time (days)	13	13	13	13
Cost (% of income per capita)	6.6	4.0	3.0	3.2
Min. capital (% of income per capita)	96.3	58.5	44.0	46.8

3. The following graphs illustrate the Starting a Business sub indicators in Mongolia 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 Mongolia.

STANDARDIZED COMPANY

Legal Form: Limited Liability Company (HHK)

City: Ulan Bator

Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Check name for uniqueness at the State Registration Department of the Tax Authority.	1	MNT 500
2	Deposit capital in a temporary account and obtain a proof; pay the registration fee	1	no charge
3	Notarize the statutes and charters of the company; notarize the schedule showing the equity share held by each partner	1	MNT 10,000
4	Register at the State Registration Office, under the General Department of State Taxation	6	MNT 10,000
5	Register at local Tax Office	2	MNT 2,000
6	Apply for social security with the Social Insurance Department	1	no charge
7	Make a seal	1	MNT 46,000

Starting a Business Details - Mongolia

Procedure	1	Check name for uniqueness at the State Registration Department of the Tax Authority.
Time to complete:	1	
Cost to complete:	MNT 500	
Comment:	Once the name has been checked, the State Registration Office gives the entrepreneur a card authorizing him or her to open a bank account. The entrepreneur opens a temporary account at the bank and, at the same time, can instruct the bank to make a payment to the account of the Tax Authority.	
Procedure	2	Deposit capital in a temporary account and obtain a proof; pay the registration fee
Time to complete:	1	
Cost to complete:	no charge	
Comment:		
Procedure	3	Notarize the statutes and charters of the company; notarize the schedule showing the equity share held by each partner
Time to complete:	1	
Cost to complete:	MNT 10,000	
Comment:	The new Law on State Registration of Legal Entities requires that the decision to found the company and its charter to be either originals or notarized copies. Under Resolution No.147 of 1997 of the Minister of Justice and Internal Affairs, notary fees to certify incorporation documents are MNT 3,000. If the shareholders want to notarize the other documents, notary fees are MNT10,000 or higher. It is common practice for documents to be notarized to prevent future shareholder disputes.	
Procedure	4	Register at the State Registration Office, under the General Department of State Taxation
Time to complete:	6	
Cost to complete:	MNT 10,000	
Comment:	By registering at the State Registration Office, the company also registers for VAT and corporate income tax. The Registry automatically publishes a notice of company formation. The Registry issues a letter of approval to open bank accounts. The legal time limit is 5 days (Law on State Registration of Legal Entities of May 23, 2003).	
Procedure	5	Register at local Tax Office
Time to complete:	2	
Cost to complete:	MNT 2,000	
Comment:	After the account is opened, an officer of the State Registration Office will assign a company registration number and give the applicant approval to register with the relevant district tax office,	

which will open a file for the new company. Henceforth, one tax officer will be responsible this company (for example, serving as a point-of contact for submission of financial reports). The district tax office registers the company based on the letter issued by State Registration Office.

Procedure 6 Apply for social security with the Social Insurance Department

Time to complete: 1

Cost to complete: no charge

Comment:

Procedure 7 Make a seal

Time to complete: 1

Cost to complete: MNT 46,000

Comment:

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

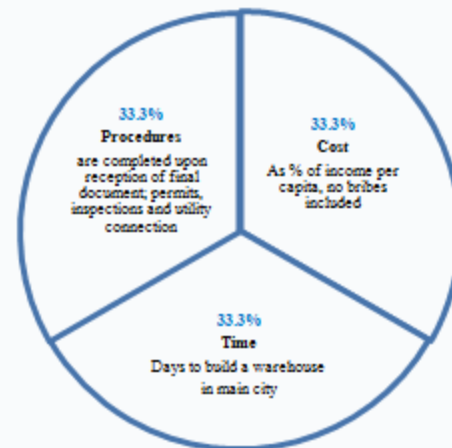
The warehouse:

- 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

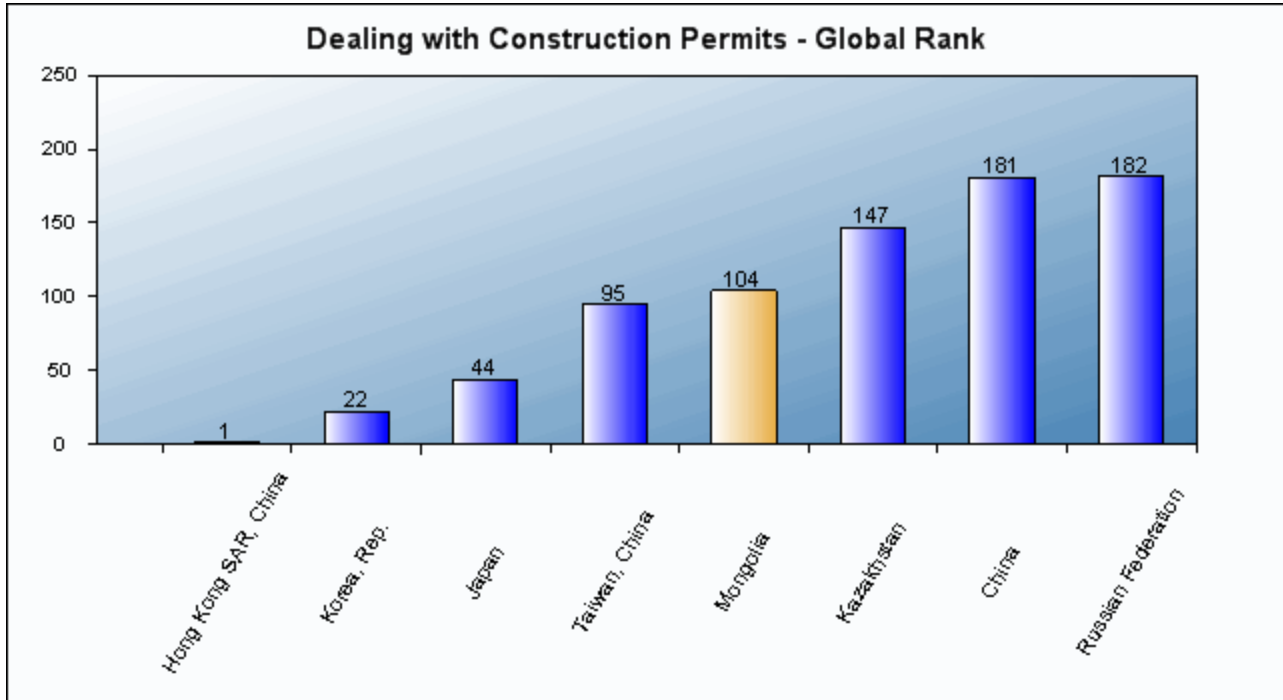
Rankings are based on 3 subindicators



1. Benchmarking Dealing with Construction Permits Regulations:

Mongolia is ranked 104 overall for Dealing with Construction Permits.

Ranking of Mongolia in Dealing with Construction Permits - Compared to good practice and selected economies:



The following table shows Dealing with Construction Permits data for Mongolia 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	

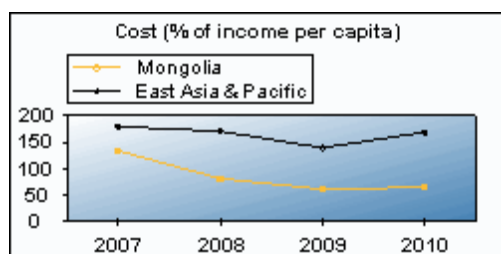
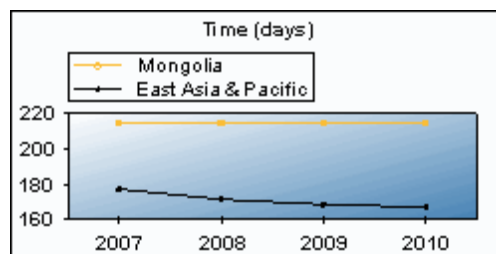
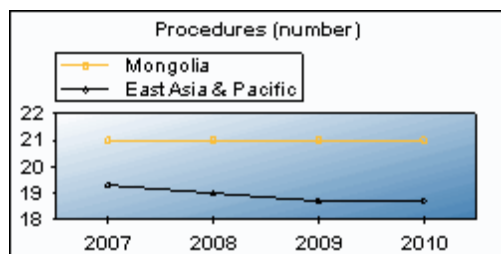
<i>Selected Economy</i>			
Mongolia	21	215	65.1

<i>Comparator Economies</i>			
China	37	336	523.4
Japan	15	187	20.8
Kazakhstan	34	219	119.8
Korea, Rep.	13	34	131.2
Russian Federation	53	540	4141.0
Taiwan, China	28	142	100.9

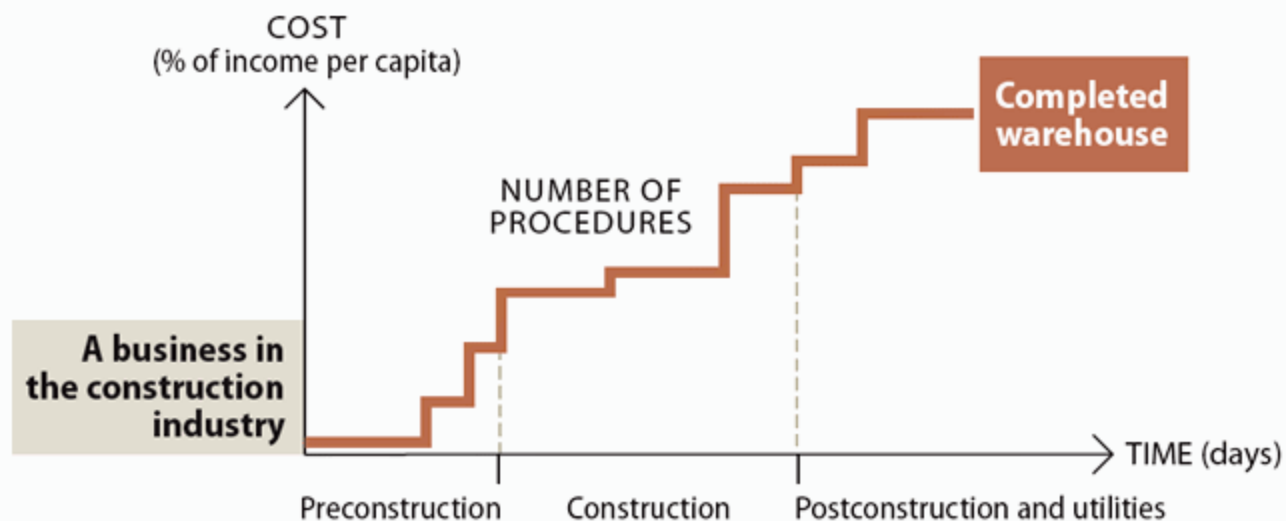
2. Historical data: Dealing with Construction Permits in Mongolia

Dealing with Construction Permits data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	103	104
Procedures (number)	21	21	21	21
Time (days)	215	215	215	215
Cost (% of income per capita)	133.9	81.3	61.2	65.1

3. The following graphs illustrate the Dealing with Construction Permits sub indicators in Mongolia 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 Mongolia.

