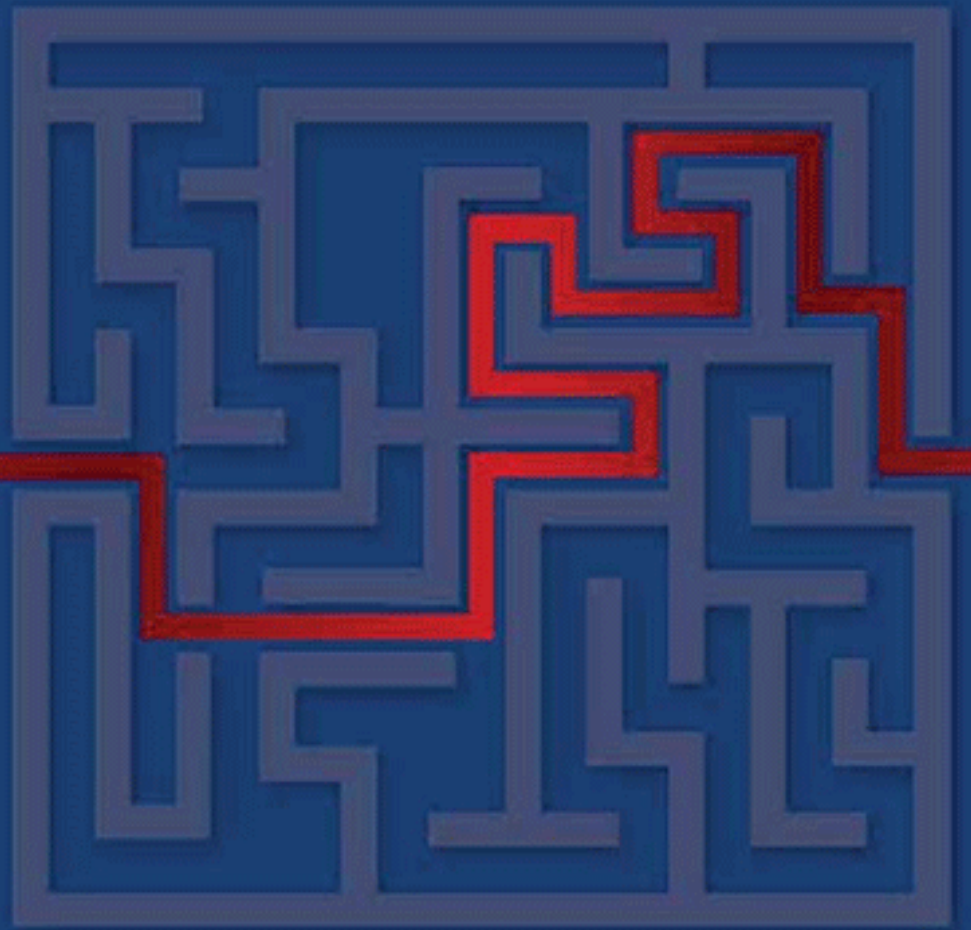




# Doing Business 2014

## Economy Profile: France



Comparing Business Regulations for Domestic Firms in 189 Economies

11<sup>TH</sup> EDITION

*A World Bank Group Corporate Flagship*

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## INTRODUCTION

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

In a series of annual reports *Doing Business* presents quantitative indicators on business regulations and the protection of property rights that can be compared across 189 economies, from Afghanistan to Zimbabwe, over time. The data set covers 47 economies in Sub-Saharan Africa, 33 in Latin America and the Caribbean, 25 in East Asia and the Pacific, 25 in Eastern Europe and Central Asia, 20 in the Middle East and North Africa and 8 in South Asia, as well as 31 OECD high-income economies. The indicators are used to analyze economic outcomes and identify what reforms have worked, where and why.

This economy profile presents the *Doing Business* indicators for France. To allow useful comparison, it also provides data for other selected economies (comparator economies) for each indicator. The data in this report are current as of June 1, 2013 (except for

the paying taxes indicators, which cover the period January–December 2012).

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

More information is available in the full report. *Doing Business 2014* presents the indicators, analyzes their relationship with economic outcomes and presents business regulatory reforms. The data, along with information on ordering *Doing Business 2014*, are available on the *Doing Business* website at <http://www.doingbusiness.org>.

## THE BUSINESS ENVIRONMENT

For policy makers trying to improve their economy's regulatory environment for business, a good place to start is to find out how it compares with the regulatory environment in other economies. *Doing Business* provides an aggregate ranking on the ease of doing business based on indicator sets that measure and benchmark regulations applying to domestic small to medium-size businesses through their life cycle. Economies are ranked from 1 to 189 by the ease of doing business index. For each economy the index is calculated as the ranking on the simple average of its percentile rankings on each of the 10 topics included in the index in *Doing Business 2014*: starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting investors, paying taxes, trading across borders, enforcing contracts and resolving insolvency. The ranking on each topic is the simple average of the percentile rankings on its component indicators (see the data notes for more details). The employing workers indicators are not included in this year's aggregate ease of doing business ranking, but the data are presented in this year's economy profile.

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

### ECONOMY OVERVIEW

**Region:** OECD high income

**Income category:** High income

**Population:** 65,696,689

**GNI per capita (US\$):** 41,750

**DB2014 rank:** 38

**DB2013 rank:** 35\*

**Change in rank:** -3

**DB 2014 DTF:** 71.97

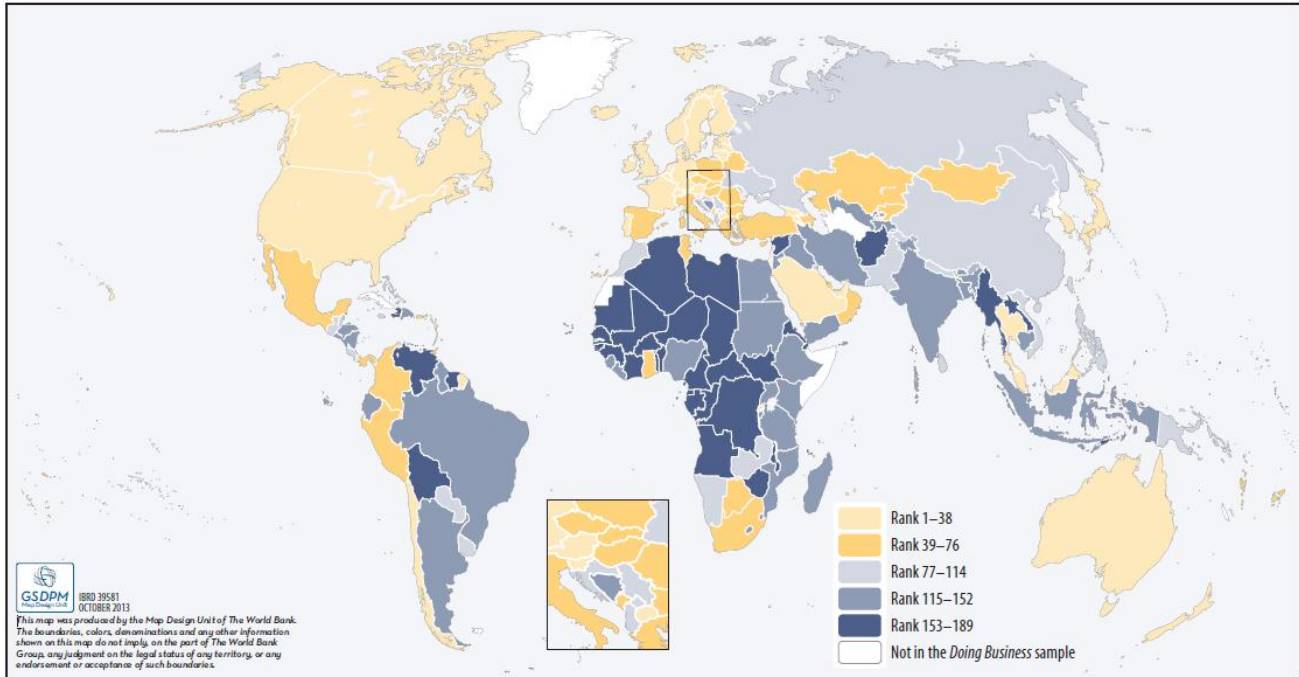
**DB 2013 DTF:** 71.92

**Change in DTF:** 0.07

\* DB2013 ranking shown is not last year's published ranking but a comparable ranking for DB2013 that captures the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year. See the data notes for sources and definitions.

## THE BUSINESS ENVIRONMENT

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



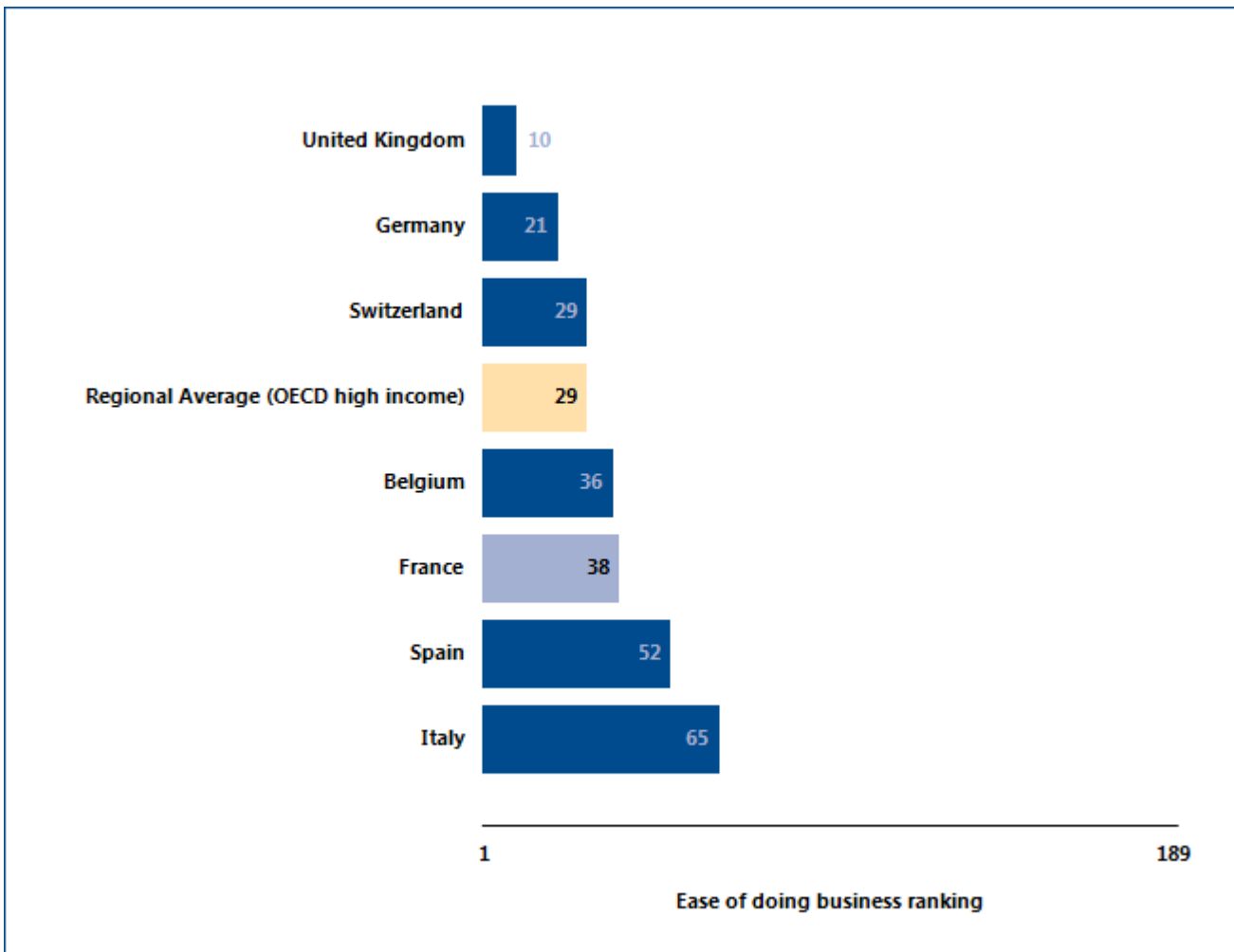
Source: *Doing Business* database.

## THE BUSINESS ENVIRONMENT

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

relative to the regional average (figure 1.2). The economy's rankings on the topics included in the ease of doing business index provide another perspective (figure 1.3).

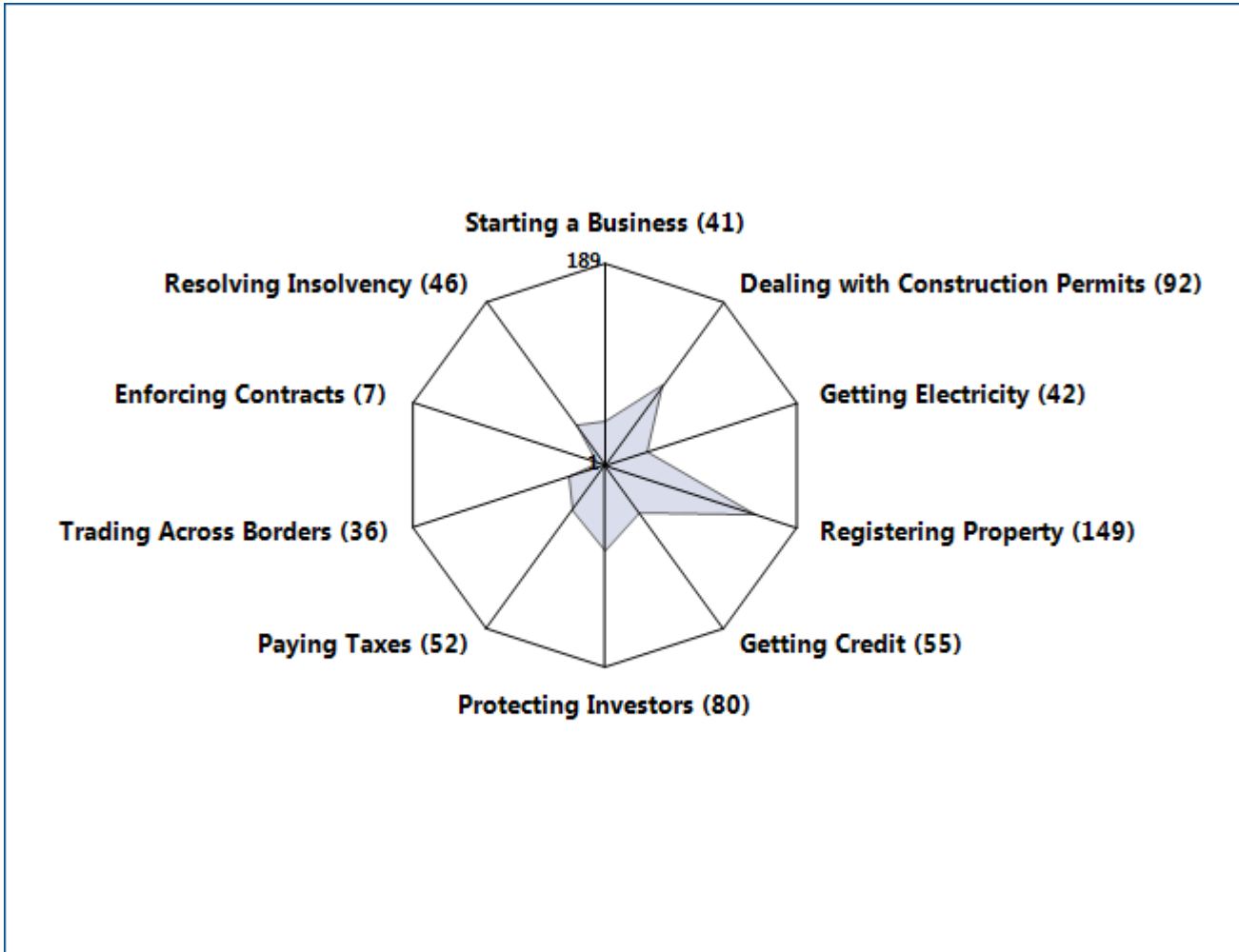
Figure 1.2 How France and comparator economies rank on the ease of doing business



Source: Doing Business database.

## THE BUSINESS ENVIRONMENT

Figure 1.3 How France ranks on *Doing Business* topics



Source: *Doing Business* database.