BUILDING A WAREHOUSE

City: Ulan Bator

Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Request and obtain environmental impact assessment from the City Environmental Office	28 days	no charge
2	Request and obtain land possession agreement and permission to build.	15 days	no charge
3	Request and obtain approval of preliminary drawings from the Urban Development Department	14 days	MNT 60,000
4	Request and obtain approval of preliminary drawings from the Technical Commission	14 days	no charge
5 *	Request and obtain technical conditions from the following agencies through the Technical Commission:	24 days	MNT 300,000
6	Request and obtain approval of final drawings from the Fire Department	1 day	MNT 150,000
7	Request and obtain approval of final drawings from the Sanitation Department	14 days	MNT 25,000

8	Request and obtain approval of final drawings from the Chief Architect	7 days	MNT 60,000
9	Request and obtain permission from the State Technical Expert.	30 days	MNT 756,949
10	Request and obtain a license “to engage in the construction works” (permission to build)	21 days	no charge
11	Request and receive inspection from the Electrical Power Network Authority	3 days	no charge
12	Request and receive inspection from the Water Use Authority	2 days	no charge
13	Request and receive inspection from telecom services	1 day	no charge
14	Connect to power services through the Electrical Power Network Authority	4 days	no charge
15	Connect to water services through the Water Use Authority	2 days	no charge
16	Connect to telecom services	1 day	no charge
17	Request on-site inspection from the Technical Commission.	14 days	no charge
18	Receive on-site inspection from the Technical Commission and approval	1 day	no charge
19	Request on-site inspection by the State Inspection Authority	1 day	no charge
20	Receive on-site inspection and obtain approval of the building by the State Commission	17 days	no charge
21	Register the building in the real estate registry	14 days	MNT 38,455

* Takes place simultaneously with another procedure.

Dealing with Construction Permits Details - Mongolia

Procedure	1	Request and obtain environmental impact assessment from the City Environmental Office
Time to complete:		28 days
Cost to complete:		no charge
Agency:		City Environmental Office
Comment:		Article 4.6 of the Law on Environmental Impact Assessment, adopted in 1998 and amended on July 20, 2006, provided that authorized investigators will make a general environmental impact assessment within 12 working days. If necessary, the related state authority may extend this time. However, in practice, this takes on average 28–30 days.
Procedure	2	Request and obtain land possession agreement and permission to build.
Time to complete:		15 days
Cost to complete:		no charge
Agency:		Land Affairs, Geodesy and Cartography Agency
Comment:		This agreement can be obtained from the Land Department of the Office of the Capital City Governor.
Procedure	3	Request and obtain approval of preliminary drawings from the Urban Development Department
Time to complete:		14 days
Cost to complete:		MNT 60,000
Agency:		Land Affairs, Geodesy and Cartography Agency
Comment:		One letter with drawings is sent to the Urban Development Department and it is first approved by the Capital City General Architect (within the Urban Development Department, UDD), then the District Architect, a member of UDD, approves the drawings and both approvals are stamped on the same page and sent back to the architect.
Procedure	4	Request and obtain approval of preliminary drawings from the Technical Commission
Time to complete:		14 days
Cost to complete:		no charge
Agency:		Technical Commission
Comment:		The company must obtain an approval from the Technical Commission stating that the proposed construction work will not affect any heating, electrical power, water, sewage or telecommunication lines. The Technical Commission consists of members from the Heating Network Authority, Electric Power Network Authority, Water Use Authority, Telecom Mongolia, Radio Network Authority, Housing and Public Utilities Authority, Environmental Protection Authority, Hygiene and Sanitation Control Authority, and Fire Fighting Department. There is no need for the company to visit each authority separately.

Procedure 5 Request and obtain technical conditions from the following agencies through the Technical Commission:

Time to complete: 24 days

Cost to complete: MNT 300,000

Agency: Technical Commission

Comment: The company must submit a letter of application to receive technical specifications from the agencies. No other procedures are necessary for obtaining power connection. Obtaining all technical conditions take on average 24–30 days. The fee is estimated to vary from MNT 75,000 to MNT 390,000.

Procedure 6 Request and obtain approval of final drawings from the Fire Department

Time to complete: 1 day

Cost to complete: MNT 150,000

Agency: Fire Department

Comment: For a building of less than 3000 square meters, this is obtained from the City Fire Department. Project drawings are inspected and a fee is calculated based on a schedule set by the Organization of Special Emergencies.

Procedure 7 Request and obtain approval of final drawings from the Sanitation Department

Time to complete: 14 days

Cost to complete: MNT 25,000

Agency: Sanitation Department

Comment:

Procedure 8 Request and obtain approval of final drawings from the Chief Architect

Time to complete: 7 days

Cost to complete: MNT 60,000

Agency: Land Affairs, Geodesy and Cartography Agency

Comment: Submit a copy of the sketch, working drawing, certificate from the Fire Department and certificate from the Sanitation department to the Chief Architect to approve.

Procedure 9 Request and obtain permission from the State Technical Expert.

Time to complete: 30 days

Cost to complete: MNT 756,949

Agency: Authorized consultant

Comment: The expert examination of a construction drawing shall be made by a consultant selected by Agency of Land Affairs, Geodesy and Cartography through a tender. The cost might vary according to the consultant (9700 togrog/m² X 1300.6 m² X .06= FEE).

Procedure 10 Request and obtain a license “to engage in the construction works” (permission to build)

Time to complete: 21 days

Cost to complete: no charge

Agency: State inspector for technical control of construction

Comment: To start the actual construction, BuildCo must obtain a license “to engage in the construction works” (permission to build) from the Ministry of Construction and Town Planning. The law authorizes a period of 21 business days to issue the license. In practice, however, it varies.

Procedure 11 Request and receive inspection from the Electrical Power Network Authority

Time to complete: 3 days

Cost to complete: no charge

Agency: Water Authority of Mongolia

Comment:

Procedure 12 Request and receive inspection from the Water Use Authority

Time to complete: 2 days

Cost to complete: no charge

Agency: Post and Telecommunications Authority (PTA)

Comment:

Procedure 13 Request and receive inspection from telecom services

Time to complete: 1 day

Cost to complete: no charge

Agency: Post and Telecommunications Authority (PTA)

Comment:

Procedure 14 Connect to power services through the Electrical Power Network Authority

Time to complete: 4 days

Cost to complete: no charge

Agency: National Electricity Network Authority

Comment:

Procedure 15 Connect to water services through the Water Use Authority

Time to complete: 2 days

Cost to complete: no charge

Agency: Ministry of Construction and Town Planning

Comment:

Procedure 16 Connect to telecom services

Time to complete: 1 day

Cost to complete: no charge

Agency: National Electricity Network Authority

Comment:

Procedure 17 Request on-site inspection from the Technical Commission.

Time to complete: 14 days

Cost to complete: no charge

Agency: Water Authority of Mongolia

Comment:

Procedure 18 Receive on-site inspection from the Technical Commission and approval

Time to complete: 1 day

Cost to complete: no charge

Agency: Post and Telecommunications Authority (PTA)

Comment:

Procedure 19 Request on-site inspection by the State Inspection Authority

Time to complete: 1 day

Cost to complete: no charge

Agency: State General Specialized Inspection Department

Comment:

Procedure 20 Receive on-site inspection and obtain approval of the building by the State Commission

Time to complete: 17 days

Cost to complete: no charge

Agency: State General Specialized Inspection Department

Comment: After the inspection has been completed, the company waits on average 10 days for approval.

Procedure 21 Register the building in the real estate registry

Time to complete: 14 days

Cost to complete: MNT 38,455

Agency: Real Estate Registry

Comment: The Office for Registration of Ownership and Related Rights registers the right of ownership within 14 days of the application date, and issues a certificate of ownership. The registration fees to be paid are equal to 0.01% of the value of the real 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. *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)

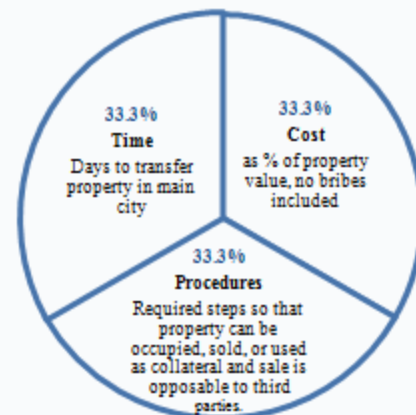
- Preregistration (for example, checking for liens, notarizing sales agreement, paying property transfer taxes)
- Registration in the economy's largest business city
- Post registration (for example, transactions with the local authority, tax authority or cadastre)

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.

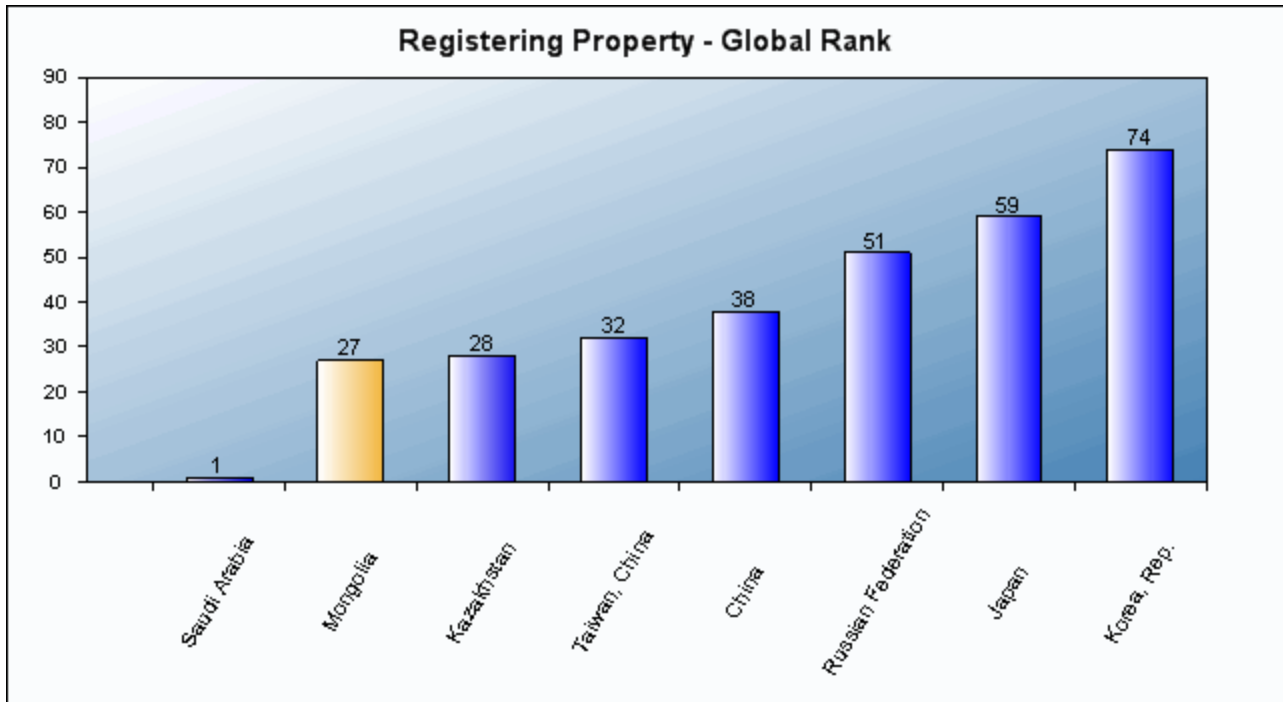
The property (fully owned by the seller):

- 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:

Mongolia is ranked 27 overall for Registering Property.

Ranking of Mongolia in Registering Property - Compared to good practice and selected economies:



The following table shows Registering Property data for Mongolia 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>			
Mongolia	5	11	2.2

<i>Comparator Economies</i>			
China	4	29	3.6
Japan	6	14	5.5
Kazakhstan	4	40	0.1
Korea, Rep.	7	11	5.1
Russian Federation	6	43	0.1
Taiwan, China	3	5	6.2

* The following economies are also good practice economies for :

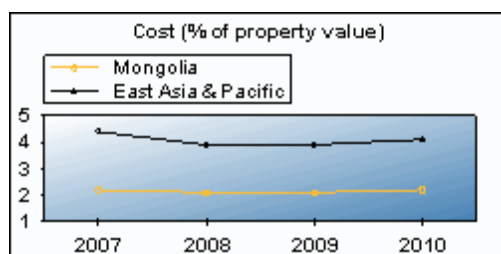
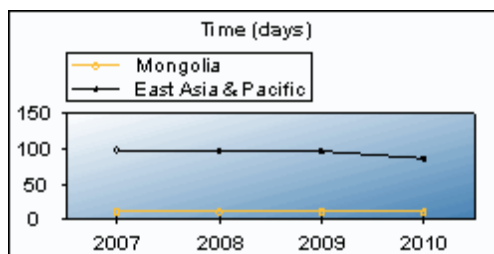
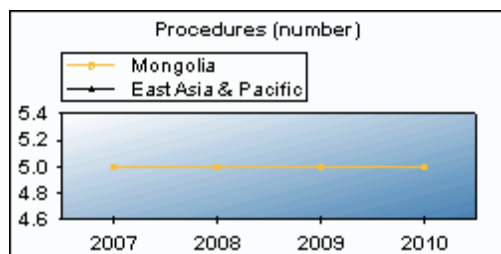
Procedures (number): United Arab Emirates

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

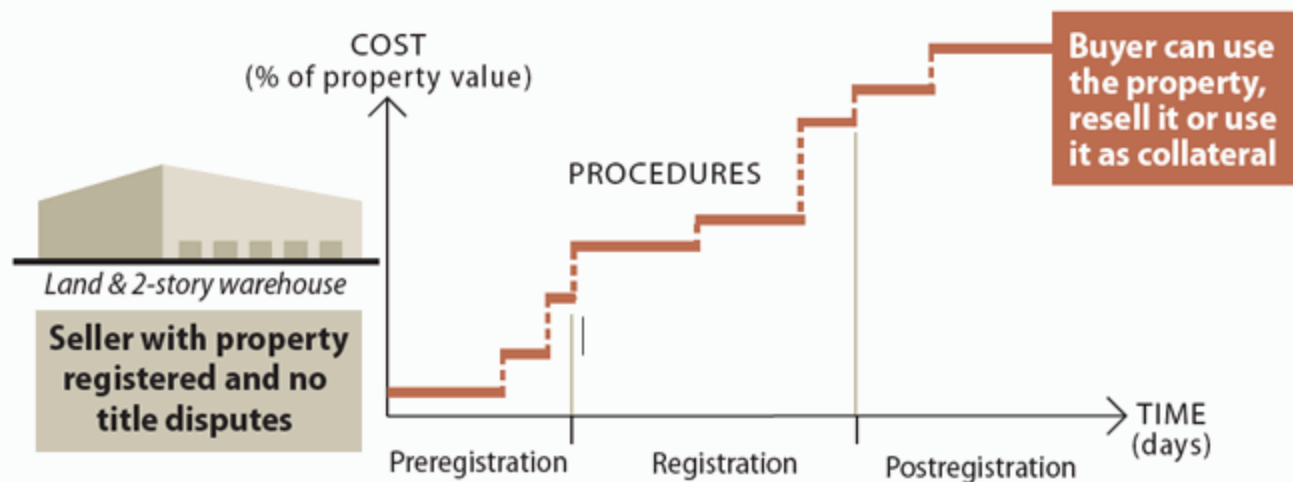
2. Historical data: Registering Property in Mongolia

Registering Property data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	25	27
Procedures (number)	5	5	5	5
Time (days)	11	11	11	11
Cost (% of property value)	2.2	2.1	2.1	2.2

3. The following graphs illustrate the Registering Property sub indicators in Mongolia 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 Mongolia.

STANDARDIZED PROPERTY

Property Value: 106,845,016.91

City: Ulan Bator

Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Obtain a non-encumbrance certificate from the Immovable Property Registration Office	3 days (regular procedure) or 1 day (urgent procedure)	MNT 5,000 (regular procedure) or MNT 10,000 (urgent procedure)
2	Notarization of the contract of purchase	1 day	Notary fees according to the following schedule: Value of contract (in MNT) Notary fees (in MNT) Up to 1,000,000 0.5% of value of contract From 1,000,001 to 10,000,000 MNT 10,000 From 10,000,001 to 25,000,000 MNT 25,000 From 25,000,001 to 100,000,000 MNT 50,000 From 100,000,001 to 300,000,000 MNT 100,000 Above 300,000,000 MNT 200,000
3	Payment of Income or Transfer Tax at a commercial bank	1 day	2% of property value

4	Submit application to the Immovable Property Registration Agency	7 days (regular procedure) or 1 day (urgent procedure)	Regular service fee (in MNT) Urgent service fee (in MNT) Base fee = 65,000 Base fee = 125,000 Certificate fee = 5,000 Certificate fee = 5,000
5	Transfer of the land use right	7 days	MNT 10,000 fee for new certificate

Registering Property Details - Mongolia

Procedure	1	Obtain a non-encumbrance certificate from the Immovable Property Registration Office
Time to complete:		3 days (regular procedure) or 1 day (urgent procedure)
Cost to complete:		MNT 5,000 (regular procedure) or MNT 10,000 (urgent procedure)
Agency:		Immovable Property Registration Office
Comment:		The seller obtains, before signing the contract, the mortgage-free certification from the Immovable Property Registration Office.
Procedure	2	Notarization of the contract of purchase
Time to complete:		1 day
Cost to complete:		Notary fees according to the following schedule: Value of contract (in MNT)Notary fees (in MNT) Up to 1,000,0000.5% of value of contract From 1,000,001 to 10,000,000MNT 10,000 From 10,000,001 to 25,000,000MNT 25,000 From 25,000,001 to 100,000,000MNT 50,000 From 100,000,001 to 300,000,000MNT 100,000 Above 300,000,000MNT 200,000
Comment:		The contract must be certified by the notary public who is authorized to operate in the district in which the immovable property is situated. The contract is prepared by the parties. The authorized representatives of the parties must be present at the notary office. In Mongolia, a legal entity cannot own land, only real estate. Thus calculation shall be made only for the building. As to the land ownership the purchaser after the transfer of the title of the immovable property, shall make an application to the Land department of the relevant district to transfer the Land use right to the purchaser's name. The documentation shall include: <ul style="list-style-type: none">• Non-encumbrance certificate (obtained in Procedure 1)• Immovable property registration certificate (already in possession of seller)• ID card number and registration number of citizen or name, address and state registration number of legal entity who is certifying documents.• Permission of citizen, legal entity and authorized organization if required by law• Copy of contract• Copy of power of attorney, if required• All documents shall be in original or notarized.
Procedure	3	Payment of Income or Transfer Tax at a commercial bank
Time to complete:		1 day
Cost to complete:		2% of property value
Agency:		Commercial Bank
Comment:		The Mongolian legal system established a special tax for the sale of immovable property which is called income tax. The income tax is imposed no matter whether there will be profit or not. Income tax is calculated based on the total income that is realized from the sale of an asset.

Procedure 4 Submit application to the Immovable Property Registration Agency

Time to complete:	7 days (regular procedure) or 1 day (urgent procedure)
Cost to complete:	Regular service fee (in MNT)Urgent service fee (in MNT) Base fee = 65,000Base fee = 125,000 Certificate fee = 5,000Certificate fee = 5,000
Agency:	Immovable Property Registration Office
Comment:	<p>Parties submit relevant materials to the Immoveable Property Registration Agency. At the desk, the officer will check all documents and if satisfied will receive the application; if not he will note the missing documents and reject the application. The certificate of ownership will be issued within 7 days after the Registration Agency analyzes all the documentation presented, if the normal procedure is followed but in 1 day if the urgent procedure is chosen. The documentation shall include:</p> <ul style="list-style-type: none">• A request for registration (fill an application form)• Original immovable property registration certificate.• A notarized copy of the contract (obtained in Procedure 2)• Notarized permission of a citizen, legal entity and authorized organization if required by law.

Procedure 5 Transfer of the land use right

Time to complete:	7 days
Cost to complete:	MNT 10,000 fee for new certificate
Agency:	Land Department
Comment:	<p>Ownership of the land belongs to the state. Only Mongolian citizens own land for family use. Therefore the land use rights are transferred with immovable property. This means who owns the immovable property then automatically holds land use right of the site. The land department of the relevant district will issue a new land use certificate for the new owner of the immovable property and will make a land use contract with the new owner. The documentation shall include:</p> <ul style="list-style-type: none">• A request for registration from both parties.• Copy of the immovable property registration certificate.• A notarized copy of the contract (obtained in Procedure 2)• Notarized permission of a citizen, legal entity and authorized organization if required by law.