## THE BUSINESS ENVIRONMENT

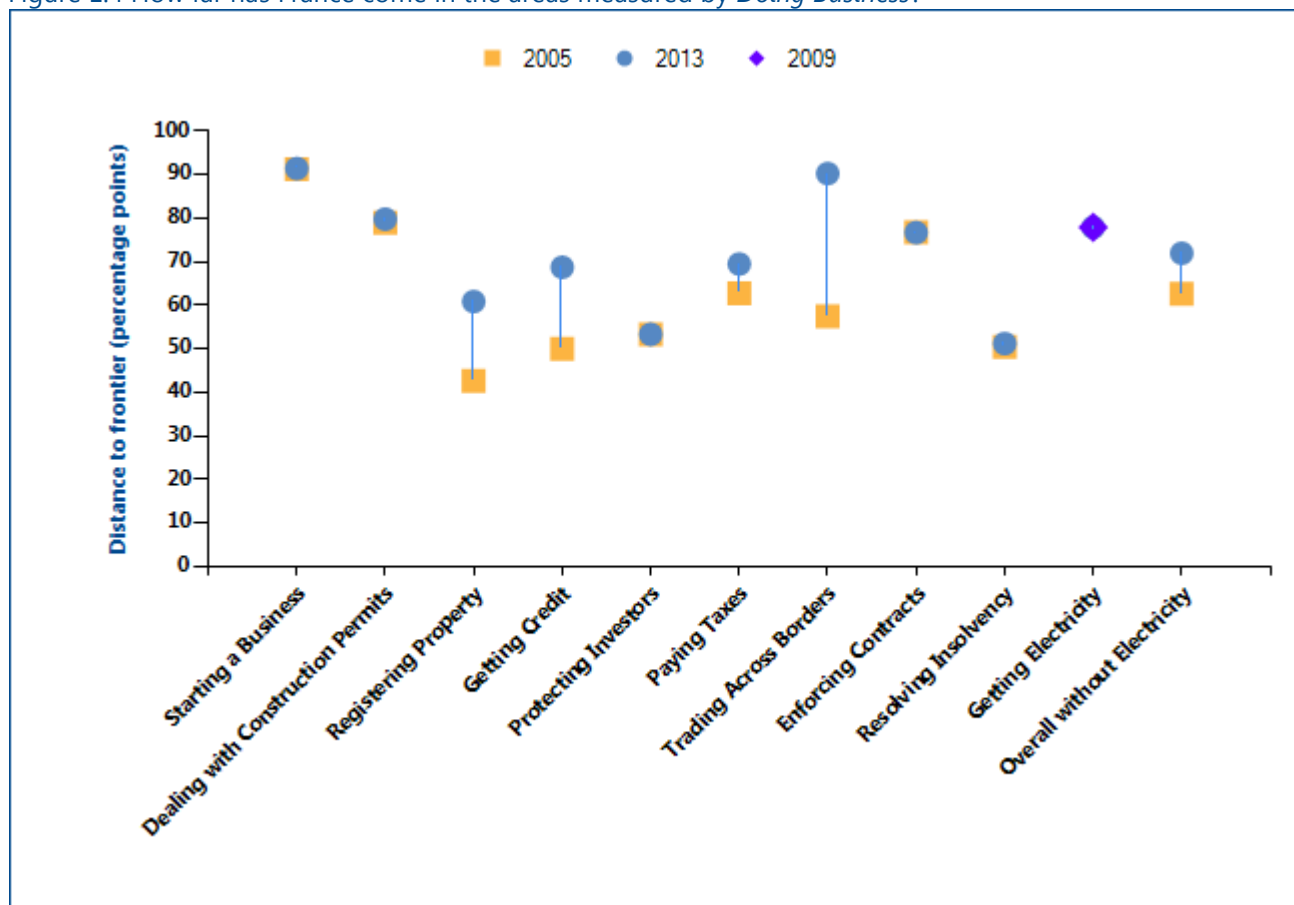
Just as the overall ranking on the ease of doing business tells only part of the story, so do changes in that ranking. Yearly movements in rankings can provide some indication of changes in an economy’s regulatory environment for firms, but they are always relative.

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

*Doing Business* introduced the distance to frontier measure. This measure shows how far on average an economy is from the best performance achieved by any economy on each *Doing Business* indicator since 2005, except for the getting electricity indicators, which were introduced in 2009.

Comparing the measure for an economy at 2 points in time allows users to assess how much the economy’s regulatory environment as measured by *Doing Business* has changed over time—how far it has moved toward (or away from) the most efficient practices and strongest regulations in areas covered by *Doing Business* (figure 1.4).

Figure 1.4 How far has France come in the areas measured by *Doing Business*?



Note: The distance to frontier measure shows how far on average an economy is from the best performance achieved by any economy on each *Doing Business* indicator since 2005, except for the getting electricity indicators, which were introduced in 2009. The measure is normalized to range between 0 and 100, with 100 representing the best performance (the frontier). The overall distance to frontier is the average of the distance to frontier in the first 9 indicator sets shown in the figure and does not include getting electricity. Data on the overall distance to frontier including getting electricity is available at <http://www.doingbusiness.org/data/distance-to-frontier>. See the data notes for more details on the distance to frontier measure.

Source: *Doing Business* database.

## THE BUSINESS ENVIRONMENT

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

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

Table 1.1 Summary of *Doing Business* indicators for France

Indicator	France DB2014	France DB2013	Belgium DB2014	Germany DB2014	Italy DB2014	Spain DB2014	Switzerland DB2014	United Kingdom DB2014	Best performer globally DB2014
<b>Starting a Business (rank)</b>	41	29	49	111	90	142	104	28	New Zealand (1)
<b>Procedures (number)</b>	5	5	3	9	6	10	6	6	New Zealand (1)*
<b>Time (days)</b>	6.5	6.5	4.0	14.5	6.0	23.0	18.0	12.0	New Zealand (0.5)
<b>Cost (% of income per capita)</b>	0.9	0.9	5.2	4.7	14.2	4.7	2.0	0.3	Slovenia (0.0)
<b>Paid-in Min. Capital (% of income per capita)</b>	0.0	0.0	18.2	0.0	9.8	13.4	25.6	0.0	112 Economies (0.0)*
<b>Dealing with Construction Permits (rank)</b>	92	74	100	12	112	98	58	27	Hong Kong SAR, China (1)
<b>Procedures (number)</b>	9	9	13	9	11	9	13	12	Hong Kong SAR, China (6)
<b>Time (days)</b>	184.0	184.0	214.0	97.0	233.5	230.0	154.0	88.0	Singapore (26.0)

Indicator	France DB2014	France DB2013	Belgium DB2014	Germany DB2014	Italy DB2014	Spain DB2014	Switzerland DB2014	United Kingdom DB2014	Best performer globally DB2014
Cost (% of income per capita)	244.4	186.8	54.3	46.7	186.4	172.9	38.1	66.0	Qatar (1.1)
Getting Electricity (rank)	42	41	90	3	89	62	8	74	Iceland (1)
Procedures (number)	5	5	6	3	5	5	3	5	10 Economies (3)*
Time (days)	79	79	88	17	124	85	39	126	Germany (17)
Cost (% of income per capita)	43.3	43.9	92.5	46.9	215.9	234.4	59.6	91.9	Japan (0.0)
Registering Property (rank)	149	150	180	81	34	60	16	68	Georgia (1)
Procedures (number)	8	8	8	5	4	5	4	6	4 Economies (1)*
Time (days)	49.0	59.0	64.0	40.0	16.0	12.5	16.0	21.5	New Zealand (1.0)*
Cost (% of property value)	6.1	6.1	12.7	5.7	4.4	7.1	0.3	4.7	5 Economies (0.0)*
Getting Credit (rank)	55	52	73	28	109	55	28	1	Malaysia (1)*
Strength of legal rights index (0-10)	7	7	6	7	3	6	8	10	10 Economies (10)*
Depth of credit information index (0-6)	4	4	4	6	5	5	5	6	31 Economies (6)*
Public registry coverage (% of adults)	43.6	42.4	96.2	0.0	25.6	51.9	0.0	0.0	Portugal (100.0)*
Private bureau coverage (% of adults)	0.0	0.0	0.0	100.0	100.0	15.6	26.5	100.0	22 Economies (100.0)*
Protecting Investors (rank)	80	80	16	98	52	98	170	10	New Zealand (1)
Extent of disclosure	10	10	8	5	7	5	0	10	10 Economies (10)*

Indicator	France DB2014	France DB2013	Belgium DB2014	Germany DB2014	Italy DB2014	Spain DB2014	Switzerland DB2014	United Kingdom DB2014	Best performer globally DB2014
index (0-10)									
Extent of director liability index (0-10)	1	1	6	5	4	6	5	7	Cambodia (10)
Ease of shareholder suits index (0-10)	5	5	7	5	7	4	4	7	3 Economies (10)*
Strength of investor protection index (0-10)	5.3	5.3	7.0	5.0	6.0	5.0	3.0	8.0	New Zealand (9.7)
Paying Taxes (rank)	52	54	76	89	138	67	16	14	United Arab Emirates (1)
Payments (number per year)	7	7	11	9	15	8	19	8	Hong Kong SAR, China (3)*
Time (hours per year)	132	132	160	218	269	167	63	110	United Arab Emirates (12)
Trading Across Borders (rank)	36	37	28	14	56	32	35	16	Singapore (1)
Documents to export (number)	2	2	4	4	3	4	3	4	Ireland (2)*
Time to export (days)	10	10	9	9	19	10	8	8	5 Economies (6)*
Cost to export (US\$ per container)	1,335	1,335	1,240	905	1,195	1,310	1,635	1,005	Malaysia (450)
Documents to import (number)	2	2	4	4	3	4	4	4	Ireland (2)*
Time to import (days)	11	11	8	7	18	9	8	6	Singapore (4)
Cost to import (US\$ per container)	1,445	1,445	1,400	940	1,145	1,350	1,440	1,050	Singapore (440)
Enforcing Contracts (rank)	7	7	16	5	103	59	20	56	Luxembourg (1)

Indicator	France DB2014	France DB2013	Belgium DB2014	Germany DB2014	Italy DB2014	Spain DB2014	Switzerland DB2014	United Kingdom DB2014	Best performer globally DB2014
<b>Time (days)</b>	395	390	505	394	1,185	510	390	437	Singapore (150)
<b>Cost (% of claim)</b>	17.4	17.4	17.7	14.4	23.1	18.5	24.0	39.9	Bhutan (0.1)
<b>Procedures (number)</b>	29	29	26	30	37	40	32	28	Singapore (21)*
<b>Resolving Insolvency (rank)</b>	46	44	6	13	33	22	47	7	Japan (1)
<b>Time (years)</b>	1.9	1.9	0.9	1.2	1.8	1.5	3.0	1.0	Ireland (0.4)
<b>Cost (% of estate)</b>	9	9	4	8	22	11	4	6	Norway (1)
<b>Outcome (0 as piecemeal sale and 1 as going concern)</b>	0	0	1	1	1	1	0	1	
<b>Recovery rate (cents on the dollar)</b>	48.3	48.4	89.0	82.9	62.7	72.3	47.6	88.6	Japan (92.8)

Note: DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year. For more information on "no practice" marks, see the data notes.

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

Source: *Doing Business* database.

## STARTING A BUSINESS

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

### What do the indicators cover?

*Doing Business* measures the ease of starting a business in an economy by recording all procedures officially required or commonly done in practice by an entrepreneur to start up and formally operate an industrial or commercial business—as well as the time and cost required to complete these procedures. It also records the paid-in minimum capital that companies must deposit before registration (or within 3 months). The ranking on the ease of starting a business is the simple average of the percentile rankings on the 4 component indicators: procedures, time, cost and paid-in minimum capital requirement.

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

- Is a limited liability company, located in the largest business city and is 100% domestically owned.
- Has between 10 and 50 employees.
- Conducts general commercial or industrial activities.

### WHAT THE STARTING A BUSINESS

#### INDICATORS MEASURE

#### Procedures to legally start and operate a company (number)

Preregistration (for example, name verification or reservation, notarization)

Registration in the economy's largest business city

Postregistration (for example, social security registration, company seal)

#### Time required to complete each procedure (calendar days)

Does not include time spent gathering information

Each procedure starts on a separate day (2 procedures cannot start on the same day). Procedures that can be fully completed online are an exception to this rule.

Procedure completed once final document is received

No prior contact with officials

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

Official costs only, no bribes

No professional fees unless services required by law

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

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

- Has a start-up capital of 10 times income per capita.
- Has a turnover of at least 100 times income per capita.
- Does not qualify for any special benefits.
- Does not own real estate.

## STARTING A BUSINESS

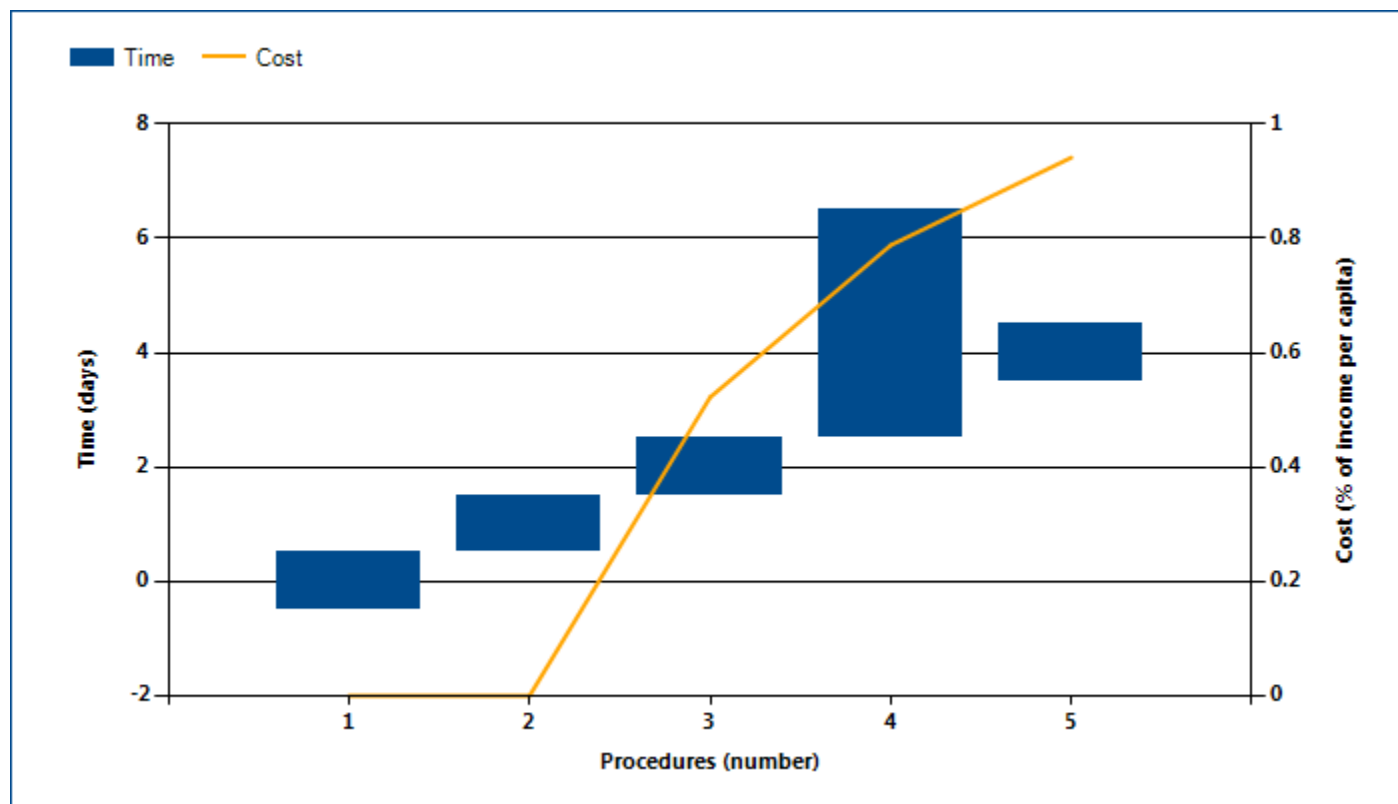
### Where does the economy stand today?

What does it take to start a business in France? According to data collected by *Doing Business*, starting a business there requires 5 procedures, takes 6.5 days,

costs 0.9% of income per capita and requires paid-in minimum capital of 0.0% of income per capita (figure 2.1).

Figure 2.1 What it takes to start a business in France

Paid-in minimum capital (% of income per capita): 0.0



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

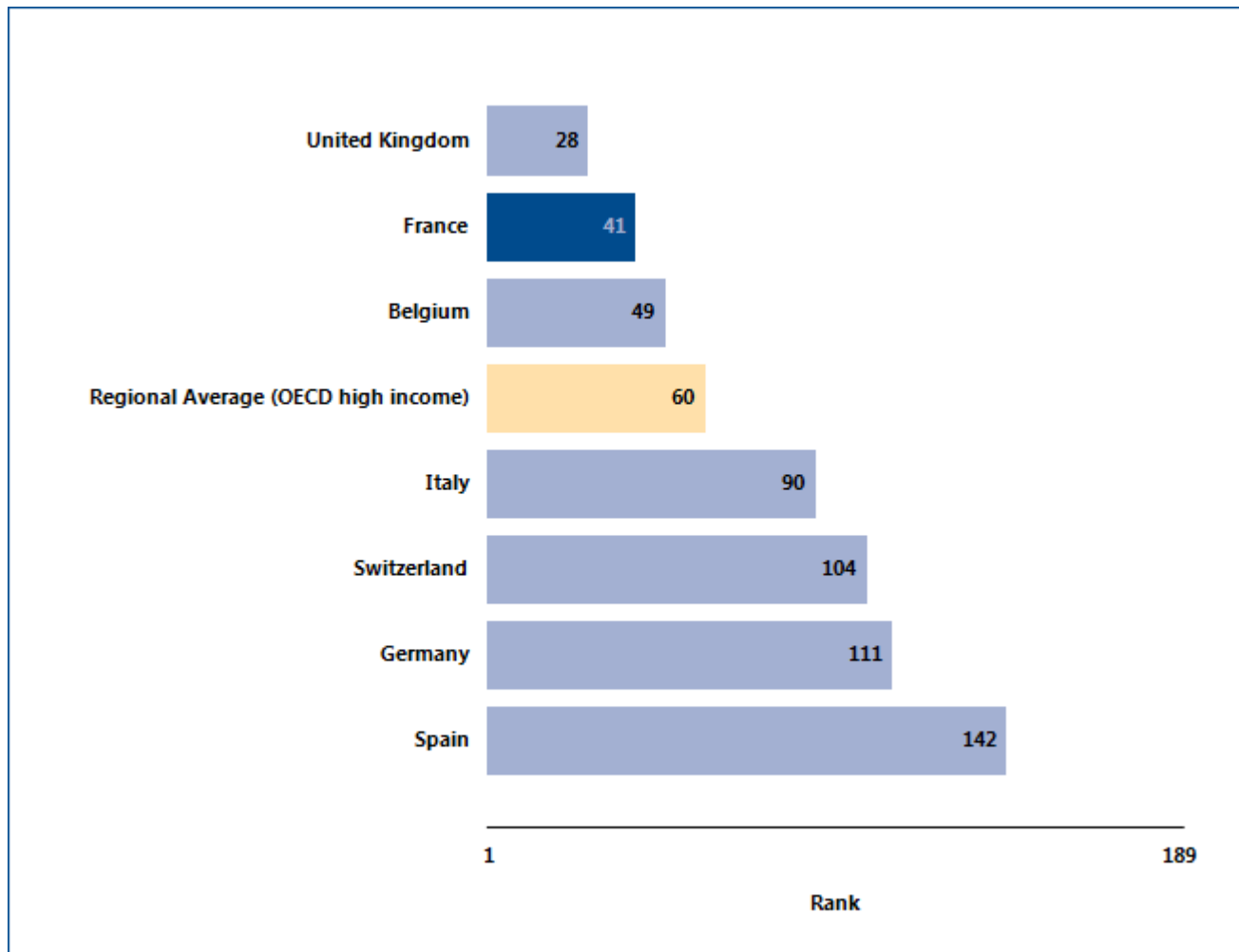
Source: *Doing Business* database.