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

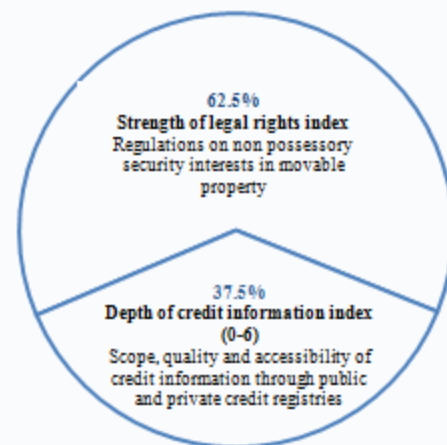
Public credit registry coverage (% of adults)

- 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)

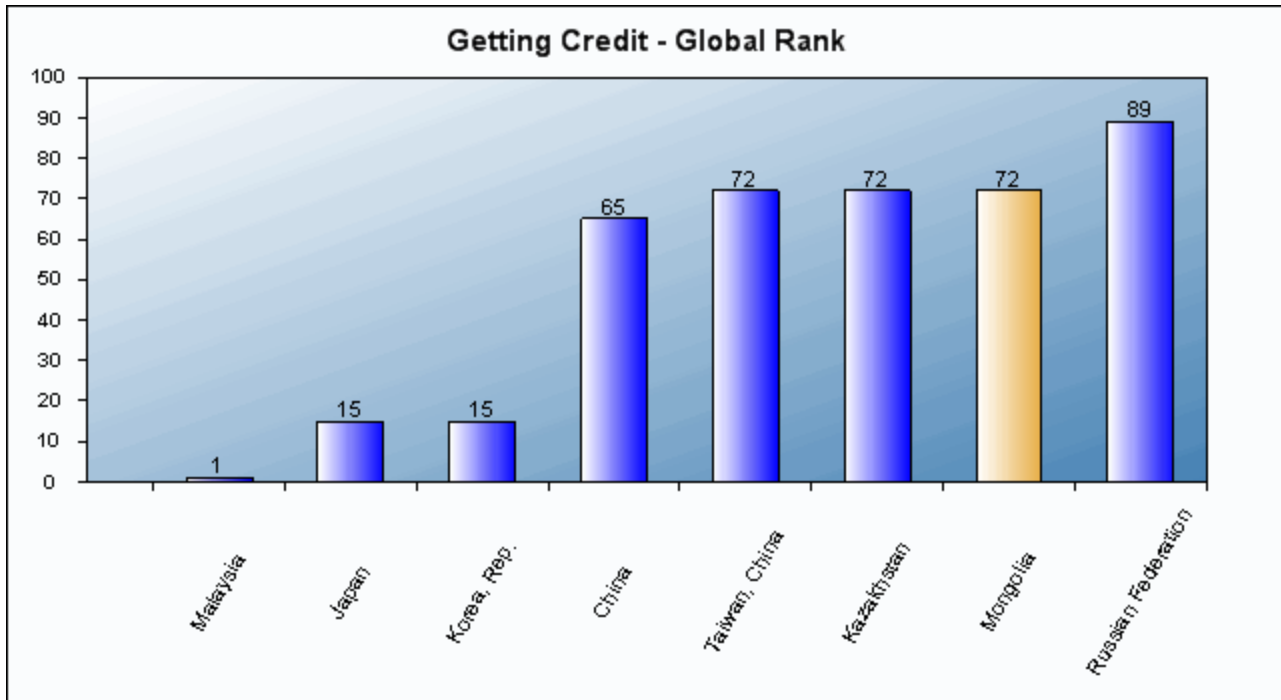
The Debtor

- 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:

Mongolia is ranked 72 overall for Getting Credit.

Ranking of Mongolia in Getting Credit - Compared to good practice and selected economies:



The following table shows Getting Credit data for Mongolia 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>				
Mongolia	6	3	19.2	0.0

<i>Comparator Economies</i>				
China	6	4	63.9	0.0
Japan	7	6	0.0	76.1
Kazakhstan	4	5	0.0	29.9
Korea, Rep.	7	6	0.0	93.3
Russian Federation	3	5	0.0	14.4
Taiwan, China	4	5	0.0	90.4

* The following economies are also good practice economies for :

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

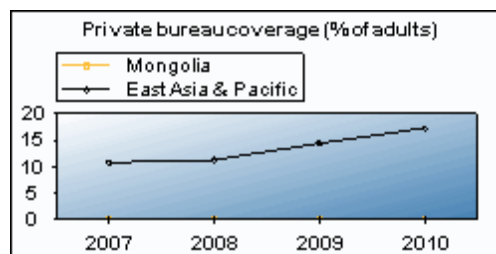
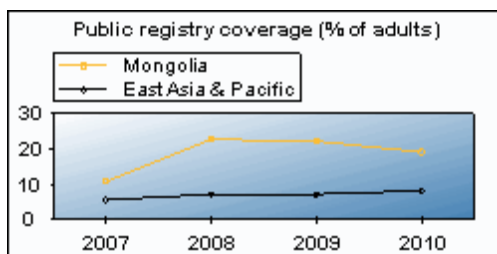
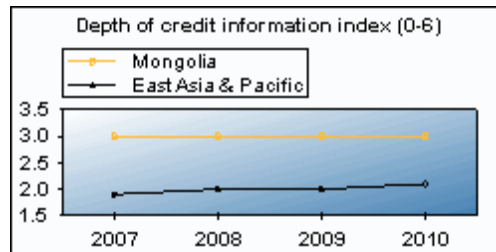
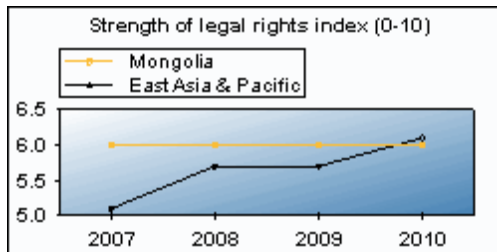
Private bureau coverage (% of adults): Argentina, Australia, Canada, Iceland, Ireland, Norway, Sweden, United Kingdom, United States

27 countries have the highest credit information index.

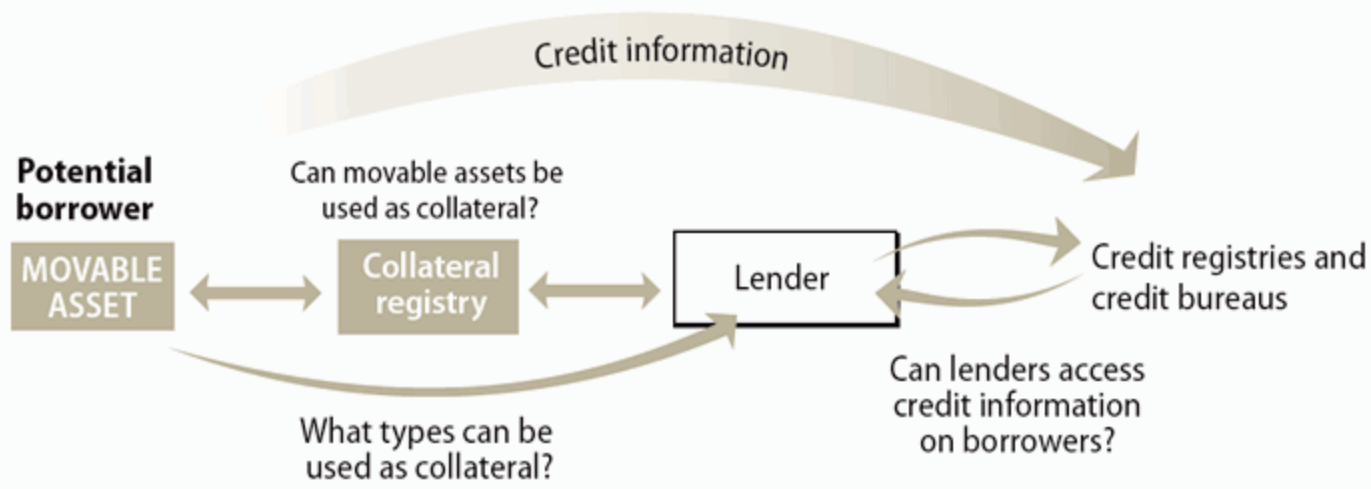
2. Historical data: Getting Credit in Mongolia

Getting Credit data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	69	72
Strength of legal rights index (0-10)	6	6	6	6
Depth of credit information index (0-6)	3	3	3	3
Private bureau coverage (% of adults)	0.0	0.0	0.0	0.0
Public registry coverage (% of adults)	10.8	22.7	22.2	19.2

3. The following graphs illustrate the Getting Credit sub indicators in Mongolia 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 Mongolia.

Getting Credit Indicators (2010)			Indicator
Private bureau coverage (% of adults)	Private credit bureau	Public credit registry	3
Are data on both firms and individuals distributed?	No	Yes	1
Are both positive and negative data distributed?	No	Yes	1
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	Yes	1
Is data on all loans below 1% of income per capita distributed?	No	No	0
Is it guaranteed by law that borrowers can inspect their data in the largest credit registry?	No	No	0
Coverage	0.0	19.2	
Number of individuals		0	..
Number of firms		0	..

Strength of legal rights index (0-10)**6**

Can any business use movable assets as collateral while keeping possession of the assets; and any financial institution accept such assets as collateral ?

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?

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?

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 ?

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 ?

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 ?

Do secured creditors have absolute priority to their collateral outside bankruptcy procedures?

Do secured creditors have absolute priority to their collateral in bankruptcy procedures?

During reorganization, are secured creditors' claims exempt from an automatic stay on enforcement?

Does the law authorize parties to agree on out of court enforcement?

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)

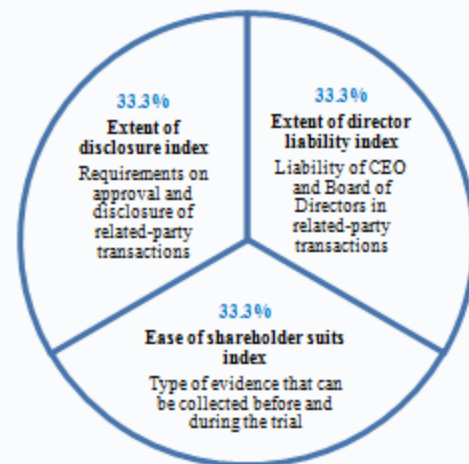
- Documents and information available during trial
- Access to internal corporate documents (directly or through a government inspector)

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.