## STARTING A BUSINESS

Globally, France stands at 41 in the ranking of 189 economies on the ease of starting a business (figure 2.2). The rankings for comparator economies and the

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

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



Source: Doing Business database.



## STARTING A BUSINESS

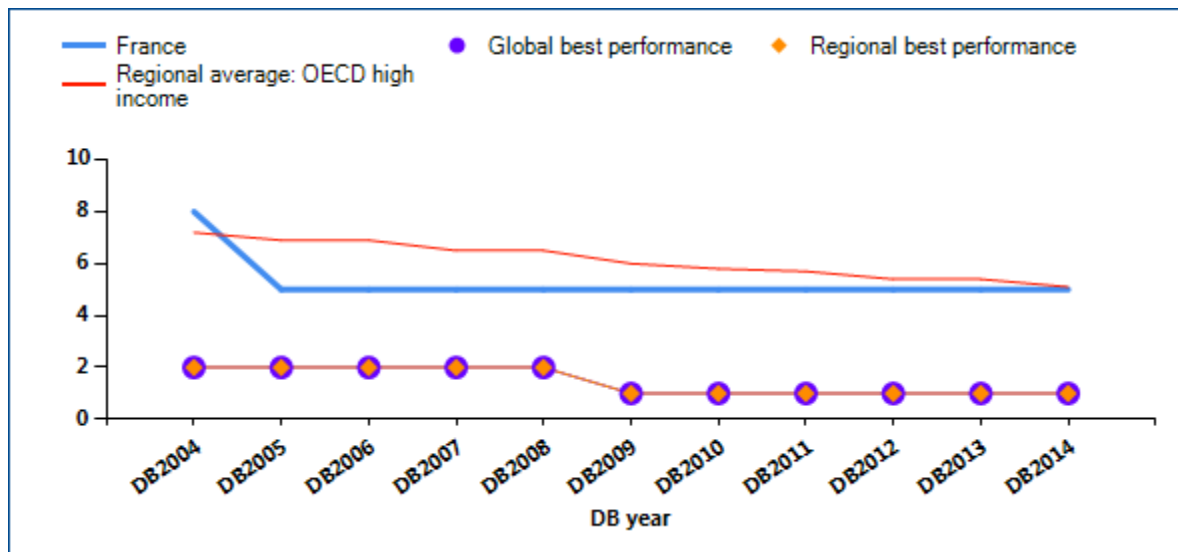
### What are the changes over time?

The benchmarks provided by the economies that over time have had the best performance regionally or globally on the procedures, time, cost or paid-in minimum capital required to start a business (figure

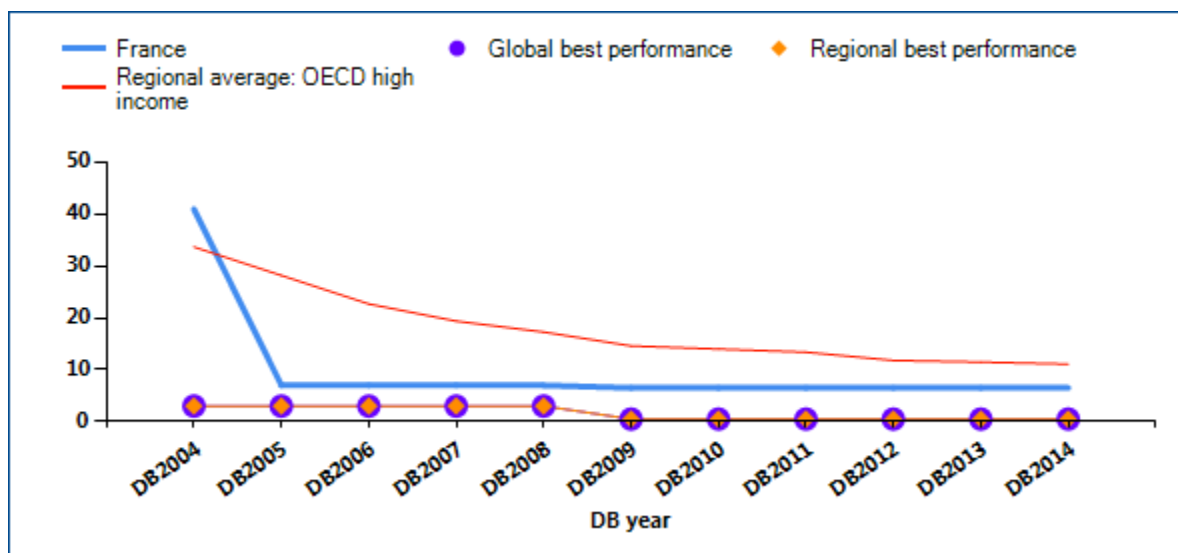
2.3) can help show what is possible in making it easier to start a business. And changes in regional averages can show where France is keeping up—and where it is falling behind.

Figure 2.3 Has starting a business become easier over time?

#### Procedures (number)

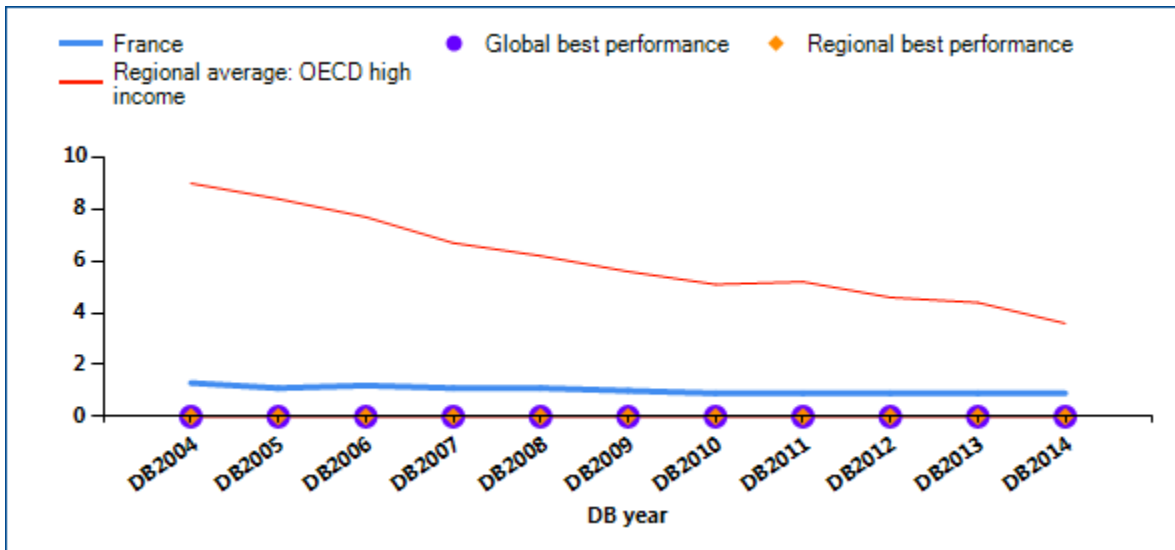


#### Time (days)

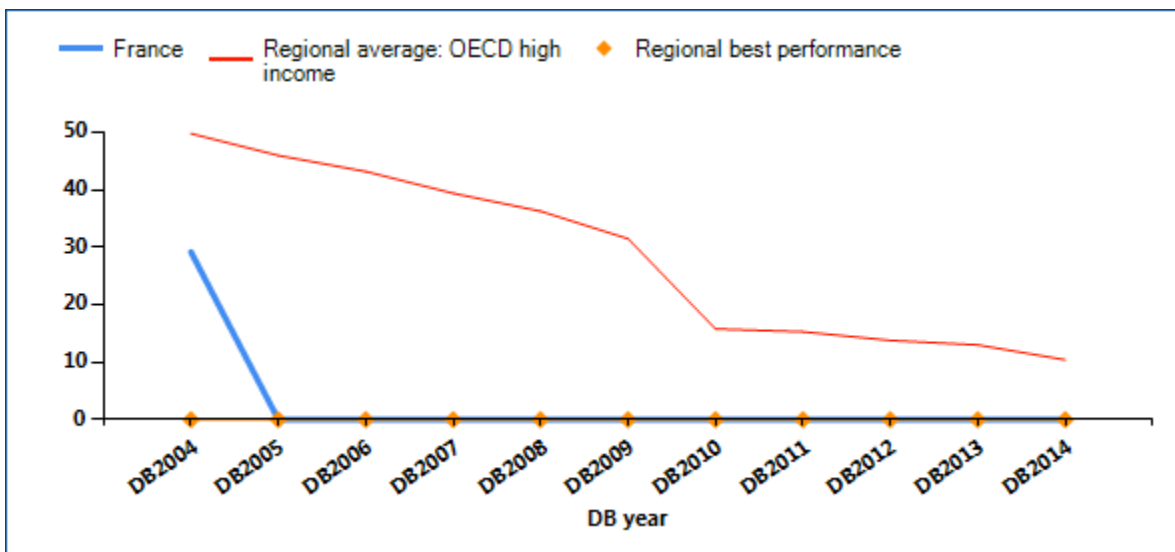


## STARTING A BUSINESS

### Cost (% of income per capita)



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



Note: Ninety economies globally have no paid-in minimum capital requirement. DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year.

Source: *Doing Business* database.

## STARTING A BUSINESS

Economies around the world have taken steps making it easier to start a business—streamlining procedures by setting up a one-stop shop, making procedures simpler or faster by introducing technology and reducing or eliminating minimum capital requirements. Many have undertaken business registration reforms in stages—and they often are part of a larger regulatory reform program. Among the benefits have been

greater firm satisfaction and savings and more registered businesses, financial resources and job opportunities.

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

Table 2.1 How has France made starting a business easier—or not?  
By *Doing Business* report year

DB year	Reform
<b>DB2009</b>	No reform as measured by Doing Business.
<b>DB2010</b>	No reform as measured by Doing Business.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

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

Source: *Doing Business* database.

## STARTING A BUSINESS

## What are the details?

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

## STANDARDIZED COMPANY

**City:** Paris

**Legal Form:** Société à Responsabilité Limitée (SARL) - Limited Liability Company

**Paid in Minimum Capital Requirement:** EUR 1

**Start-up Capital:** 10 times GNI per capita

## Summary of procedures for starting a business in France—and the time and cost

No.	Procedure	Time to complete	Cost to complete
1	<p><b>Check name for uniqueness with the Institut National de la Propriété Industrielle (INPI)</b></p> <p>Although it is not legally mandatory to check the proposed company name for uniqueness before registering a company, this procedure is included because legal consequences may follow if this step is omitted. If the name is not checked, the company risks a lawsuit by another company. The name can be checked online. A summary check is free of charge, but fees are charged for copies of trademark filings found. For an optional search of similar trademarks, fees are EUR 40 for three classes and EUR 400 for all classes.</p> <p><i>Procedure can be done online</i></p>	Less than one day (online procedure)	no charge (unless deeper research is made, for example, by field of activity)
2	<p><b>Deposit the initial capital</b></p> <p>Within 8 days of the collection of all funds, the initial capital must be deposited with a notary public, the bank, or the Deposit and Consignment Office (Caisse des Dépôt). The initial capital is blocked during the registration period and released upon presentation of a K-bis form.</p>	1 day	no charge
3	<p><b>* Publish a notice of incorporation of the company</b></p> <p>This notice must provide the name of the company and its manager (gérant), share capital, and registered office. The founder needs only a letter from the legal journal confirming the planned publication. The publication fee is EUR 5.48 (VAT excluded) per line of 40 characters.</p>	1 day, simultaneous with Procedure 2	EUR 5.48 per line of 40 characters (assuming 30 lines)

No.	Procedure	Time to complete	Cost to complete
4	<p><b>File a request for a company's registration with the Centre de Formalités des Entreprises (CFE)</b></p> <p>The Centre de Formalités des Entreprises (CFE) handles all formalities related to the trade register in the court (RCS, Tribunal de Commerce), statistics (INSEE), tax authorities (Centre des Impôts), social security (URSSAF), labor (Direction Departemental du Travail et de L'emploi), health insurance (Caisse regionale D'assurance Maladie), unemployment insurance, pension, Employment Pole (Pole Emploi), and similar bodies. This includes the registration of the company bylaws with the tax administration. Company articles of association and bylaws, lease, attestation of receipt of funds, documents concerning the manager, ad hoc forms, evidence of publication, and so forth, must be filed in a single file. After receiving the request, the CFE must process the documents and transfer them to the respective offices and authorities. If the request is incomplete, the CFE has 15 days to return the documents for completion. The CFE automatically enters the information in the Registre Nationale des Entreprise (Répertoire SIRENE) and obtains identification numbers from the RNE: SIRENE number (Système Informatique pour le Répertoire des Entreprises), SIRET number (Système Informatique pour le Répertoire des Etablissements), and NAF number (Nomenclature des Activitees Francaises). The SIRET is used, among other things, by the tax authorities.</p> <p>Since the Dutreil Law, the CFE or the Commercial Registry can deliver a receipt for company creation (récepissé de creation d'entreprise) as soon as they have received the documents, so that the company can start operations without having to wait for its RCS number.</p> <p>The principle of electronic company registration was enacted by Law 2003-721 (August 1, 2003) and implemented under Decree No. 2005-77 (February 1, 2005). However, a hard copy file is still required. As of Decree No. 2006-679 of June 9, 2006, the founder has the option to file either with the CFE or directly with the Companies Registry (greffe), which subsequently files the documents with the CFE on the company's behalf. This option is slightly less costly because the CFE service fees are excluded. However, the founder must register the company's bylaws with the tax administration in person.</p>	4 days	EUR 83.96 paid to the trade register in the Commercial court
5	<p><b>* Buy company books (minute books, inventory books, ledgers). Have company books stamped and initialed by the clerk of the commercial court</b></p> <p>Special accounting company books must be bought from the court or specialized stores. The books have numbered pages or numbered sheets, both of which must be certified by the Commercial Court). If a</p>	1 day, simultaneous with Procedure 4	EUR 45 for three books (EUR 15 per book) + EUR 3.11 stamping fee

No.	Procedure	Time to complete	Cost to complete
	<p>book with numbered pages is used, the certification is made only once (when the company is incorporated). If numbered sheets are used, the certification must be made for the minutes of shareholders' meeting. If an accounting book is used, the certification must be made once each fiscal year. Therefore, for practical reasons books are often used. In theory, it is possible to have an electronic minute book provided that the procedure to draft the document is secured (to avoid document modification once it is drafted). Such a solution is rarely used because a secured procedure has not been clearly defined and the commercial court certification is more complicated in that case. It is possible for the company to acquire the book later, after it starts operation.</p>		

\* Takes place simultaneously with another procedure.

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

Source: *Doing Business* database.

## DEALING WITH CONSTRUCTION PERMITS

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

### What do the indicators cover?

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

The ranking on the ease of dealing with construction permits is the simple average of the percentile rankings on its component indicators: procedures, time and cost.

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

The business:

- Is a limited liability company operating in the construction business and located in the largest business city.
- Is domestically owned and operated.
- Has 60 builders and other employees.

The warehouse:

- Is a new construction (there was no previous construction on the land).
- Has complete architectural and technical plans prepared by a licensed architect or engineer.

### WHAT THE DEALING WITH CONSTRUCTION PERMITS INDICATORS MEASURE

#### Procedures to legally build a warehouse (number)

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

Submitting all required notifications and receiving all necessary inspections

Obtaining utility connections for water, sewerage and a land telephone line

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

#### Time required to complete each procedure (calendar days)

Does not include time spent gathering information

Each procedure starts on a separate day. Procedures that can be fully completed online are an exception to this rule.

Procedure considered 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

- Will be connected to water, sewerage (sewage system, septic tank or their equivalent) and a fixed telephone line. The connection to each utility network will be 10 meters (32 feet, 10 inches) long.
- Will be used for general storage, such as of books or stationery (not for goods requiring special conditions).
- Will take 30 weeks to construct (excluding all delays due to administrative and regulatory requirements).

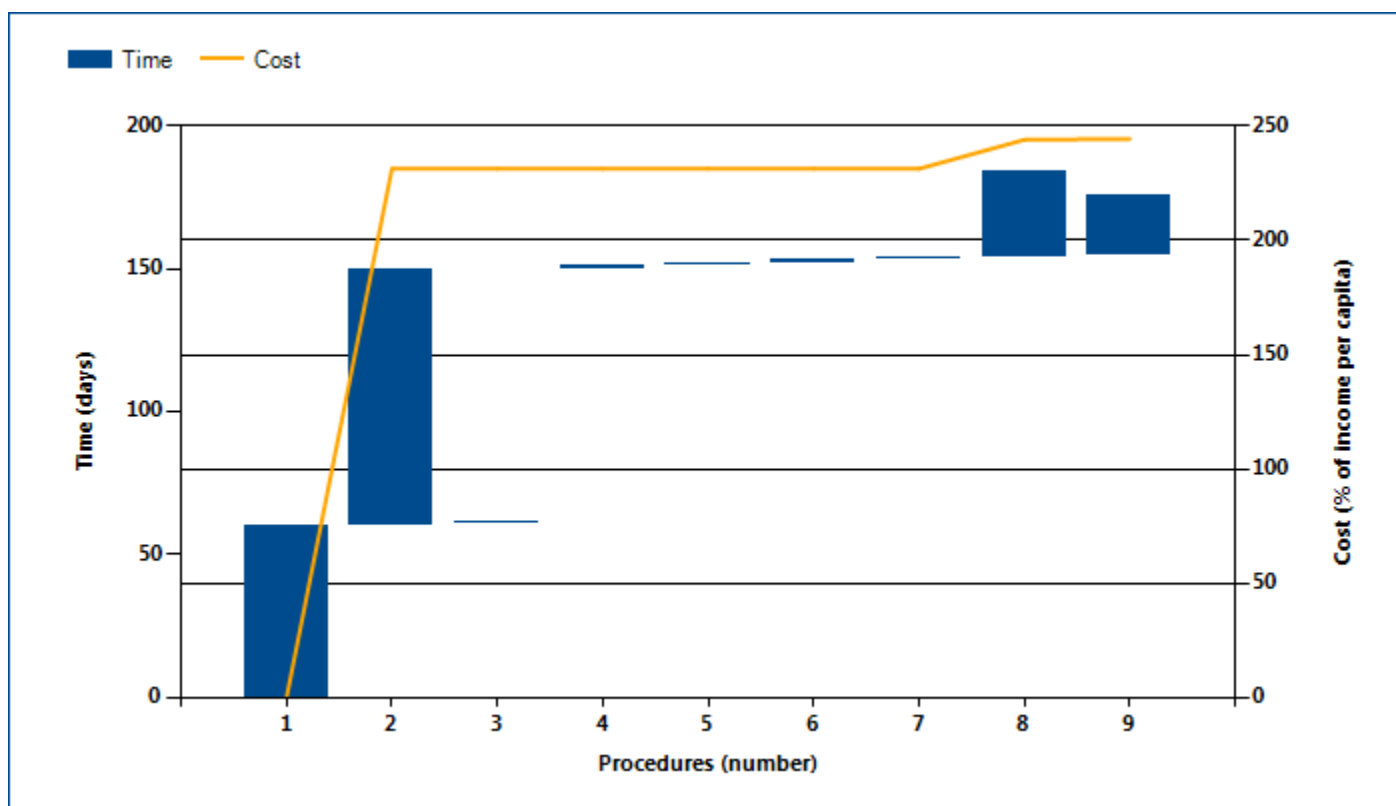
## DEALING WITH CONSTRUCTION PERMITS

### Where does the economy stand today?

What does it take to comply with the formalities to build a warehouse in France? According to data collected by *Doing Business*, dealing with construction

permits there requires 9 procedures, takes 184.0 days and costs 244.4% of income per capita (figure 3.1).

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



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

*Source:* *Doing Business* database.

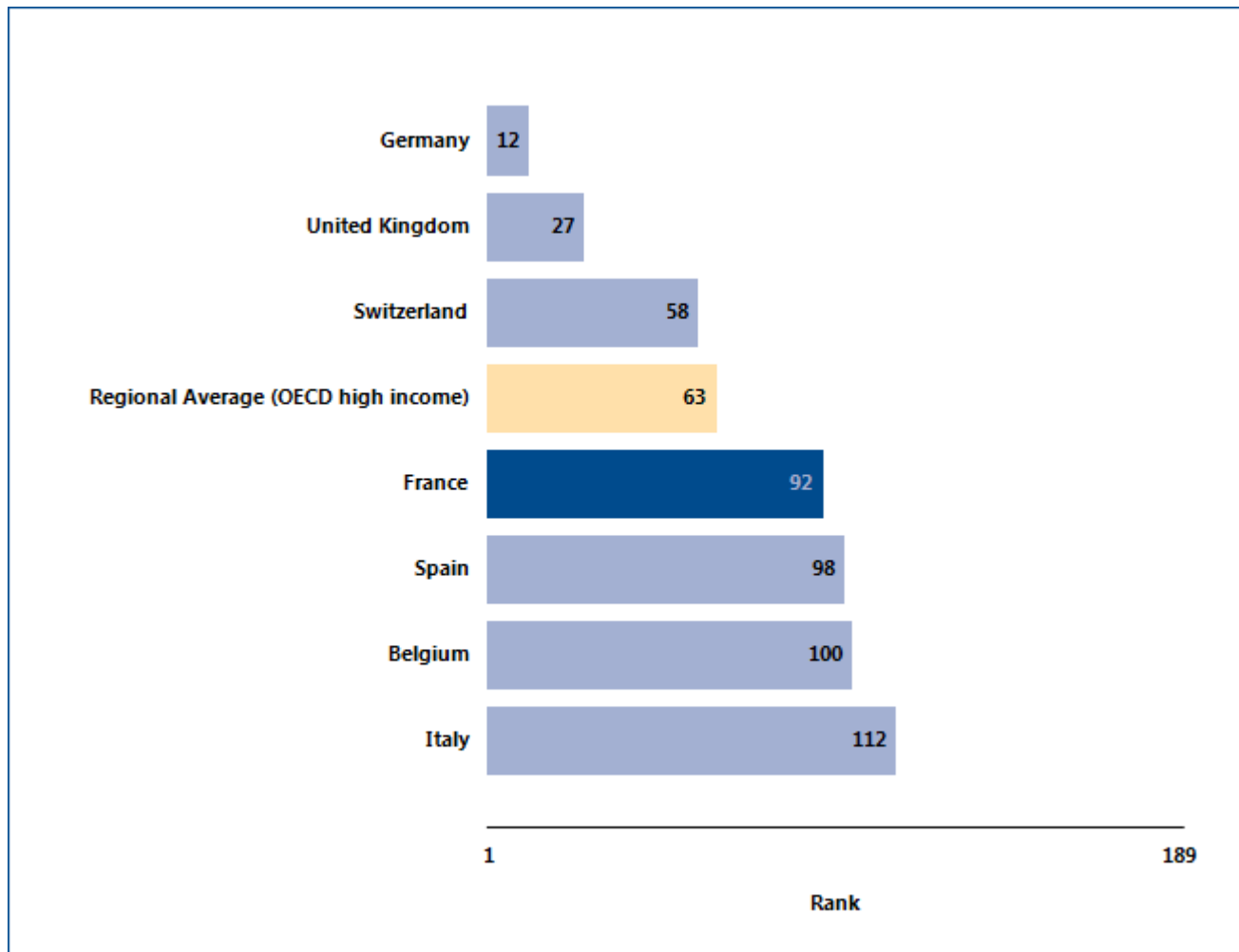


## DEALING WITH CONSTRUCTION PERMITS

Globally, France stands at 92 in the ranking of 189 economies on the ease of dealing with construction permits (figure 3.2). The rankings for comparator

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

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



Source: Doing Business database.

## DEALING WITH CONSTRUCTION PERMITS

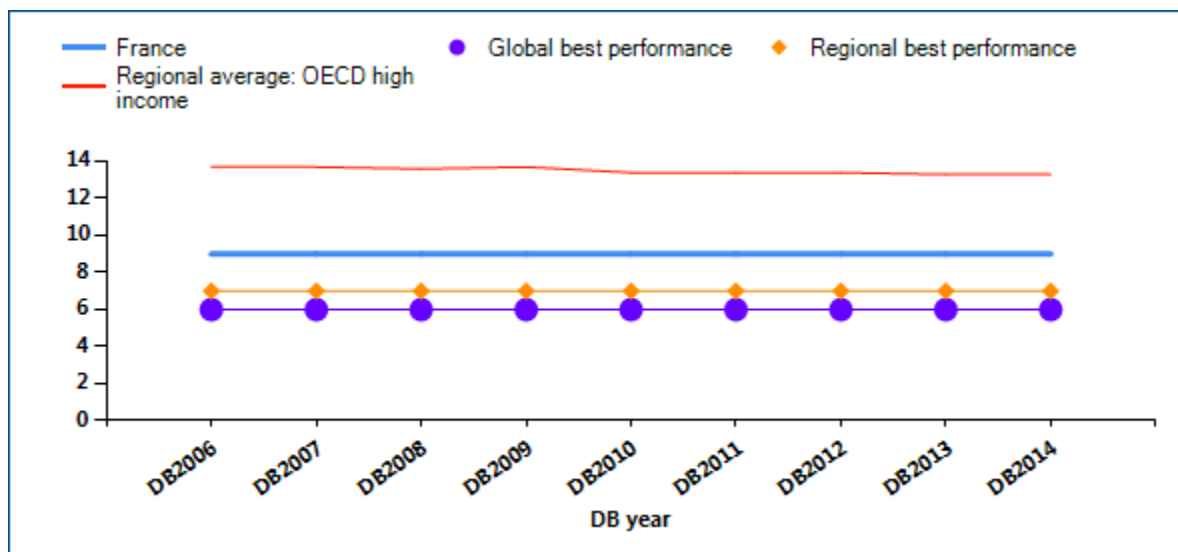
### What are the changes over time?

The benchmarks provided by the economies that over time have had the best performance regionally or globally on the procedures, time or cost required to deal with construction permits (figure 3.3) help show

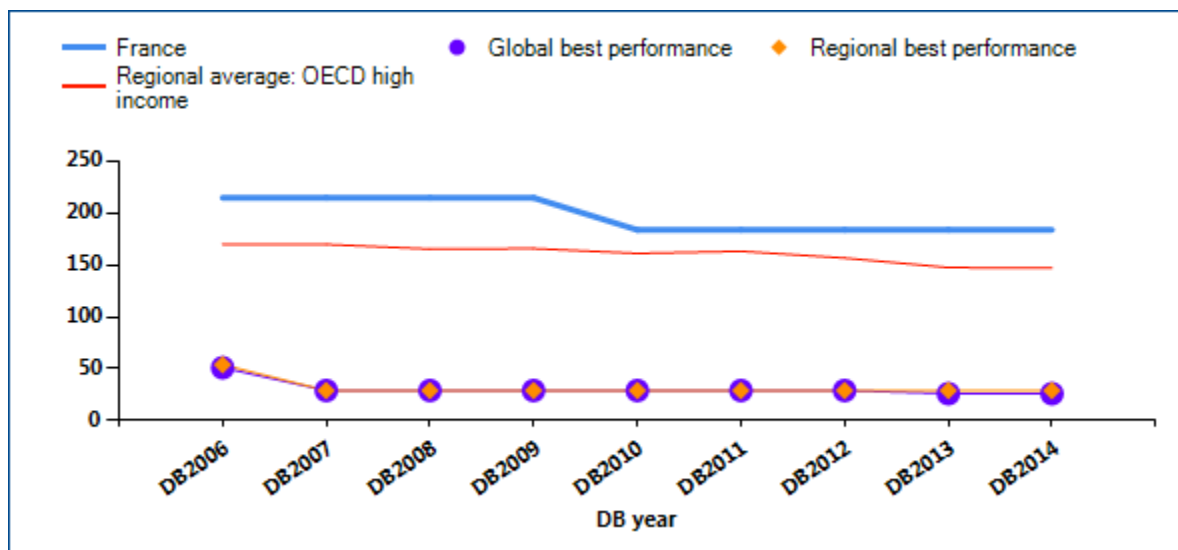
what is possible in making it easier to deal with construction permits. And changes in regional averages can show where France is keeping up—and where it is falling behind.

Figure 3.3 Has dealing with construction permits become easier over time?

#### Procedures (number)

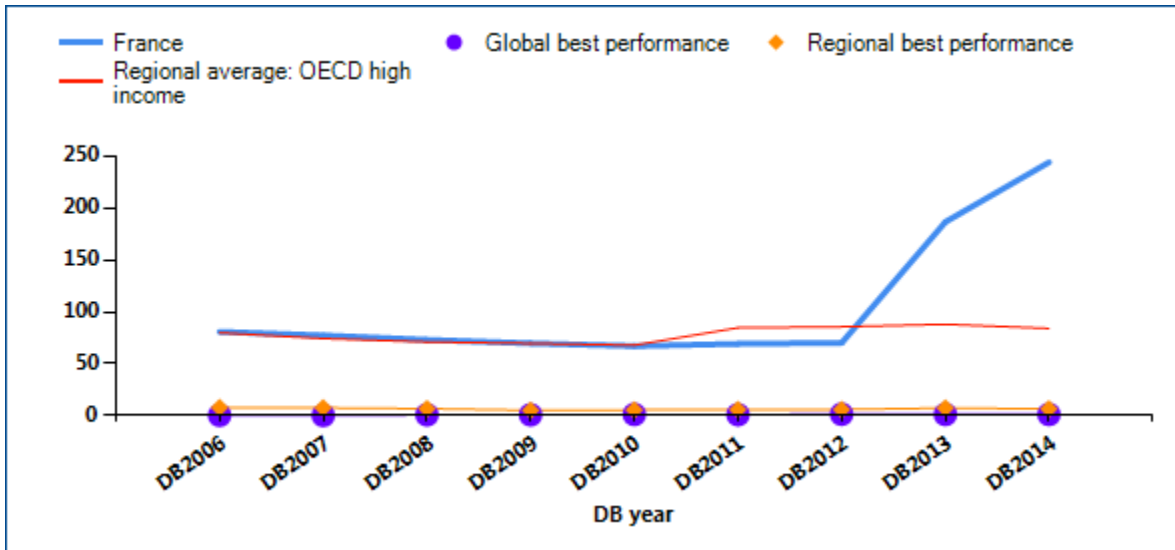


#### Time (days)



## DEALING WITH CONSTRUCTION PERMITS

### Cost (% of income per capita)



Note: DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year. For more information on "no practice" marks, see the data notes.

Source: *Doing Business* database.

## DEALING WITH CONSTRUCTION PERMITS

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

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

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

By *Doing Business* report year

DB year	Reform
<b>DB2009</b>	No reform as measured by Doing Business.
<b>DB2010</b>	No reform as measured by Doing Business.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

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

*Source:* *Doing Business* database.

## DEALING WITH CONSTRUCTION PERMITS

### What are the details?

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

#### BUILDING A WAREHOUSE

**City :** Paris

**Estimated Warehouse Value :** EUR 845,390

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

#### Summary of procedures for dealing with construction permits in France —and the time and cost

No.	Procedure	Time to complete	Cost to complete
1	<p><b>Obtain an urbanism certificate</b></p> <p>There are two types of Urbanism certificate:</p> <ul style="list-style-type: none"> <li>• Form A informative -- the informative form is a request to establish the existing planning state of a building only and nothing more</li> <li>• Form B operational -- The second is an Operational Planning Certificate. This certificate indicates, in addition to information provided by the Informative planning certificate planning, if the land can be used for a project and the state of public utilities (channels and networks) existing or planned to serve or serve this land</li> </ul> <p>A planning certificate is valid for 18 months and can be renewed 2 months prior to its expiration.</p> <p>The request for a planning certificate must be submitted at the City Hall where the lot is located using a form Cerfa N° 13410*01. The average time to process the Operational planning certificate is 2 months. If no answer is given within these 2 months, the silent is consent rule applies.</p>	60 days	no charge
2	<p><b>Obtain building permit</b></p> <p>To obtain a building permit, BuildCo must submit the following:</p> <ul style="list-style-type: none"> <li>• Location plan (orientation, access roads). - Overall plan of the construction or renovation (dimensions, elevations, connections, access), drawn up on grounds of the Land Registry–based map, representing the plot</li> <li>• Front elevations</li> <li>• Views, cross sections, layout</li> <li>• Document with a detailed description of the project impact on the</li> </ul>	90 days	EUR 72,769

No.	Procedure	Time to complete	Cost to complete
	<p>existing landscape to prove that it is environment friendly</p> <ul style="list-style-type: none"> <li>• Survey photographs (both near- and long-range), allowing for the easy identification of the site in relation to the surrounding areas</li> </ul> <p>To prepare this documentation, BuildCo should start by obtaining the building permit forms from City Hall or on the Internet through the Booth for Forms (Guichet des formulaires) of the Equipment, Transport, and Housing Ministry (Ministère de l' Equipment, des Transports et du Logement) (<a href="http://www.equipement.gouv.fr/">www.equipement.gouv.fr/</a>). The application is filed at City Hall in quadruplicate and a receipt is given, or it may be sent by registered mail with acknowledgement of receipt. If one document is missing, claims must be made within a fortnight after registration. Where the application is accompanied by all the required documents, the contractor will receive acknowledgment of receipt, indicating the date and registration number and the time needed for title investigation.</p> <p>The building permit will be issued within 3 months after registration of the application (except where the plot is a classified site). The contractor shall deem the permit tacitly granted if no reply is received within the 3 month period. The building permit is valid for 2 years. The contractor must begin work (or apply for an extension) within that time; otherwise, the permit lapses. Moreover, if the contractor halts work for over a year, the validity of the permit lapses, even if the 2-year statutory period has not yet elapsed. The permit must be displayed at the construction site and must include all the requisite information: mandatory dimensions, building permit number and date of issue, name of permit holder, nature of the work, and the address of City Hall where the construction documents are open to public scrutiny.</p> <p>A copy of the building permit must be available in City Hall for 2 months to enable any aggrieved third parties (say, adjacent property owners) to challenge it.</p>		
3	<p><b>* Apply for water connection</b></p> <p>The water utility connection is typically a lengthy process. Thus, it is advisable to request it before beginning construction work.</p> <p><i>Procedure can be done online</i></p>	0.5 days	no charge
4	<p><b>Eau de Paris visits the site to prepare a cost estimate (devis) for water connection</b></p>	1 day	no charge
5	<p><b>* File a declaration of the worksite opening</b></p> <p>The declaration of the opening of the construction site is a key step. This declaration can be done either by completing form (Cerfa 46.0394) obtainable either at City Hall or on the Internet through the (Guichet des formulaires), located at the Equipment, Transport and Housing Ministry (Ministère de l' Equipment, des Transports et du Logement) Web site (<a href="http://www.equipement.gouv.fr/">www.equipement.gouv.fr/</a>) or online.</p>	1 day	no charge

No.	Procedure	Time to complete	Cost to complete
	If the applicant chooses to send the form, then the completed forms must be sent to City Hall by registered mail with acknowledgement of receipt.		
6	<p><b>Declare completion of construction</b></p> <p>Within 30 days of work completion, the contractor must send City Hall a notice -- by registered mail with acknowledgement of receipt, through a letter signed by the contractor's company, or by the firms that worked on the project -- in which the architect declares the completion of the construction. That document must be included in the building permit application file. The forms are filled in triplicate.</p>	1 day	no charge
7	<p><b>Receive visit by building inspectors and obtain compliance certificate</b></p> <p>The compliance certificate attests that the finished project meets the building permit specifications. Once the declaration of completion is filed, an official from City Hall or the Equipment Departmental Directorate (Direction Départementale de l'Équipement, DDE) then visits the site to ascertain whether the structure conforms to building permit specifications. The compliance certificate is issued within 3 months of the application if the specifications are met.</p>	1 day	no charge
8	<p><b>* Obtain water connection</b></p>	30 days	EUR 4,000
9	<p><b>* Obtain telephone connection</b></p>	21 days	EUR 130

\* Takes place simultaneously with another procedure.