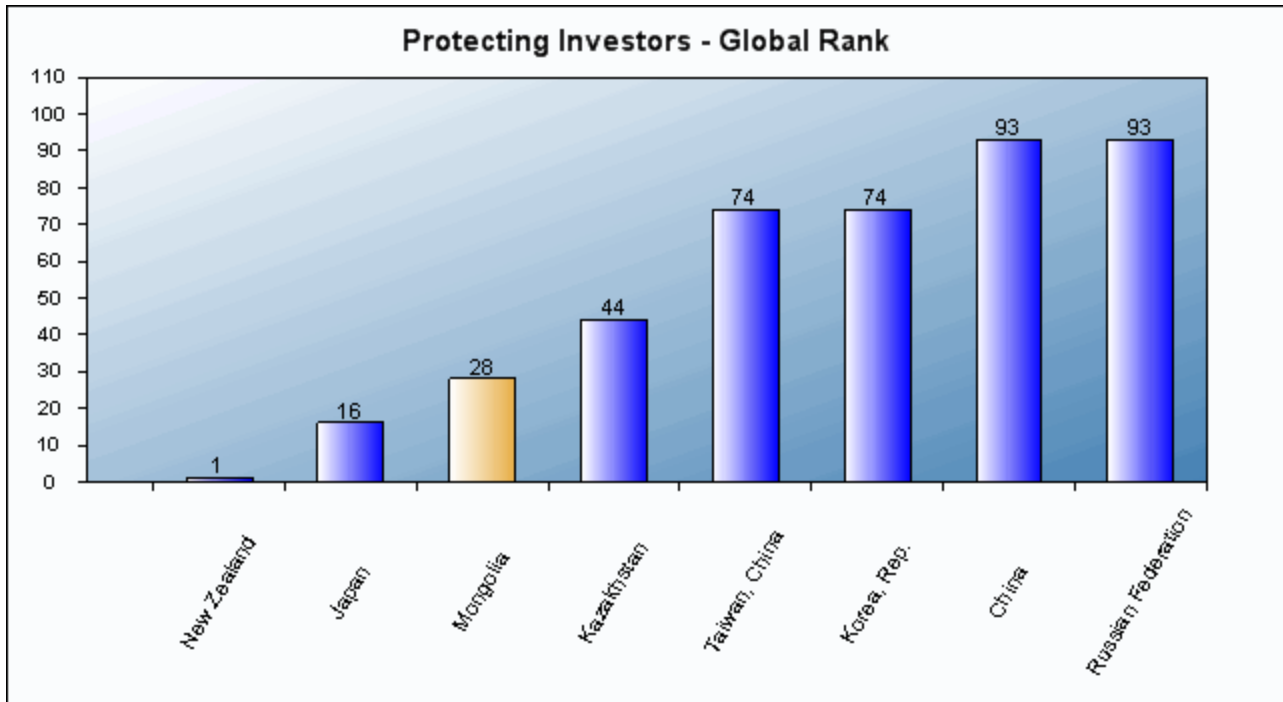
The transaction

- 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:

Mongolia is ranked 28 overall for Protecting Investors.

Ranking of Mongolia in Protecting Investors - Compared to good practice and selected economies:



The following table shows Protecting Investors data for Mongolia compared to good practice and comparator economies:

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

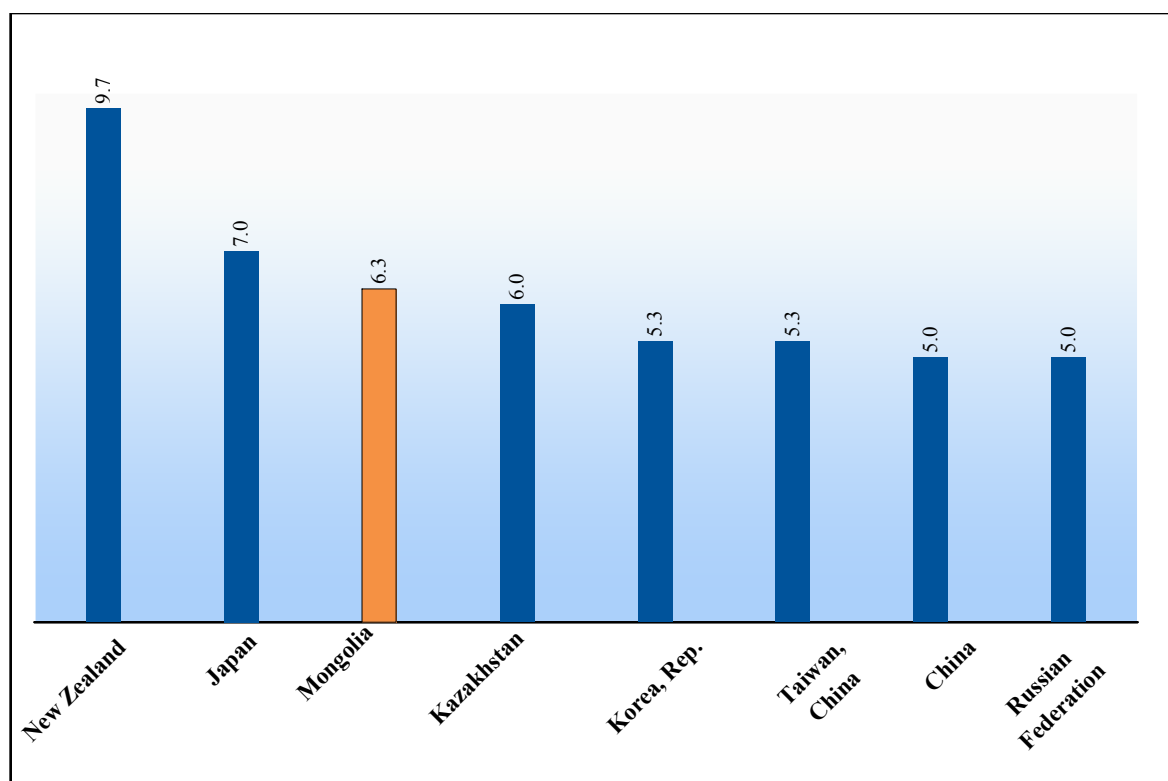
<i>Selected Economy</i>	
Mongolia	6.3

<i>Comparator Economies</i>	
China	5.0
Japan	7.0
Kazakhstan	6.0
Korea, Rep.	5.3
Russian Federation	5.0
Taiwan, China	5.3

2. Historical data: Protecting Investors in Mongolia

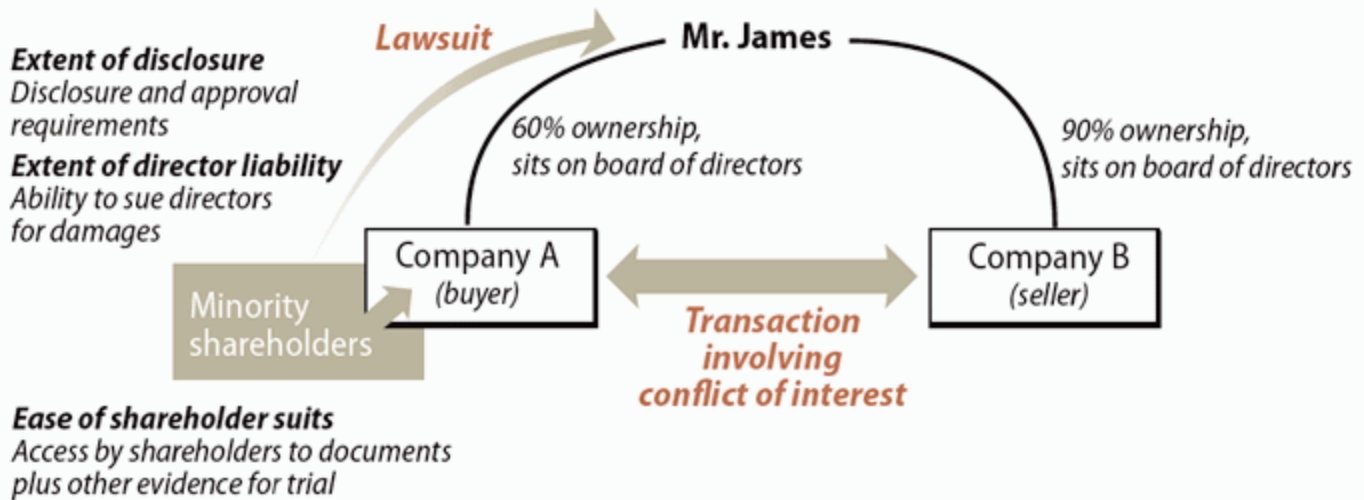
Protecting Investors data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	27	28
Strength of investor protection index (0-10)	6.3	6.3	6.3	6.3

3. The following graph illustrates the Protecting Investors index in Mongolia 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 Mongolia.

Protecting Investors Data (2010)	Indicator
Extent of disclosure index (0-10)	5
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?	1
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)	8
Whether shareholders can hold Mr. James liable for the damage that the Buyer-Seller transaction causes to the company?	2
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?	2
Whether a court can void the transaction upon a successful claim by a shareholder plaintiff?	2
Whether Mr. James pays damages for the harm caused to the company upon a successful claim by the shareholder plaintiff?	1

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)	6
Whether the plaintiff can obtain any documents from the defendant and witnesses during trial?	4
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?	1
Whether shareholders owning 10% or less of Buyer's shares can inspect transaction documents before filing suit?	1
Strength of investor protection index (0-10)	6.3

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)

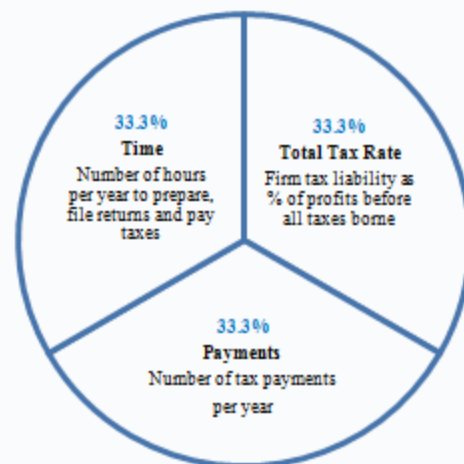
- Collecting information and computing the tax payable
- Completing tax return forms, filing with proper agencies
- Arranging payment or withholding
- Preparing separate tax accounting books, if required