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

Source: Doing Business database.

## GETTING ELECTRICITY

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

### What do the indicators cover?

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

The warehouse:

- Is located in the economy's largest business city, in an area where other warehouses are located.
- Is not in a special economic zone where the connection would be eligible for subsidization or faster service.
- Has road access. The connection works involve the crossing of a road or roads but are carried out on public land.
- Is a new construction being connected to electricity for the first time.
- Has 2 stories, both above ground, with a total surface of about 1,300.6 square meters (14,000 square feet), and is built on a plot of 929 square meters (10,000 square feet).

The electricity connection:

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

### WHAT THE GETTING ELECTRICITY

#### INDICATORS MEASURE

#### Procedures to obtain an electricity connection (number)

Submitting all relevant documents and obtaining all necessary clearances and permits

Completing all required notifications and receiving all necessary inspections

Obtaining external installation works and possibly purchasing material for these works

Concluding any necessary supply contract and obtaining final supply

#### Time required to complete each procedure (calendar days)

Is at least 1 calendar day

Each procedure starts on a separate day

Does not include time spent gathering information

Reflects the time spent in practice, with little follow-up and no prior contact with officials

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

Official costs only, no bribes

Excludes value added tax

- Is to either the low-voltage or the medium-voltage distribution network and either overhead or underground, whichever is more common in the economy and area where the warehouse is located. The length of any connection in the customer's private domain is negligible.
- Requires crossing of a 10-meter road but all the works are carried out in a public land, so there is no crossing into other people's private property.
- Involves installing one electricity meter. The monthly electricity consumption will be 0.07 gigawatt-hour (GWh). The internal electrical wiring has been completed.



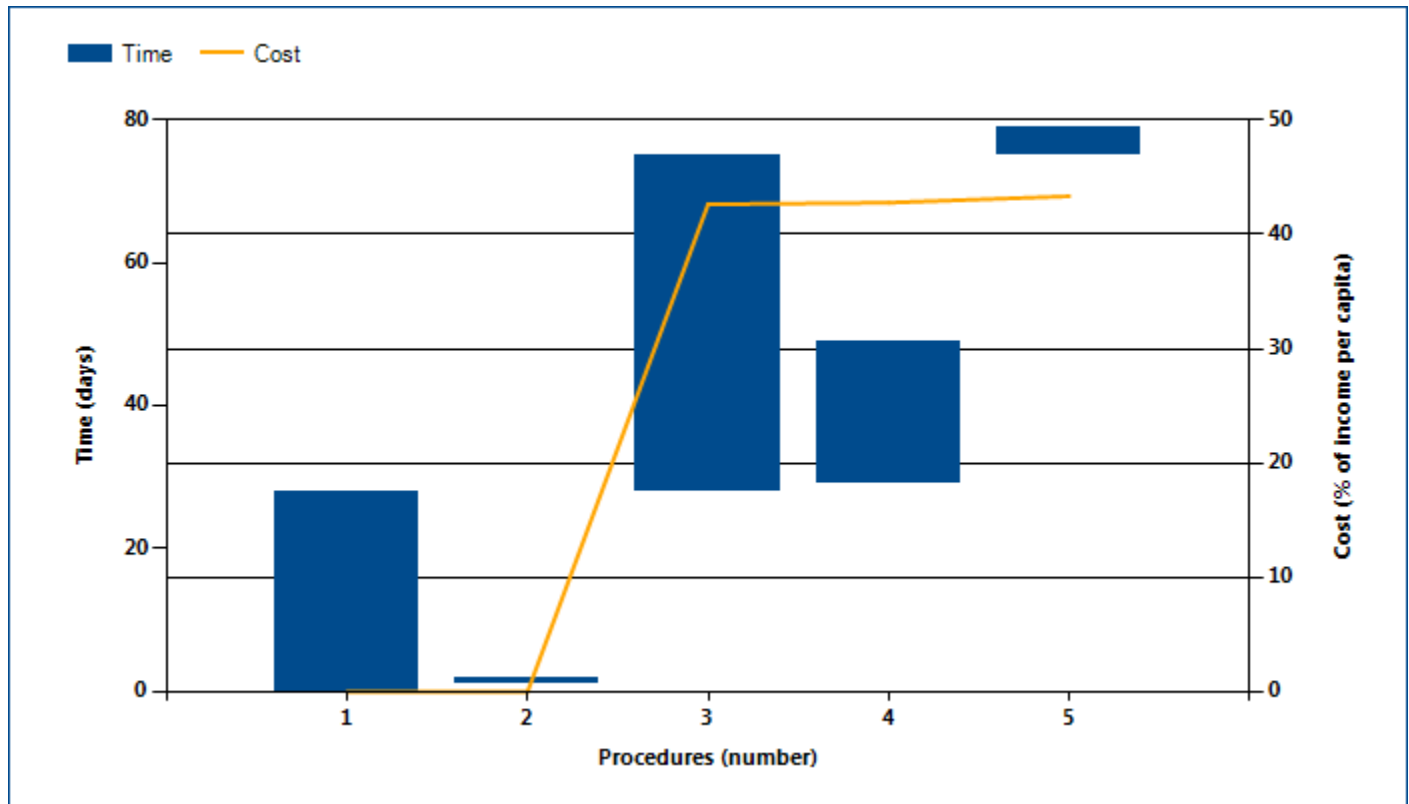
## GETTING ELECTRICITY

### Where does the economy stand today?

What does it take to obtain a new electricity connection in France? According to data collected by *Doing Business*, getting electricity there requires 5

procedures, takes 79 days and costs 43.3% of income per capita (figure 4.1).

Figure 4.1 What it takes to obtain an electricity connection in France



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

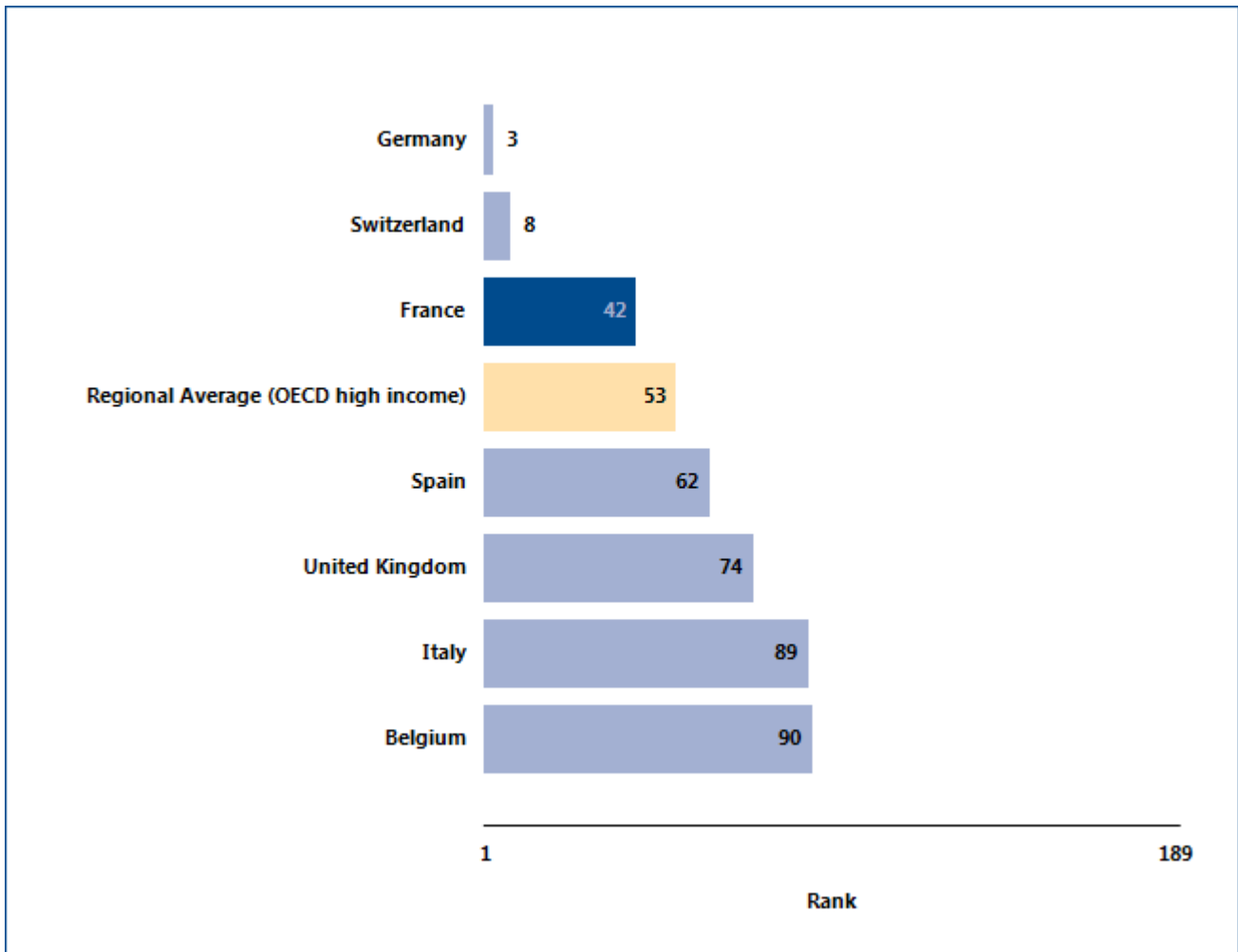
*Source:* *Doing Business* database.

### GETTING ELECTRICITY

Globally, France stands at 42 in the ranking of 189 economies on the ease of getting electricity (figure 4.2). The rankings for comparator economies and the

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

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



Source: Doing Business database.

## GETTING ELECTRICITY

Even more helpful than rankings on the ease of getting electricity may be the indicators underlying those rankings (table 4.1). And regional and global best performers on these indicators may provide useful benchmarks.

Table 4.1 The ease of getting electricity in France

Indicator	France DB2014	France DB2013	Best performer in OECD high income DB2014	Best performer globally DB2014
Rank	42	41	Iceland (1)	Iceland (1)
Procedures (number)	5	5	4 Economies* (3)	10 Economies* (3)
Time (days)	79	79	Germany (17)	Germany (17)
Cost (% of income per capita)	43.3	43.9	Japan (0.0)	Japan (0.0)

*Note:* DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year.

\* Two or more economies share the top ranking on this indicator. For a list of these economies, see the *Doing Business* website (<http://www.doingbusiness.org>).

*Source:* *Doing Business* database.

## GETTING ELECTRICITY

Obtaining an electricity connection is essential to enable a business to conduct its most basic operations. In many economies the connection process is complicated by the multiple laws and regulations involved—covering service quality, general safety, technical standards, procurement practices and internal wiring installations. In an effort to ensure

safety in the connection process while keeping connection costs reasonable, governments around the world have worked to consolidate requirements for obtaining an electricity connection. What reforms in getting electricity has *Doing Business* recorded in France (table 4.2)?

Table 4.2 How has France made getting electricity easier—or not?

By *Doing Business* report year

DB year	Reform
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

Source: *Doing Business* database.

## GETTING ELECTRICITY

### What are the details?

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

#### OBTAINING AN ELECTRICITY CONNECTION

**City:** Paris

**Name of Utility:** Electricité de France (EDF)

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

#### Summary of procedures for getting electricity in France—and the time and cost

No.	Procedure	Time to complete	Cost to complete
1	<p><b>The client applies for electricity connection and awaits estimate of connection fees from Electricité Réseau Distribution France (ERDF)</b></p> <p>Along with the application, the client needs to submit the following documents:</p> <ul style="list-style-type: none"> <li>• information about the company, the site, and the project contact people</li> <li>• the client's needed capacity; capacities have to be provided in kVA for Low-Voltage (LV) connections and in kW for Medium-Voltage (MV) connections.</li> <li>• a list of the client's electrical equipment so Electricité Réseau Distribution France (ERDF) can determine the potential disruptions on their network.</li> <li>• a ground-plan (« plan de masse ») and an establishing shot (« plan de situation ») to identify the future point of supply</li> <li>• copy of the planning permission</li> <li>• the client's date of final connection (energization)</li> <li>• a connection authorization (« mandat de raccordement ») (optional)</li> </ul>	28 calendar days	no charge
2	<p><b>The client obtains external inspection by Electricité Réseau Distribution France (ERDF)</b></p> <p>After receiving the application, Electricité Réseau Distribution France (ERDF) inspects the site to determine the material needed for the external works and final connection, and will send the client either an estimate of the connection fees or the requirements for the connection,</p>	1 calendar day	no charge

No.	Procedure	Time to complete	Cost to complete
	both technical and financial.		
3	<p><b>The client obtains external works by Electricité Réseau Distribution France (ERDF)</b></p> <p>For the works to start, the client needs to pay at least 50% of the estimate of fees. Electricité Réseau Distribution France then generates an identification number that will be used in all its future communications with the client, and especially when the client will request final connection (energization) from their electricity supplier. Electricité Réseau Distribution France will also indicate an expected for the end of the external works, a date after which the service can be energized.</p> <p>As soon as the client has received this information, they can contact their electricity supplier to prepare the supply contract required for final connection.</p> <p>The connection process might also require works in public or private domain. In this case Electricité Réseau Distribution France takes care of any necessary administrative permits.</p> <p>These procedures might cause additional delays in the process, but are taken into account in the schedule estimates provided by the utility along with the connection requirements.</p> <p>Upon receiving the client’s confirmation and payment, Electricité Réseau Distribution France sends the client a mail confirming the date of completion of external works.</p> <p>Once the works are completed, the client’s private electrical installation or site is connected to the public distribution network. The client should not wait for the external works to end in order to undertake the necessary procedures needed to obtain a conformity certificate (of internal installation) or a supply contract.</p> <p>In the case where the requested capacity is more than 120 kVA connection consists of a direct connection from a MV/LV substation. Therefore, an extension is carried out until the Main Individual Circuit Breaker. Moreover, aero-underground connections are possible only for capacities below 120 kVA. Beyond 250 kVA a unit substation is necessary.</p>	47 calendar days	EUR 13,413.3

No.	Procedure	Time to complete	Cost to complete
4	<p><b>The client obtains inspection of internal installation and conformity certificate by CONSUEL</b></p> <p>The customer can choose any private electrician for the internal wiring. At the end of the works, they will need to request a conformity certificate from a control body, such as CONSUEL, that will check the entire internal installation to make sure it is conforming to the regulation NF C 15-100. The type of Consuel certificate needed in this case is an "Attestation de conformité "VERTE" ("Locaux à réglementations particulières").</p> <p>In order to obtain a copy of the form to fill out, the client will need to write to CONSUEL (<a href="http://www.consuel.com/visa.htm#1">http://www.consuel.com/visa.htm#1</a>). The client will need to attach the establishing shot (« plan de situation ») to the application. .</p> <p>After the inspection by CONSUEL, the latter either issues a certificate or indicates the changes needed to be made to the installation. Electricité Réseau Distribution France will check the certificate when carrying out the final connection.</p>	20 calendar days	EUR 43.6
5	<p><b>The client signs a supply contract and obtains meter installation and final connection by Electricité Réseau Distribution France (ERDF)</b></p> <p>Once the customer has signed a supply contract with an electricity supplier, the latter will request meter installation and final connection from Electricité Réseau Distribution France on the client's behalf. In order to obtain final connection all of the following conditions need to be satisfied:</p> <ul style="list-style-type: none"> <li>• all the fees have been settled</li> <li>• the internal installation is conforming with the regulations</li> <li>• the client has completed all the works potentially required from them and checked they are conforming with the regulations</li> </ul>	4 calendar days	EUR 178.4

\* Takes place simultaneously with another procedure.

Source: *Doing Business* database.

## REGISTERING PROPERTY

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

### What do the indicators cover?

*Doing Business* records the full sequence of procedures necessary for a business to purchase property from another business and transfer the property title to the buyer's name. The transaction is considered complete when it is opposable to third parties and when the buyer can use the property, use it as collateral for a bank loan or resell it. The ranking on the ease of registering property is the simple average of the percentile rankings on its component indicators: procedures, time and cost.

To make the data comparable across economies, several assumptions about the parties to the transaction, the property and the procedures are used.

The parties (buyer and seller):

- Are limited liability companies, 100% domestically and privately owned.
- Are located in 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.
- Is registered in the land registry or cadastral, or both, and is free of title disputes.
- Is located in a periurban commercial zone,

### WHAT THE REGISTERING PROPERTY

#### INDICATORS MEASURE

#### Procedures to legally transfer title on immovable property (number)

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

Registration in the economy's largest business city

Postregistration (for example, filing title with the municipality)

#### Time required to complete each procedure (calendar days)

Does not include time spent gathering information

Each procedure starts on a separate day. Procedures that can be fully completed online are an exception to this rule.

Procedure considered completed once final document is received

No prior contact with officials

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

Official costs only, no bribes

No value added or capital gains taxes included

and no rezoning is required.

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



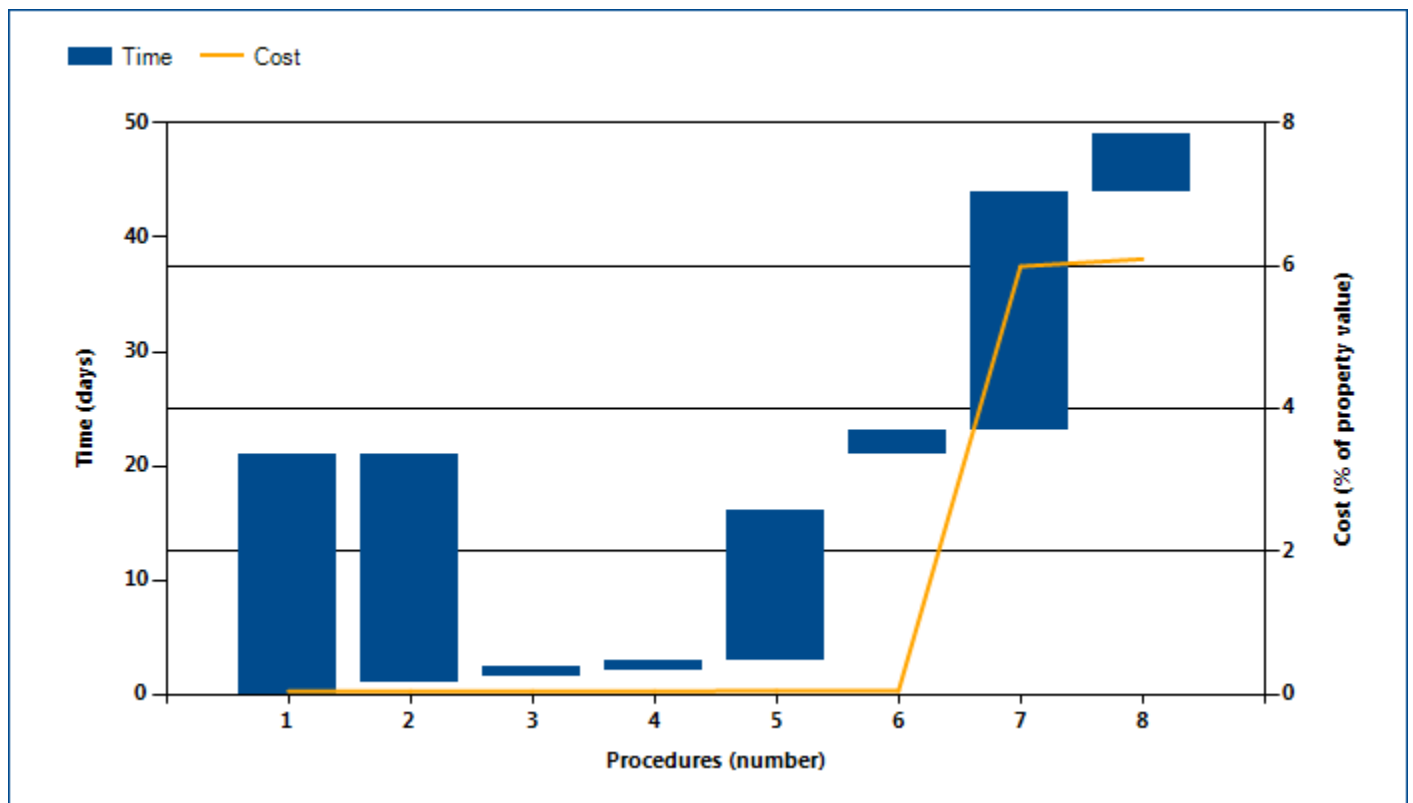
## REGISTERING PROPERTY

### Where does the economy stand today?

What does it take to complete a property transfer in France? According to data collected by *Doing Business*, registering property there requires 8 procedures, takes

49.0 days and costs 6.1% of the property value (figure 5.1).

Figure 5.1 What it takes to register property in France



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

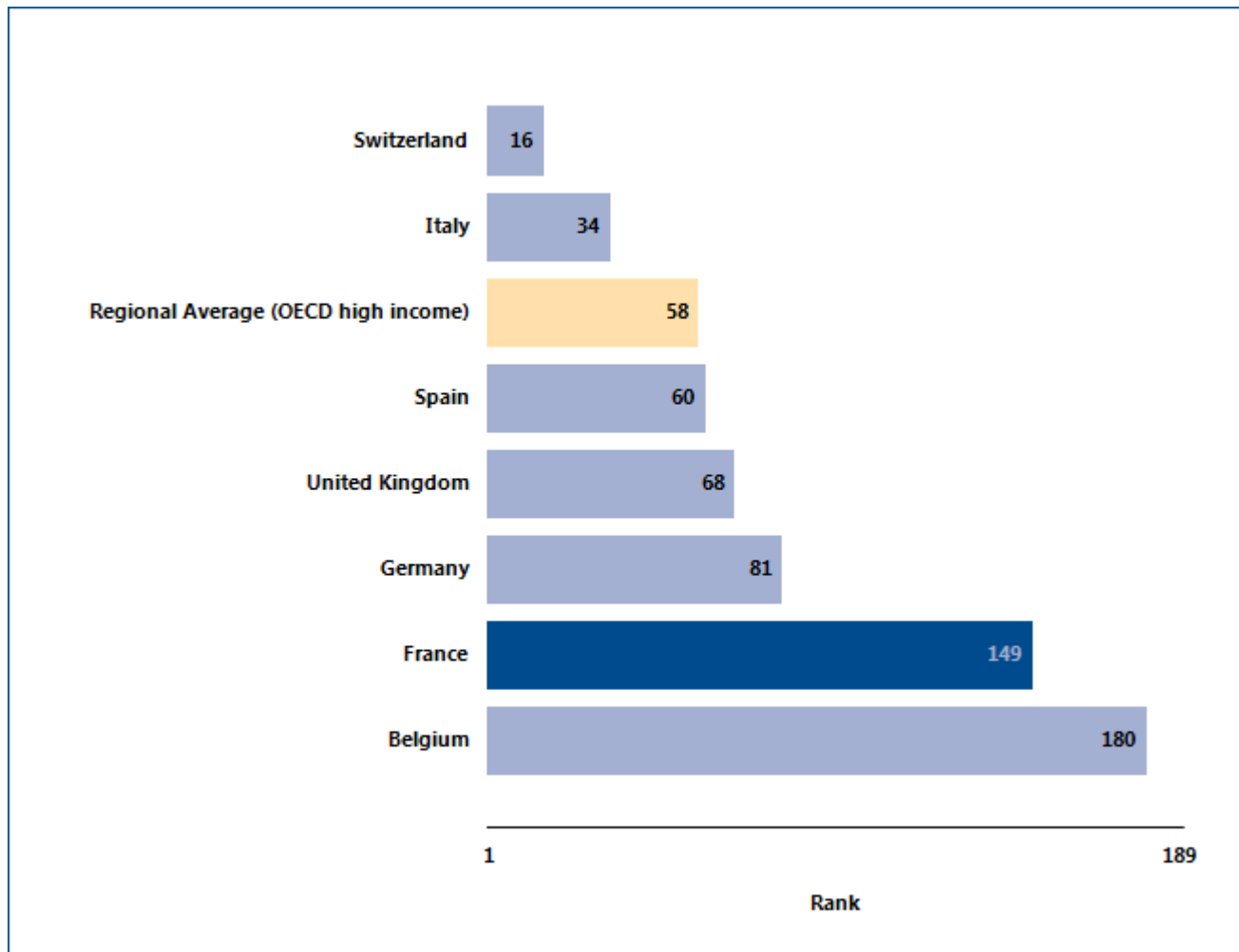
Source: *Doing Business* database.

## REGISTERING PROPERTY

Globally, France stands at 149 in the ranking of 189 economies on the ease of registering property (figure 5.2). The rankings for comparator economies and the

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

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



Source: *Doing Business* database.

## REGISTERING PROPERTY

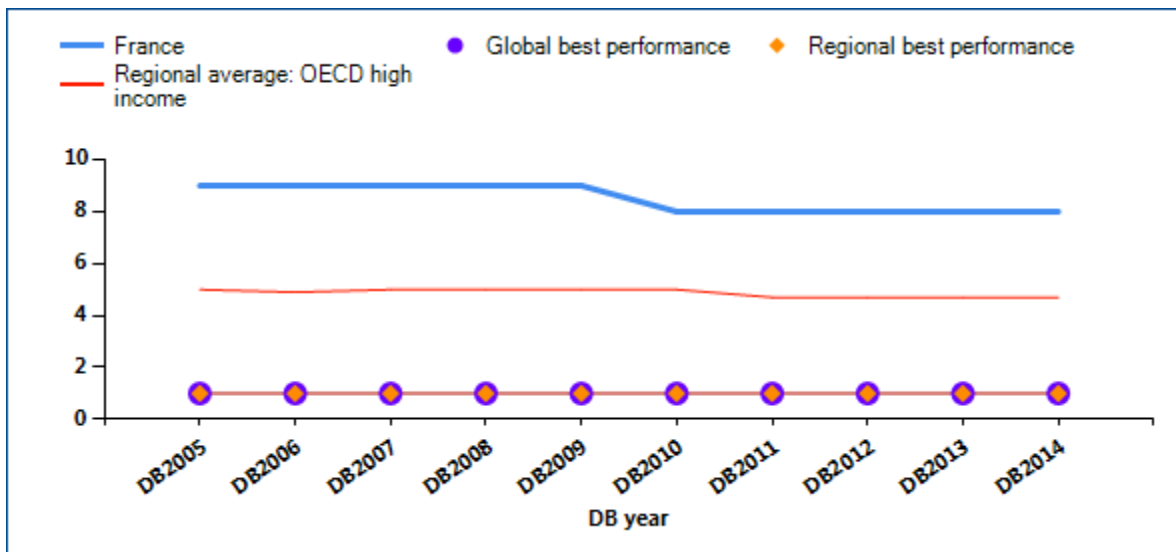
### What are the changes over time?

The benchmarks provided by the economies that over time have had the best performance regionally or globally on the procedures, time or cost required to complete a property transfer (figure 5.3) help show

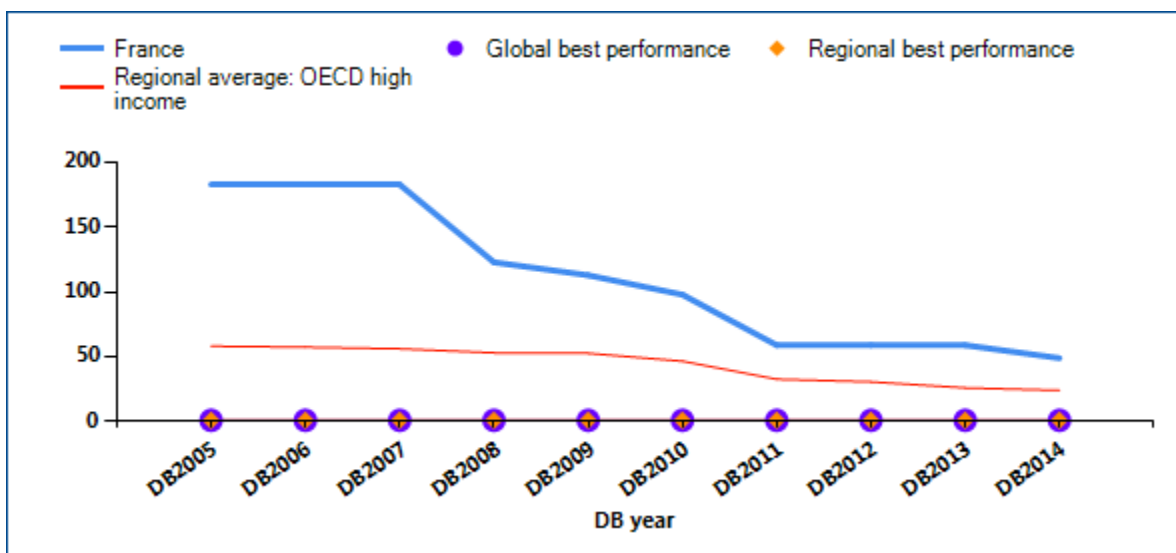
what is possible in making it easier to register property. And changes in regional averages can show where France is keeping up—and where it is falling behind.

Figure 5.3 Has registering property become easier over time?

#### Procedures (number)

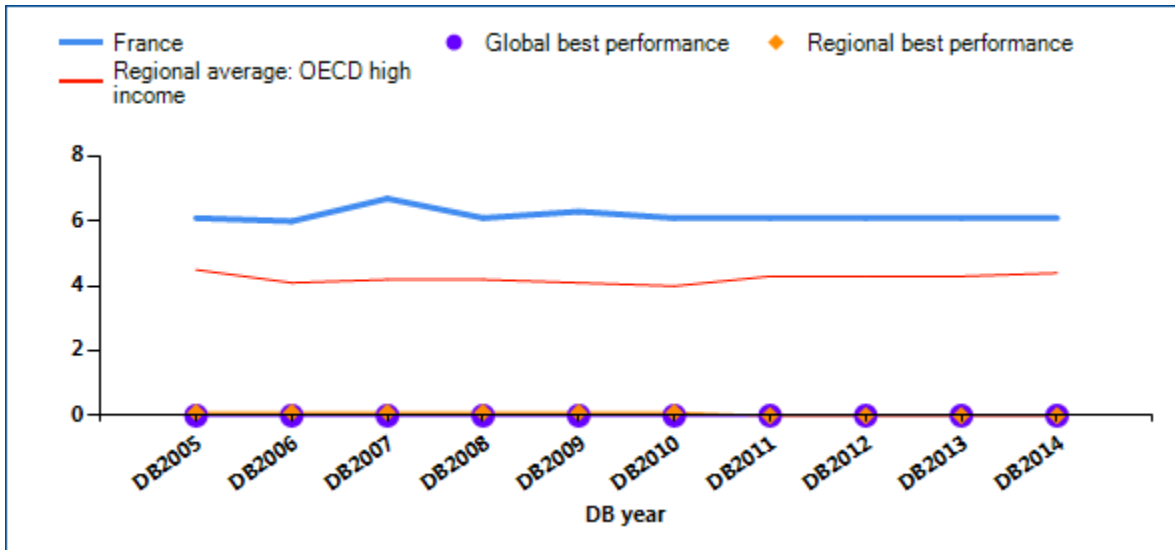


#### Time (days)



## REGISTERING PROPERTY

### Cost (% of property value)



Note: DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year. For more information on "no practice" marks, see the data notes.

Source: Doing Business database.

## REGISTERING PROPERTY

Economies worldwide have been making it easier for entrepreneurs to register and transfer property—such as by computerizing land registries, introducing time limits for procedures and setting low fixed fees. Many

have cut the time required substantially—enabling buyers to use or mortgage their property earlier. What property registration reforms has *Doing Business* recorded in France (table 5.1)?

Table 5.1 How has France made registering property easier—or not?  
By *Doing Business* report year

DB year	Reform
<b>DB2009</b>	No reform as measured by Doing Business.
<b>DB2010</b>	A fuller electronic connection between notaries and land registry decreased time to transfer property in France and made it easier to obtain encumbrance and ownership documents from the registry.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	France made transferring property easier by speeding up the registration of the deed of sale at the land registry.

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

*Source:* *Doing Business* database.