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



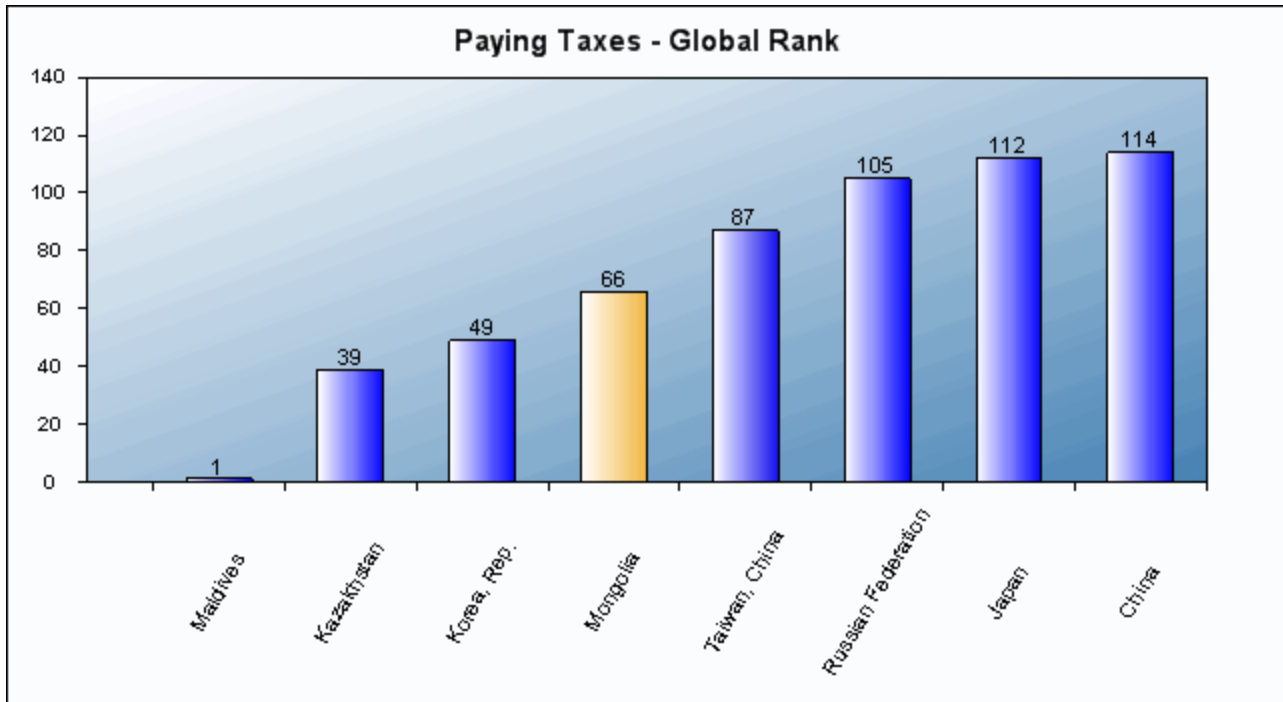
Case Study Assumptions

- 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:

Mongolia is ranked 66 overall for Paying Taxes.

Ranking of Mongolia in Paying Taxes - Compared to good practice and selected economies:



The following table shows Paying Taxes data for Mongolia 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>			
Mongolia	43	192	23.0

<i>Comparator Economies</i>			
China	7	398	63.5
Japan	14	355	48.6
Kazakhstan	9	271	29.6
Korea, Rep.	14	250	29.8
Russian Federation	11	320	46.5
Taiwan, China	17	269	41.9

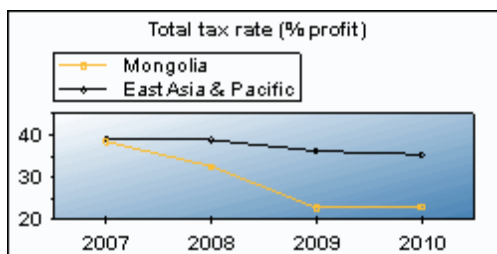
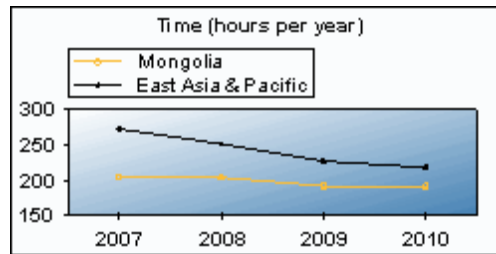
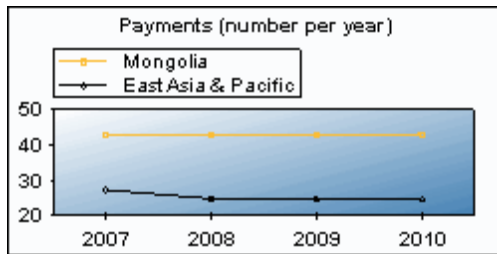
* The following economies are also good practice economies for :

Payments (number per year): Qatar

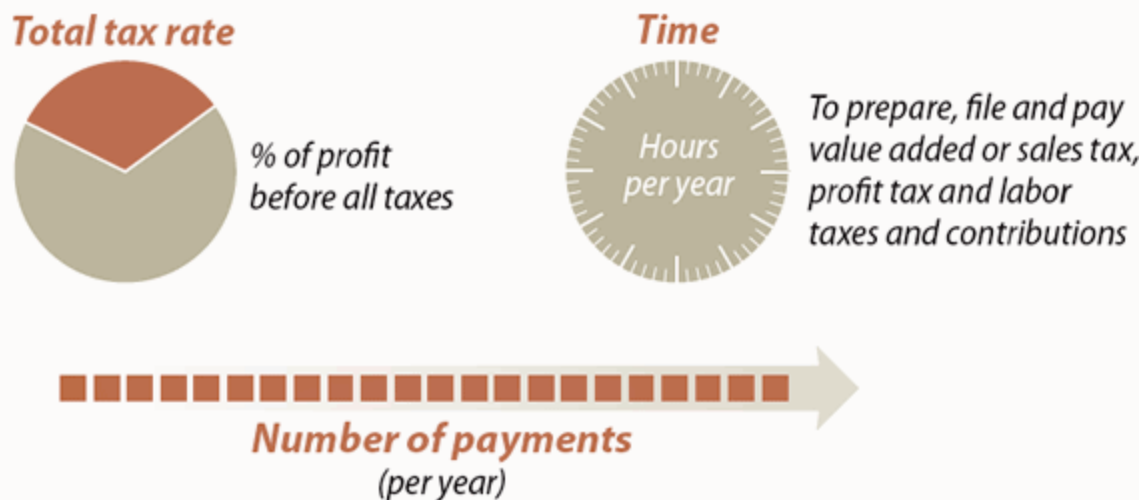
2. Historical data: Paying Taxes in Mongolia

Paying Taxes data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	67	66
Total tax rate (% profit)	38.4	32.6	22.8	23.0
Payments (number per year)	43	43	43	43
Time (hours per year)	204	204	192	192

3. The following graphs illustrate the Paying Taxes sub indicators in Mongolia 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 Mongolia, 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
Value added tax (VAT)	12		72	10.0%	value added and land sale		
Property transfer tax	1			2.0%	capital gains	0.10	
Vehicle tax	4			varies up to MNT 100,000)		0.20	
Interest tax	1			10.0%	interest income	0.30	
Property tax	1			0.6%	property value	0.60	
Corporate income tax	12		57	10% (25% if > 3bn togrogs)	taxable profits (there's a 50% discount for the second year)	9.40	
Social insurance contributions	12		63	20% (divided b/n employee/r)	gross salaries	12.40	

Totals

43

192

23.0

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)

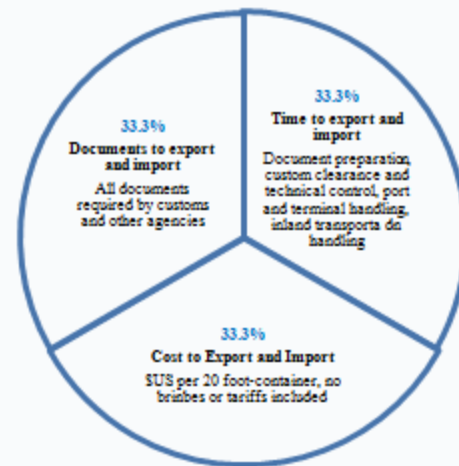
- Bank documents
- Customs clearance documents
- Port and terminal handling documents
- Transport documents

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

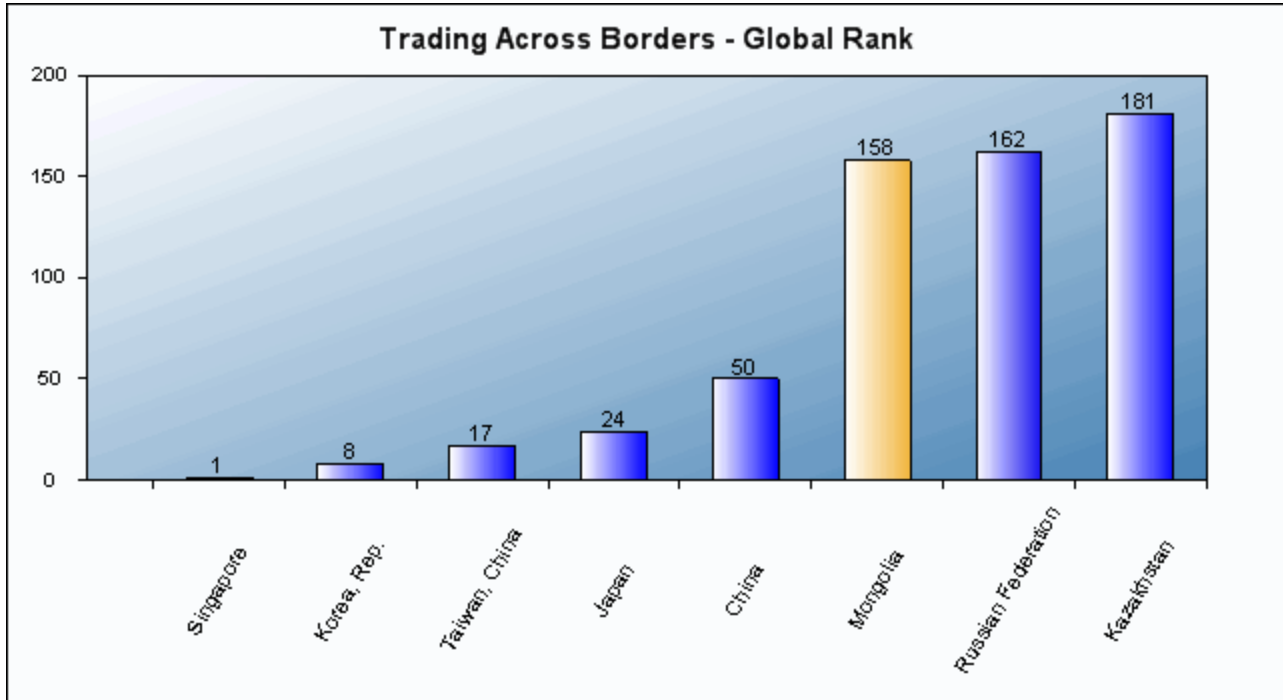
The traded product

- 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:

Mongolia is ranked 158 overall for Trading Across Borders.

Ranking of Mongolia in Trading Across Borders - Compared to good practice and selected economies:



The following table shows Trading Across Borders data for Mongolia 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>						
Mongolia	8	46	2131	8	47	2274

<i>Comparator Economies</i>						
China	7	21	500	5	24	545
Japan	4	10	1010	5	11	1060
Kazakhstan	10	81	3005	12	67	3055
Korea, Rep.	3	8	790	3	7	790
Russian Federation	8	36	1850	13	36	1850
Taiwan, China	5	12	645	6	12	700

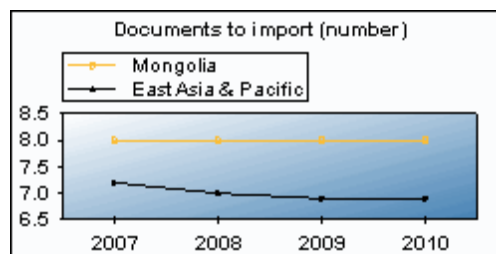
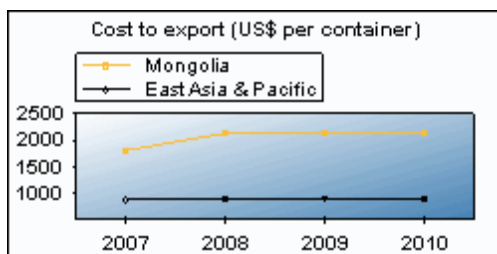
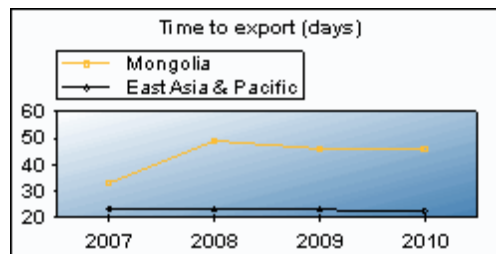
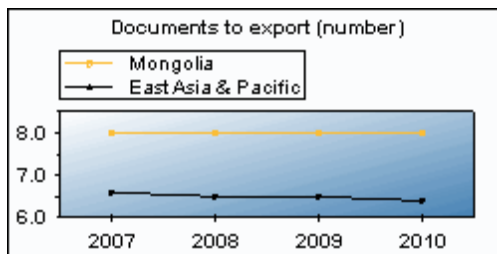
* The following economies are also good practice economies for :

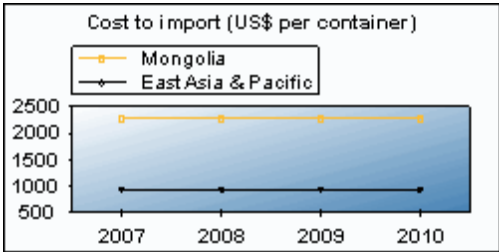
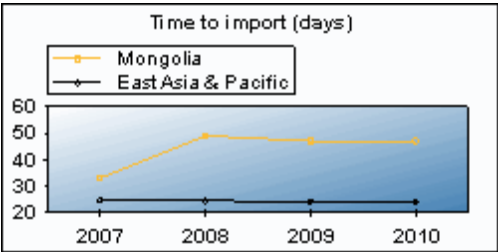
Time to export (days): Estonia

2. Historical data: Trading Across Borders in Mongolia

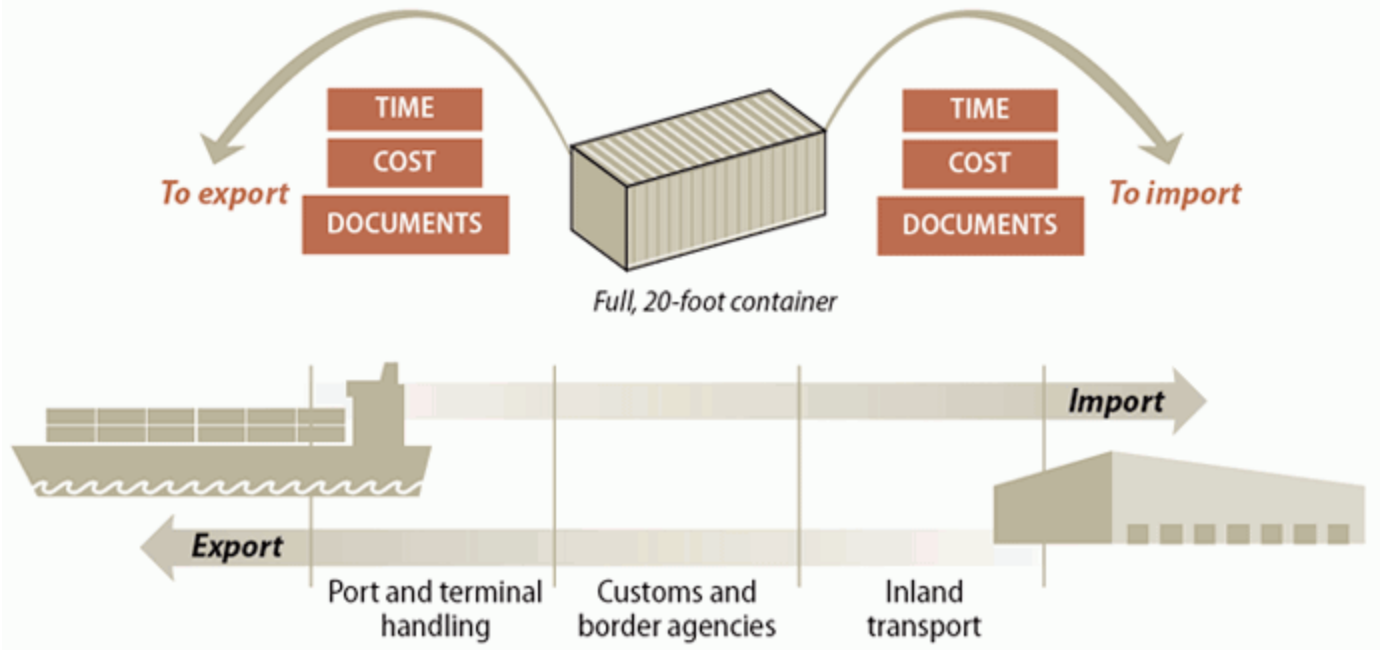
Trading Across Borders data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	156	158
Cost to export (US\$ per container)	1807	2131	2131	2131
Cost to import (US\$ per container)	2274	2274	2274	2274
Documents to export (number)	8	8	8	8
Documents to import (number)	8	8	8	8
Time to export (days)	33	49	46	46
Time to import (days)	33	49	47	47

3. The following graphs illustrate the Trading Across Borders sub indicators in Mongolia 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 Mongolia. The documents required to export and import the goods are also shown.

Nature of Export Procedures (2010)	Duration (days)	US\$ Cost
Documents preparation	28	145
Customs clearance and technical control	2	126
Ports and terminal handling	2	80
Inland transportation and handling	14	1780
Totals	46	2131

Nature of Import Procedures (2010)	Duration (days)	US\$ Cost
Documents preparation	28	144
Customs clearance and technical control	4	50
Ports and terminal handling	2	80
Inland transportation and handling	13	2000
Totals	47	2274

Documents for Export and Import

Export

- Bill of lading
- Certificate of origin
- Commercial invoice
- Customs export declaration
- Insurance certificate
- Packing list
- Technical standard/health certificate
- Transit document

Import

- Bill of lading
- Certificate of origin
- Commercial invoice
- Customs import declaration
- Transit document
- Insurance certificate
- Packing list
- Technical standard/health certificate

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)

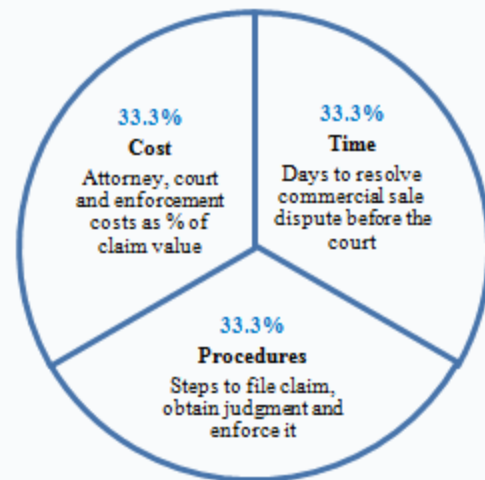
- Any interaction between the parties in a commercial dispute, or between them and the judge or court officer
- Steps to file the case
- Steps for trial and judgment
- Steps to enforce the judgment

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



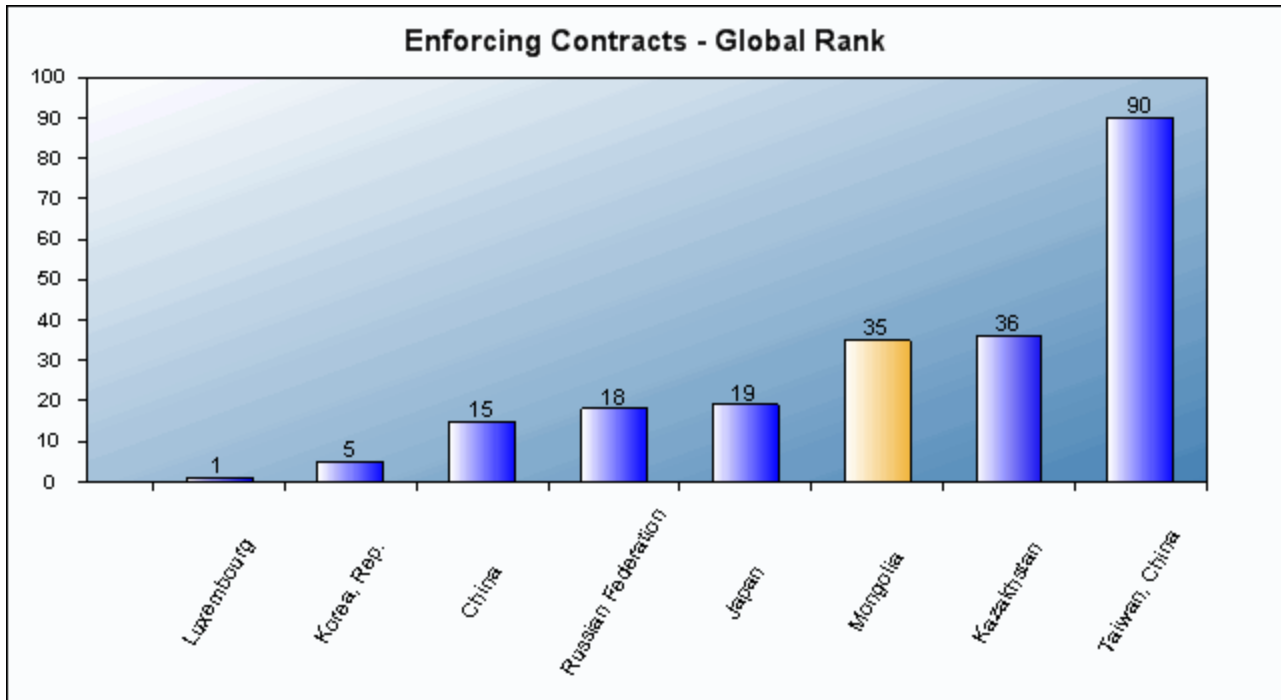
Case Study Assumptions

- 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:

Mongolia is ranked 35 overall for Enforcing Contracts.