## REGISTERING PROPERTY

### What are the details?

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

#### STANDARD PROPERTY TRANSFER

<b>City:</b>	<b>Paris</b>
<b>Property Value:</b>	<b>EUR 1,573,240</b>

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

#### Summary of procedures for registering property in France—and the time and cost

No.	Procedure	Time to complete	Cost to complete
1	<p><b>* Seller obtains mandatory environmental reports</b></p> <p>The seller obtains environmental reports (3 in total) mentioning the presence or absence of termites and asbestos. Without these reports the seller would remain liable towards the purchaser if termites or asbestos were found in the future. Termites Certificate was made mandatory by the Law 99-471 du 8 juin 1999, décret 2000-613 du 3 juillet 2000, arrêté du 10 août 2000). Asbestos certificate is mandatory by décret 96-97 du 7 février 1996 modifié et appliqué depuis le 1er janvier 2002) and the certificate for natural disaster and technological risks. The obligation to submit the "Etat des risques naturels et technologiques" (ERNT) is stated in article R. 125-26 of the "Code de l'environnement". It has to be presented on Cerfa and completed by the seller. In Paris it is obtained online by the seller's notary. As a result of the implementation of the Power Performance Diagnostic ("Diagnostic de performance énergétique", loi du 12 juillet 2010), it is only for information, and can be obtained online in Paris. According to the "Loi Grenelle", passed on July 12, 2010, under article 1 which modifies the code de la construction et de l'habitation, the DPE becomes mandatory for any property sold after January 1st, 2011. The seller can be held liable later if he does not submit these diagnostics.</p> <p>Additionally, for companies, notaries will request the Extrait RCS (Kbis) online in Paris at <a href="http://www.infogreffe.fr">www.infogreffe.fr</a>. The Kbis will include the articles of association and accounts of the company. It costs either EUR3.11 for the summary (extrait RCS Kbis) or EUR70.44 for the complete version which contains: Extrait RCS (Kbis), état d'endettement (privilèges et nantissements), historique des modifications au RCS, derniers statuts à jour, résultat de recherche en matière de procédure de sauvegarde, redressement ou liquidation judiciaire.</p>	15 - 30 days (simultaneous with Procedures 2, 3, 4, and 5)	About EUR 800

No.	Procedure	Time to complete	Cost to complete
2	<p><b>* Obtain the waiver of preemption rights from the Municipality</b></p> <p>The notary writes to the city mayor to obtain the waiver of the city's preemption rights on the property. The notary informs about the transaction and the conditions agreed among the parties. It is common that many properties are subject to these requirements, since the Municipality may have the right to buy the property at the same price that it was agreed on the sale agreement. If the city does not answer in 2 months, then the preemption rights have been waived. It may be the case that the city informs the notary before the 2 months. There are some exemptions: if the building has been completed in the last 10 years or if the lot sold (used for residential purpose) is in a building where the co-ownership rules have been published at the land registry more than 10 years ago. Properties when the whole lot and building are sold will need the waiver for preemption rights. In practice it takes around 3 weeks on average to obtain this waiver.</p>	20 days (simultaneous with Procedures 1, 3, 4, and 5) (legally 2 months)	no cost
3	<p><b>* Obtain planning certificates ("document d'urbanisme")</b></p> <p>The notary obtains planning certificate from the Municipality. The request can be fulfilled on the Internet in some cities like Paris in the website:  <a href="https://teleservices.paris.fr/ru/jsp/site/RunStandaloneApp.jsp?page=ru&amp;action=accueil">https://teleservices.paris.fr/ru/jsp/site/RunStandaloneApp.jsp?page=ru&amp;action=accueil</a></p>	Less than a day (online procedure), simultaneous with procedures 1, 2, 4 and 5	no cost (internet) [or 120 EUR when the demand is made by a surveyor]
4	<p><b>* Obtain a cadastral certificate ("plan catastral - Modèle 1")</b></p> <p>The notary obtains a cadastral certificate showing the reference of the property at the Cadastral Registry. This certificate is obtained by the notary immediately on the internet for all of France since January 2008 in the website <a href="http://www.cadastre.gouv.fr">www.cadastre.gouv.fr</a>. The document called "Modèle 1" is accessible on the internet but only for the Notaries; only this document is mandatory and is obtained immediately.</p>	Less than a day (online procedure), simultaneous with Procedures 1, 2, 3, and 5	no cost
5	<p><b>* Obtain from the relevant Land Registry a non-encumbrance certificate ("Demande hors Formalité") and a 30-year search on the property</b></p> <p>The notary obtains from the relevant Land Registry a non-encumbrance certificate and a 30-year search on the property at the Real Estate Office (one document) (hereafter the "Land Registry Search") using the Tele@ctes system. In 2009, notaries make the request electronically for around 80% of transactions. The payment is made on-line through the notary's bank account "Caisse des depots" at the Banque de France. The Land Registry Search must be obtained before completion of the transaction. It is valid only for a set period and then it has to be updated.</p>	10-15 days (simultaneous with Procedures 1, 2, 3, and 4)	EUR 12 per demand for up to 5 plots of land + EUR 2 for each supplementary plot of land (hors formalite) after the 5th plot + EUR 2 for postage

No.	Procedure	Time to complete	Cost to complete
	<p>The Land Registry Search contains the following information: all transfers of ownership, mortgages, charges, and easements, on the property registered since 1956. The Land registry delivers 50 years of information, but only 30 are used by notaries.</p>		
<p><b>6</b></p>	<p><b>Notaries prepare the draft of the deed of sale</b></p> <p>By law, notaries are charged with administering nearly all aspects of the transaction: preparation, signing and execution of the final deed. The purchaser's notary with the assistance of the vendor's notary prepares the draft of the deed of sale. The deed of sale contains two parts:</p> <p>The first part is a standardized one and is the one sent to the Land Registry. It contains all relevant information for registration purposes. The manner in which this part is drafted is compulsory, failing which the Land Registry refuses registration of the deed of sale. The first part of the deed of sale contains the following information:</p> <ul style="list-style-type: none"> <li>• Details (full name, address, extrait CABIS) of the vendor and of the purchaser</li> <li>• Description of the property which must refer to the cadastral reference</li> <li>• Origin of title (provided by the seller)</li> <li>• Sale price</li> <li>• Taxes payable upon the sale: stamp duty normally due by the purchaser and capital gains tax due by the vendor</li> </ul> <p>The second part of the deed can be freely drafted and contains basically a summary of the information/documents collected during the due diligence phase described previously:</p> <ul style="list-style-type: none"> <li>• Information, representation, warranties on legal, technical, regulatory, planning, existing contracts relating to the property, environmental aspects of the property;</li> <li>• Conditions of the sale;</li> <li>• Information on the title to the property, i.e. a description of the transfer of title over the 30-year period;</li> <li>• Information on easements.</li> </ul> <p>Although some of the information described in the 2nd part of the transfer deed is not compulsory for the Real Estate Registry it is compulsory under other legislation failing which the purchaser could seek termination of the sale after it has been completed, for misinformation.</p> <p>The notary of the vendor collects and provides the notary of the purchaser with the following documents:</p> <ul style="list-style-type: none"> <li>• Land Registry Search (obtained in Procedure 1)</li> <li>• Cadastral certificate showing the reference of the property at the Cadastral Registry (obtained in Procedure 2)</li> <li>• Planning certificates (obtained in Procedure 3)</li> <li>• Environmental reports (obtained in Procedure 4)</li> <li>• Waiver of Municipality's preemption rights (obtained in Procedure 5)</li> <li>• The buyer and seller both have to provide the notary with personal information such as their name, occupation, date and place of birth, address and marital status.</li> </ul>	<p>2 days</p>	<p>Fees are due at the signing of the deed in Procedure 7</p>



No.	Procedure	Time to complete	Cost to complete
7	<p><b>The deed of sale is executed by a notary</b></p> <p>Once the notary has completed the necessary searches and inspections, acquired the necessary information from the local authorities and the bank (if there's to be a mortgage), and prepares the final deed of sale, the parties meet once again with him for the execution of the deed of sale.</p> <p>The deed of sale must be executed before a notary, failing which it cannot be registered at the relevant Land Registry. The notary is required to read the deed through completely, aloud, to both the seller and buyer and make any relevant amendments, and assure that they both understand the terms. Registration fees and notaries' fees are payable up-front.</p> <p>The buyer has full ownership of the property immediately after the deed of sale has been signed before the notary. He can dispose of the property as he wishes by selling, leasing, mortgaging it, etc. though in practice, only after publication at the Land registry the sale is opposable to third parties and will a third party be willing to buy it and a bank grant a loan based on it.</p> <p>According to law no. 2011-1117 du 19 septembre 2011, art. 1er (V), the notary must apply for registration of the deed of sale at the relevant Land Registry within 1 month of the date of execution of the deed of sale. In practice, in 2012, the median time for submission between the moment the deed is signed and the moment it is submitted to the land registry is 21 days, as shown by the statistics for the 12 land registries in Paris (Services de Publicite Fonciere) (source, 'Direction générale des Finances publiques').</p>	21 days	<p>Notary fee: According to Decree 2011-188 of February 2011, it is: 4% VAT excluded for the portion of the property value between EUR 0 and EUR 6,500 1.65% VAT excluded for the portion between EUR 6,501 and EUR 17,000 1.1% VAT excluded for the portion between EUR 17,001 and EUR 60,000 0.825% VAT excluded for the portion higher than EUR 60,000.</p> <p>Registration fee: 5.09% of purchase price</p>
8	<p><b>Apply for publication of the deed of sale at the relevant Land Registry</b></p> <p>The notary can send the documents to the Land Registry immediately after the signature of the deed, personally or electronically through Tele@ctes. Simultaneously, the notary pays to the Land Registry the publicity tax and the salary of the registrar on behalf of the purchaser (the value added tax is paid by the company directly). The original deed of sale (called the "minutes") remains with the notary for 100 years. The Land Registry will verify the transaction (name and date of birth of person should coincide with the Conservation's records; parcel &amp; section cadastrale). The transfer of property is opposable to third parties after publication of the deed by the land registry office.</p> <p>A Publicity tax (Taxe de Publicité Foncière) equal to 25 EUR is paid for the</p>	5 days	<p>EUR 25 (publication tax, included in procedure 7) + 0.1% of purchase price (registrar)</p>

No.	Procedure	Time to complete	Cost to complete
	<p>publication of the transfer, together with an additional 0.1% of the property value for the salary of the registrar. On completion the vendor's creditors if any, must execute a deed of discharge or release of the existing mortgages benefiting to them.</p> <p>Data is inserted electronically into the Fiji system automatically from Teleactes. Land registries are proactively inviting notaries to participate in the electronic system, with a positive response from notaries. At this point, First the notary prepares the acte de vente with its own software, prints and has it signed by the parties. Then he inputs the information again in a separate screen of Teleactes to submit it to the Service de Publicite Fonciere for publication.</p>		

\* Takes place simultaneously with another procedure.

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

Source: *Doing Business* database.

## GETTING CREDIT

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

### What do the indicators cover?

*Doing Business* assesses the sharing of credit information and the legal rights of borrowers and lenders with respect to secured transactions through 2 sets of indicators. The depth of credit information index measures rules and practices affecting the coverage, scope and accessibility of credit information available through a public credit registry or a private credit bureau. The strength of legal rights index measures whether certain features that facilitate lending exist within the applicable collateral and bankruptcy laws. *Doing Business* uses case scenarios to determine the scope of the secured transactions system, involving a secured borrower and a secured lender and examining legal restrictions on the use of movable collateral. These scenarios assume that the borrower:

- Is a private, incorporated, limited liability company.
- Has its headquarters and only base of operations in the largest business city.

### WHAT THE GETTING CREDIT INDICATORS MEASURE

#### Strength of legal rights index (0–10)

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 adult population

#### Private credit bureau coverage (% of adults)

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

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

The ranking on the ease of getting credit is based on the percentile rankings on the sum of its component indicators: the depth of credit information index and the strength of legal rights index.

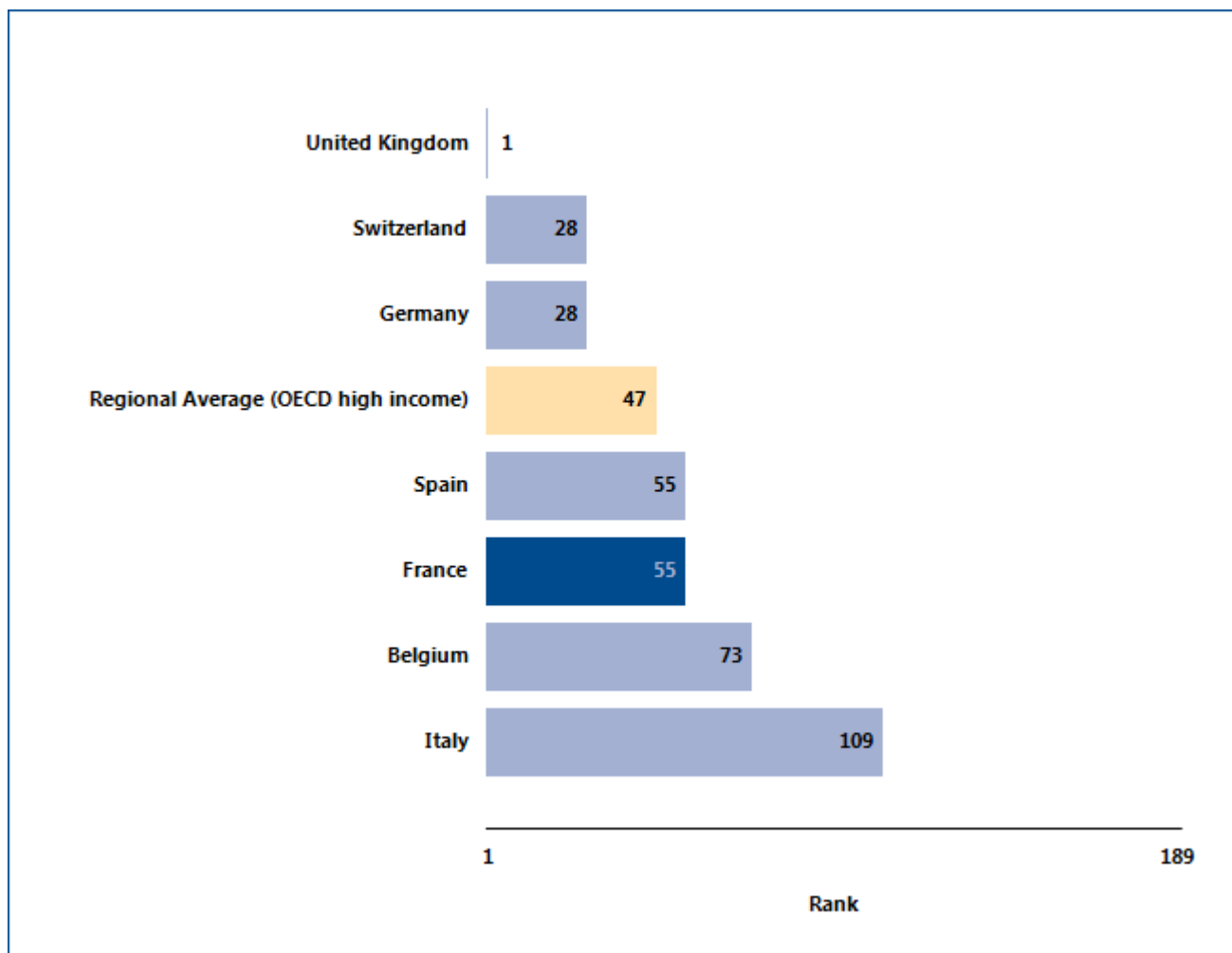
## GETTING CREDIT

### Where does the economy stand today?

How well do the credit information system and collateral and bankruptcy laws in France facilitate access to credit? The economy has a score of 4 on the depth of credit information index and a score of 7 on the strength of legal rights index (see the summary of scoring at the end of this chapter for details). Higher scores indicate more credit information and stronger legal rights for borrowers and lenders.

Globally, France stands at 55 in the ranking of 189 economies on the ease of getting credit (figure 6.1). The rankings for comparator economies and the regional average ranking provide other useful information for assessing how well regulations and institutions in France support lending and borrowing.

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



Source: Doing Business database.

## GETTING CREDIT

### What are the changes over time?

While the most recent *Doing Business* data reflect how well the credit information system and collateral and bankruptcy laws in France support lending and borrowing today, data over time can help show where

institutions and regulations have been strengthened—and where they have not (table 6.1). That can help identify where the potential for improvement is greatest.

Table 6.1 The ease of getting credit in France over time  
By *Doing Business* report year

Indicator	DB2005	DB2006	DB2007	DB2008	DB2009	DB2010	DB2011	DB2012	DB2013	DB2014
Rank	..	..	..	..	..	..	..	..	52	55
Strength of legal rights index (0-10)	4	4	6	7	7	7	7	7	7	7
Depth of credit information index (0-6)	4	4	4	4	4	4	4	4	4	4
Public registry coverage (% of adults)	1.7	1.8	1.8	24.8	28.3	32.5	33.3	43.3	42.4	43.6
Private bureau coverage (% of adults)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Note: n.a. = not applicable (the economy was not included in *Doing Business* for that year). DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year.

Source: *Doing Business* database.

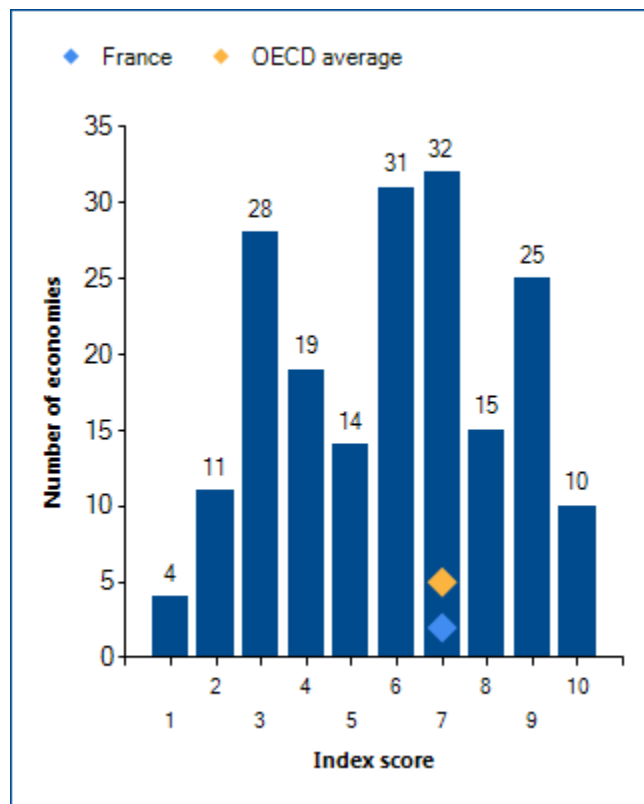
## GETTING CREDIT

One way to put an economy's score on the getting credit indicators into context is to see where the economy stands in the distribution of scores across economies. Figure 6.2 highlights the score on the strength of legal rights index for France in 2013 and

shows the number of economies with this score in 2013 as well as the regional average score. Figure 6.3 shows the same thing for the depth of credit information index.