Ranking of Mongolia in Enforcing Contracts - Compared to good practice and selected economies:



The following table shows Enforcing Contracts data for Mongolia compared to good practice and comparator economies:

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

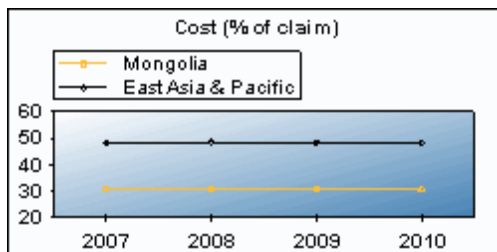
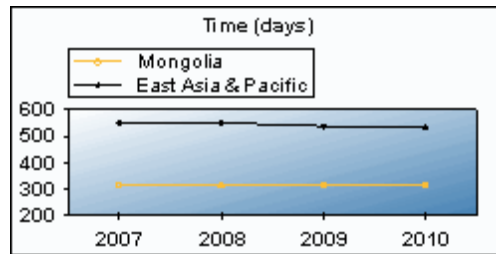
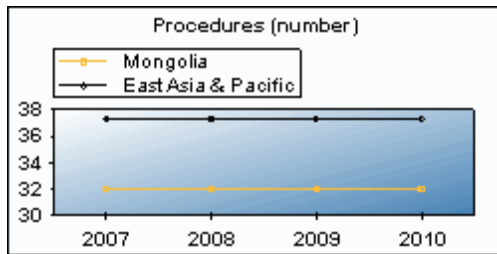
<i>Selected Economy</i>			
Mongolia	32	314	30.6

<i>Comparator Economies</i>			
China	34	406	11.1
Japan	30	360	22.7
Kazakhstan	38	390	22.0
Korea, Rep.	35	230	10.3
Russian Federation	37	281	13.4
Taiwan, China	47	510	17.7

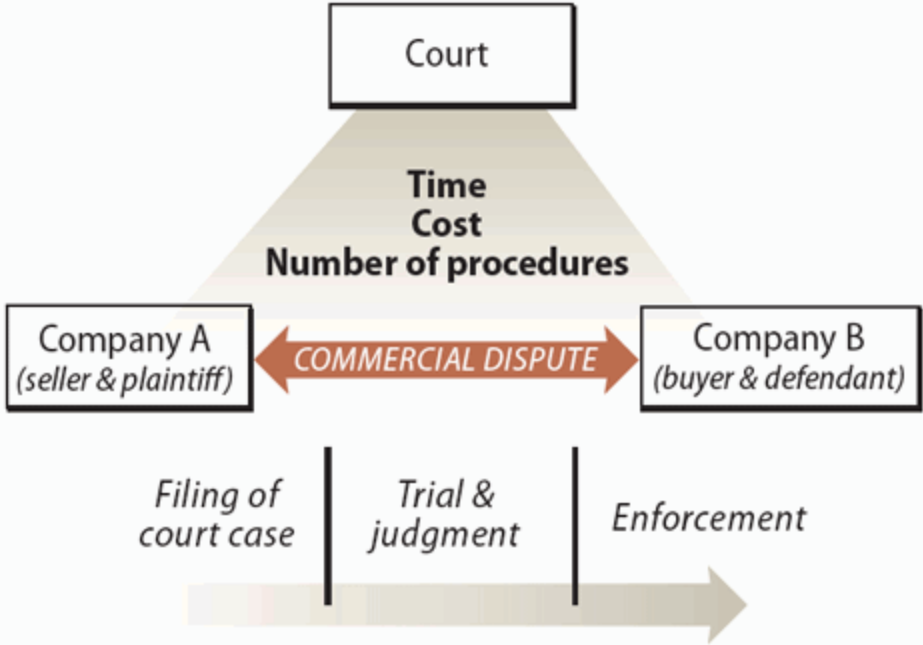
2. Historical data: Enforcing Contracts in Mongolia

Enforcing Contracts data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	35	35
Procedures (number)	32	32	32	32
Time (days)	314	314	314	314
Cost (% of claim)	30.6	30.6	30.6	30.6

3. The following graphs illustrate the Enforcing Contracts sub indicators in Mongolia 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 Mongolia.

Nature of Procedure (2010)	Indicator
Procedures (number)	32
Time (days)	314
Filing and service	14.0
Trial and judgment	120.0
Enforcement of judgment	180.0
Cost (% of claim)*	30.60
Attorney cost (% of claim)	14.9
Court cost (% of claim)	7.2
Enforcement Cost (% of claim)	8.5

Court information: Ulaanbaatar District Court ("Duurgiin Shuukh")

* 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

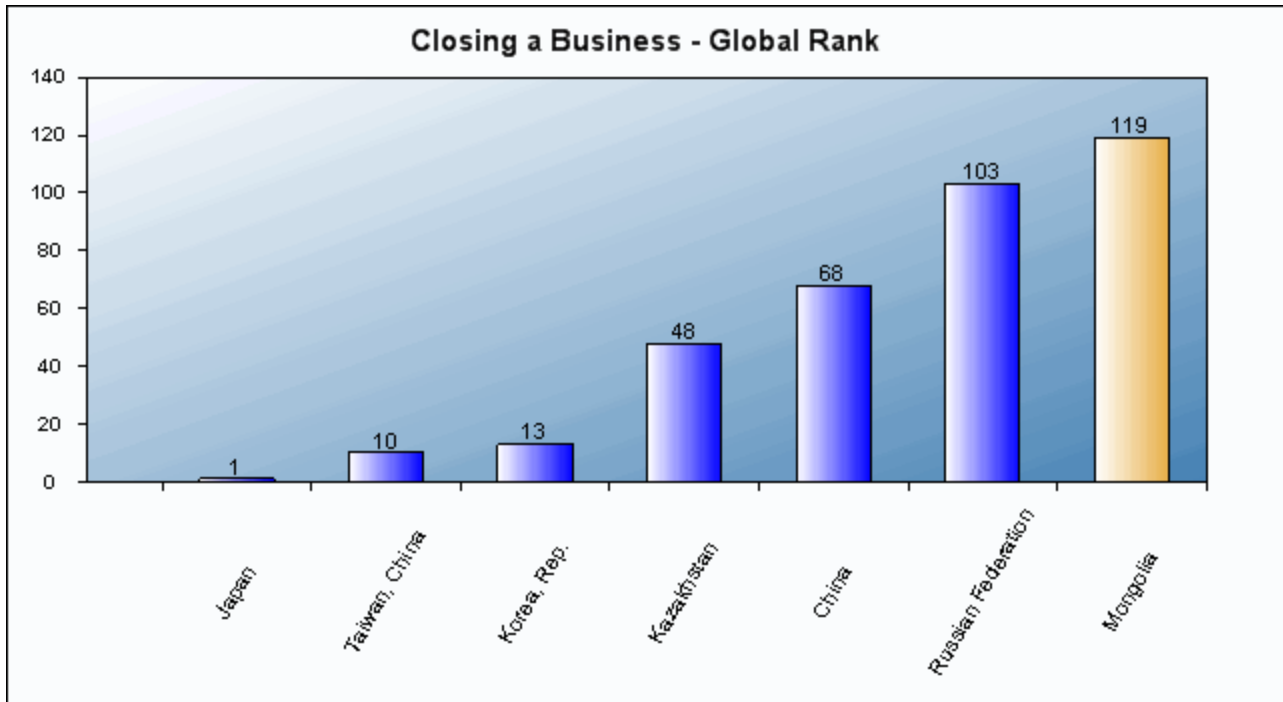
The Company

- 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:

Mongolia is ranked 119 overall for Closing a Business.

Ranking of Mongolia in Closing Business - Compared to good practice and selected economies:



The following table shows Closing Business data for Mongolia 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>			
Mongolia	20.0	4.0	8

<i>Comparator Economies</i>			
China	36.4	1.7	22
Japan	92.7	0.6	4
Kazakhstan	43.3	1.5	15
Korea, Rep.	81.7	1.5	4
Russian Federation	25.3	3.8	9
Taiwan, China	82.2	1.9	4

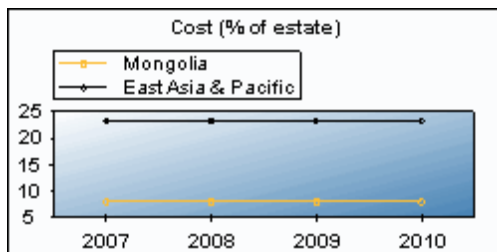
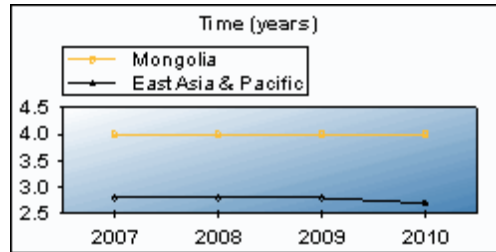
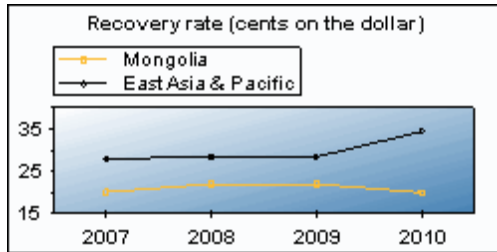
* The following economies are also good practice economies for :

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

2. Historical data: Closing Business in Mongolia

Closing a Business data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	109	119
Time (years)	4.0	4.0	4.0	4.0
Cost (% of estate)	8	8	8	8
Recovery rate (cents on the dollar)	20.1	22.0	22.0	20.0

3. The following graphs illustrate the Closing Business sub indicators in Mongolia 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.

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.
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.
China	China's new corporate income tax law unified the tax regimes for domestic and foreign enterprises and clarified the calculation of taxable income for corporate income tax purposes.
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.
Japan	Japan made it easier to deal with insolvency by establishing a new entity, the Enterprise Turnaround Initiative Corporation, to support the revitalization of companies suffering from excessive debt but professionally managed.
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.
Korea, Rep.	Korea made it easier to deal with insolvency by introducing postfiling financing, granting superpriority to the repayment of loans given to companies undergoing reorganization.
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.
Russian Federation	Russia eased construction permitting by implementing a single window for all procedures related to land use. Russia introduced a series of legislative measures in 2009 to improve creditor rights and the insolvency system.
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.
Taiwan, China	Taiwan (China) eased business start-up by reducing the time required to check company names, register retirement plans and apply for health, pension and labor insurance. Taiwan (China) reduced the corporate income tax rate and simplified tax return forms, rules for assessing corporate income tax and the calculation of interim tax payments.

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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