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

Number of economies with each score on strength of legal rights index (0–10), 2013

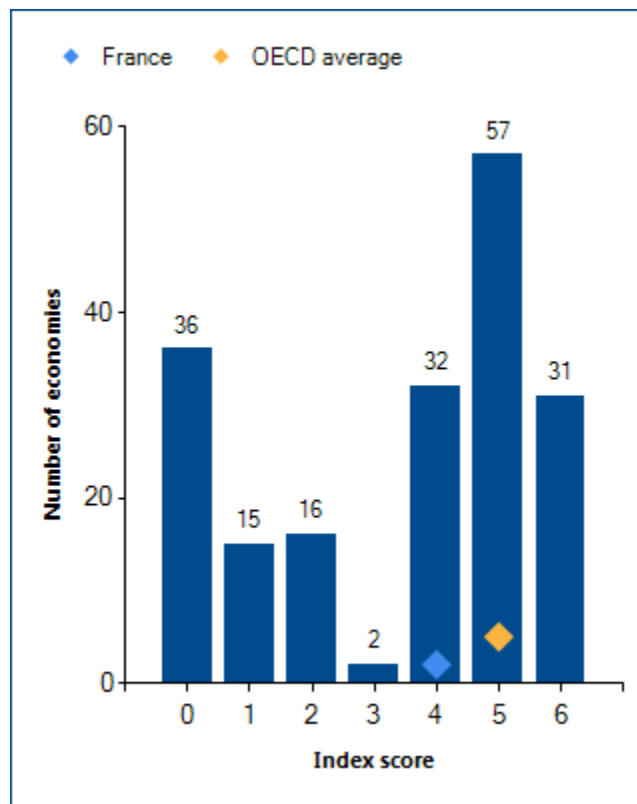


Note: Higher scores indicate that collateral and bankruptcy laws are better designed to facilitate access to credit.

Source: Doing Business database.

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

Number of economies with each score on depth of credit information index (0–6), 2013



Note: Higher scores indicate the availability of more credit information, from either a credit registry or a credit bureau, to facilitate lending decisions. Regional averages for the depth of credit information index exclude economies with no credit registry or credit bureau.

Source: Doing Business database.

## GETTING CREDIT

When economies strengthen the legal rights of lenders and borrowers under collateral and bankruptcy laws, and increase the scope, coverage and accessibility of credit information, they can increase entrepreneurs' access to credit. What credit reforms has *Doing Business* recorded in France (table 6.2)?

Table 6.2 How has France made getting credit easier—or not?  
By *Doing Business* report year

DB year	Reform
<b>DB2009</b>	No reform as measured by Doing Business.
<b>DB2010</b>	No reform as measured by Doing Business.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

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

*Source:* *Doing Business* database.

## GETTING CREDIT

### What are the details?

The getting credit indicators reported here for France are based on detailed information collected in that economy. The data on credit information sharing are collected through a survey of a credit registry and/or credit bureau (if one exists). To construct the depth of credit information index, a score of 1 is assigned for each of 6 features of the credit registry or credit bureau (see summary of scoring below).

The data on the legal rights of borrowers and lenders are gathered through a survey of financial lawyers and verified through analysis of laws and regulations as well as public sources of information on collateral and bankruptcy laws. For the strength of legal rights index, a score of 1 is assigned for each of 8 aspects related to legal rights in collateral law and 2 aspects in bankruptcy law.

#### Summary of scoring for the getting credit indicators in France

Indicator	France	OECD high income average	OECD high income average
<b>Strength of legal rights index (0-10)</b>	7		7
<b>Depth of credit information index (0-6)</b>	4		5
<b>Public registry coverage (% of adults)</b>	43.6		42.9
<b>Private bureau coverage (% of adults)</b>	0.0		73.9

*Note:* In cases where an economy's regional classification is "OECD high income," regional averages above are only displayed once. Regional averages for the depth of credit information index exclude economies with no credit registry or credit bureau. Regional averages for the credit registry coverage exclude economies with no credit registry. Regional averages for the credit bureau coverage exclude economies with no credit bureau.

<b>Strength of legal rights index (0-10)</b>	Index score: 7
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?	Yes
Does the law allow businesses to grant a non possessory security right in substantially all of its assets, without requiring a specific description of collateral?	Yes
May a security right extend to future or after-acquired assets, and may it extend automatically to the products, proceeds or replacements of the original assets?	Yes
Is a general description of debts and obligations permitted in collateral agreements; can all types of debts and obligations be secured between parties; and can the collateral agreement include a maximum amount for which the assets are encumbered?	Yes
Is a collateral registry in operation, that is unified geographically and by asset type, with an electronic database indexed by debtor's names?	Yes



<b>Strength of legal rights index (0–10)</b>	Index score: 7
Are secured creditors paid first (i.e. before tax claims and employee claims) when a debtor defaults outside an insolvency procedure?	No
Are secured creditors paid first (i.e. before tax claims and employee claims) when a business is liquidated?	No
Are secured creditors either not subject to an automatic stay on enforcement when a debtor enters a court-supervised reorganization procedure, or does the law provide secured creditors with grounds for relief from an automatic stay or/and sets a time limit to it?	No
Does the law allow parties to agree in a collateral agreement that the lender may enforce its security right out of court, at the time a security interest is created?	Yes

<b>Depth of credit information index (0–6)</b>	Credit bureau	Credit registry	Index score: 4
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	Yes	1
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	Yes	1

Note: An economy receives a score of 1 if there is a "yes" to either private bureau or public registry.

<b>Coverage</b>	Credit bureau (% of adults)	Credit registry (% of adults)
<b>Number of firms</b>	0	8,178,474
<b>Number of individuals</b>	0	10,244,158

Source: Doing Business database.

## PROTECTING INVESTORS

Protecting investors matters for the ability of companies to raise the capital they need to grow, innovate, diversify and compete. If the laws do not protect minority shareholders, investors may be reluctant to provide funding to companies through the purchase of shares unless they become the controlling shareholders. Effective regulations define related-party transactions precisely, promote clear and efficient disclosure requirements, require shareholder participation in major decisions of the company and set detailed standards of accountability for company insiders.

### What do the indicators cover?

*Doing Business* measures the strength of minority shareholder protections against directors' use of corporate assets for personal gain—or self-dealing. The indicators distinguish 3 dimensions of investor protections: transparency of related-party transactions (extent of disclosure index), liability for self-dealing (extent of director liability index) and minority shareholders' access to evidence before and during trial (ease of shareholder suits index). The ranking on the strength of investor protection index is the simple average of the percentile rankings on these 3 indices. To make the data comparable across economies, a case study uses several assumptions about the business and the transaction.

The business (Buyer):

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

The transaction involves the following details:

- Mr. James, a director and the majority shareholder of the company, proposes that

### WHAT THE PROTECTING INVESTORS INDICATORS MEASURE

#### Extent of disclosure index (0–10)

Approval process for related-party transactions

Disclosure requirements in case of related-party transactions

#### Extent of director liability index (0–10)

Ability of minority shareholders to file a direct or derivative lawsuit

Ability of minority shareholders to hold interested parties and members of the approving body liable for prejudicial related-party transactions

Available legal remedies (damages, repayment of profits, fines, imprisonment and rescission of the transaction)

#### Ease of shareholder suits index (0–10)

Access to internal corporate documents (directly or through a government inspector)

Documents and information available during trial

#### Strength of investor protection index (0–10)

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

the company purchase used trucks from another company he owns.

- The price is higher than the going price for used trucks, but the transaction goes forward.
- All required approvals are obtained, and all required disclosures made, though the transaction is prejudicial to Buyer.
- Shareholders sue the interested parties and the members of the board of directors.

## PROTECTING INVESTORS

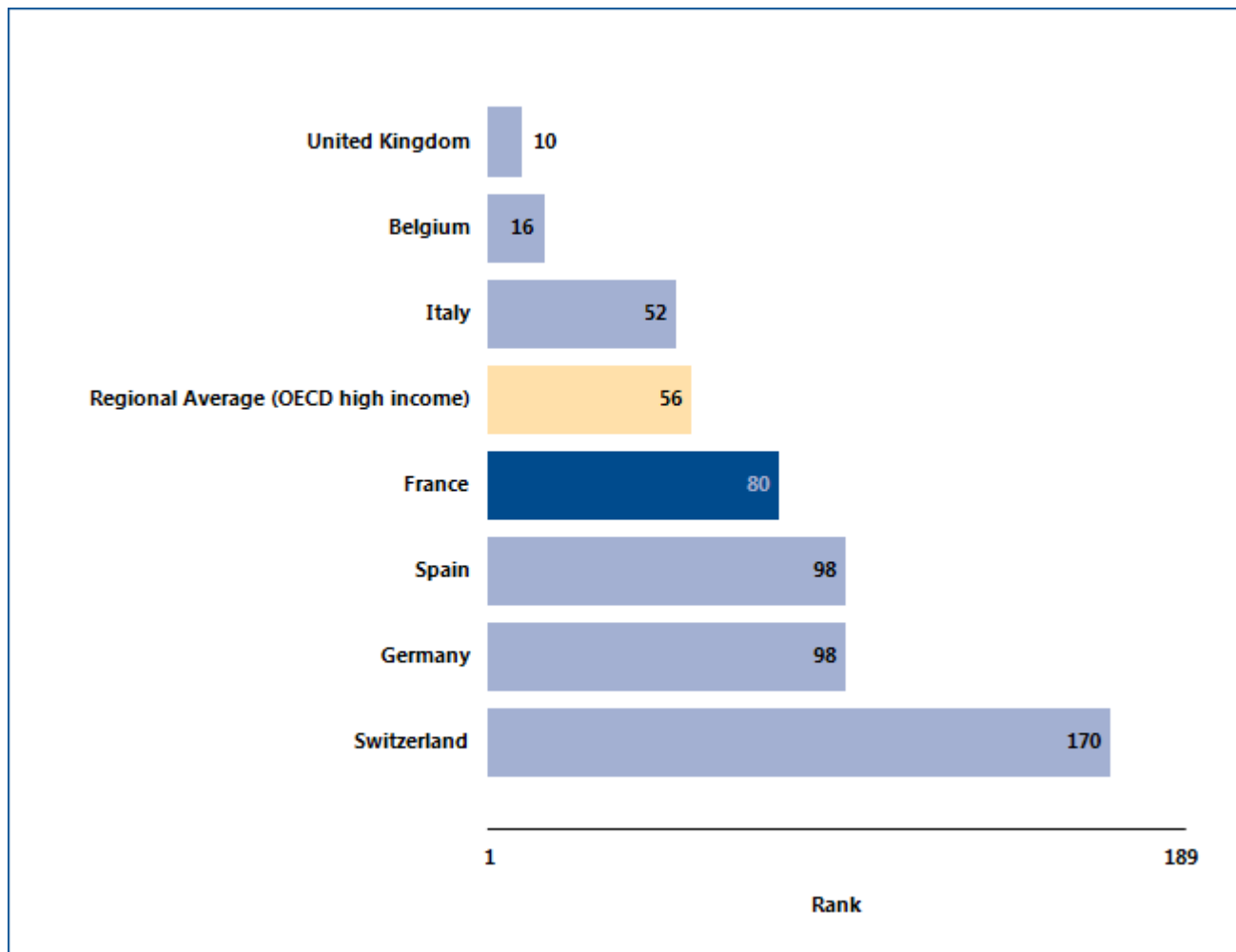
### Where does the economy stand today?

How strong are investor protections against self-dealing in France? The economy has a score of 5.3 on the strength of investor protection index, with a higher score indicating stronger protections (see the summary of scoring at the end of this chapter for details).

Globally, France stands at 80 in the ranking of 189 economies on the strength of investor protection

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

Figure 7.1 How France and comparator economies rank on the strength of investor protection index



Source: Doing Business database.

## PROTECTING INVESTORS

### What are the changes over time?

While the most recent *Doing Business* data reflect how well regulations in France protect minority investors today, data over time show whether the protections have been strengthened (table 7.1). And the global

ranking on the strength of investor protection index over time shows whether the economy is slipping behind other economies in investor protections—or surpassing them.

Table 7.1 The strength of investor protections in France over time  
By *Doing Business* report year

Indicator	DB2006	DB2007	DB2008	DB2009	DB2010	DB2011	DB2012	DB2013	DB2014
Rank	..	..	..	..	..	..	..	80	80
Extent of disclosure index (0-10)	10	10	10	10	10	10	10	10	10
Extent of director liability index (0-10)	1	1	1	1	1	1	1	1	1
Ease of shareholder suits index (0-10)	5	5	5	5	5	5	5	5	5
Strength of investor protection index (0-10)	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3

Note: n.a. = not applicable (the economy was not included in *Doing Business* for that year). DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year.

Source: *Doing Business* database.

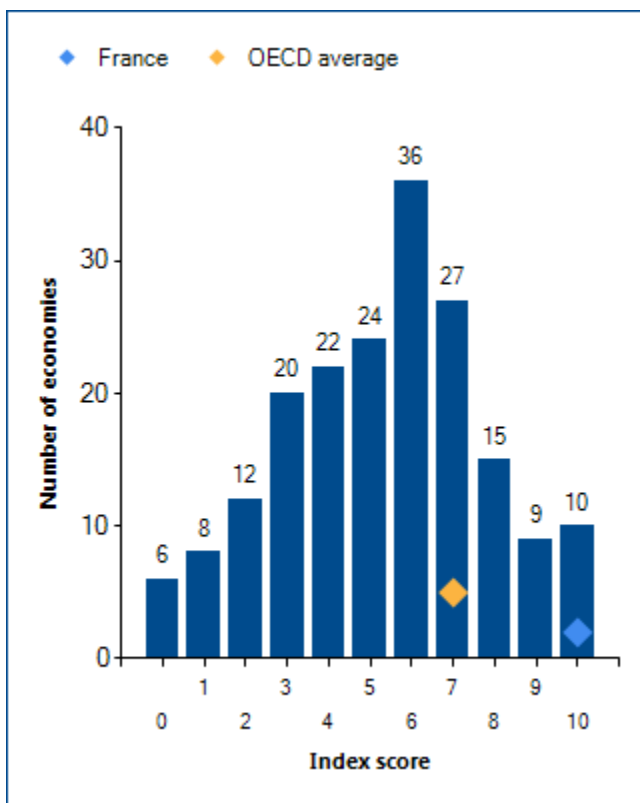
## PROTECTING INVESTORS

One way to put an economy's scores on the protecting investors indicators into context is to see where the economy stands in the distribution of scores across economies. Figure 7.2 highlights the score on the extent of disclosure index for France in 2013 and

shows the number of economies with this score in 2013 as well as the regional average score. Figure 7.3 applies to the extent of director liability index, and figure 7.4 to the ease of shareholder suits index.

Figure 7.2 How strong are disclosure requirements?

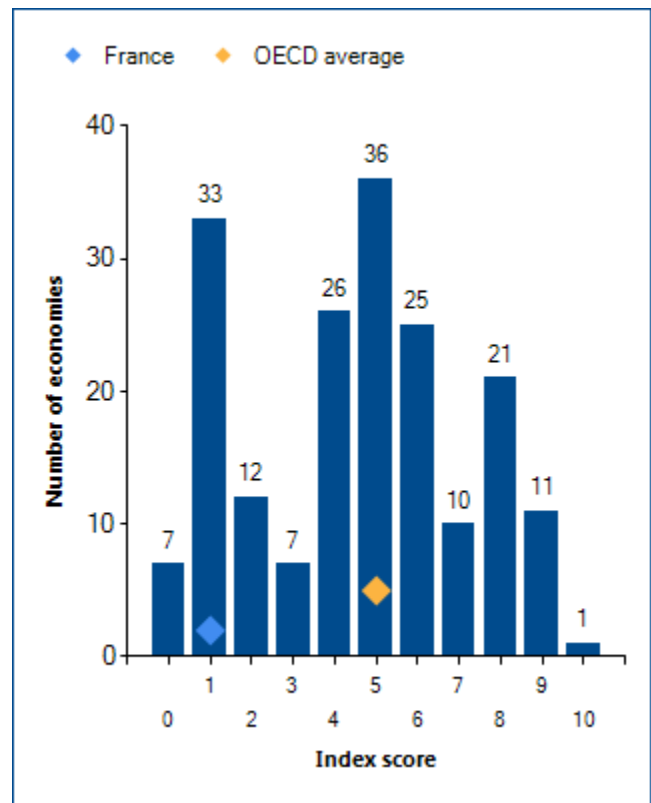
Number of economies with each score on the extent of disclosure index (0–10), 2013



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

Figure 7.3 How strong is the liability regime for directors?

Number of economies with each score on the extent of director liability index (0–10), 2013

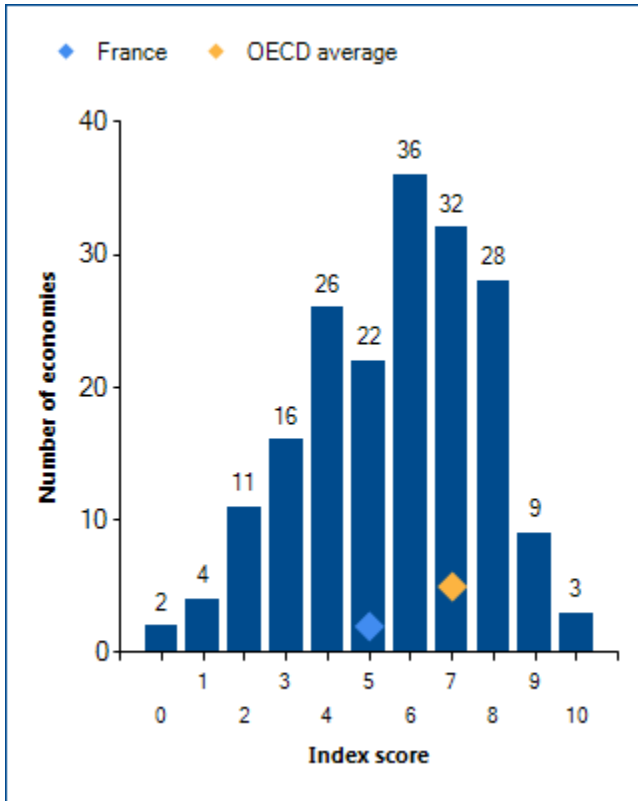


Note: Higher scores indicate greater liability of directors.  
Source: Doing Business database.

## PROTECTING INVESTORS

Figure 7.4 How easy is accessing internal corporate documents?

Number of economies with each score on the ease of shareholder suits index (0–10), 2013



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

Source: *Doing Business* database.

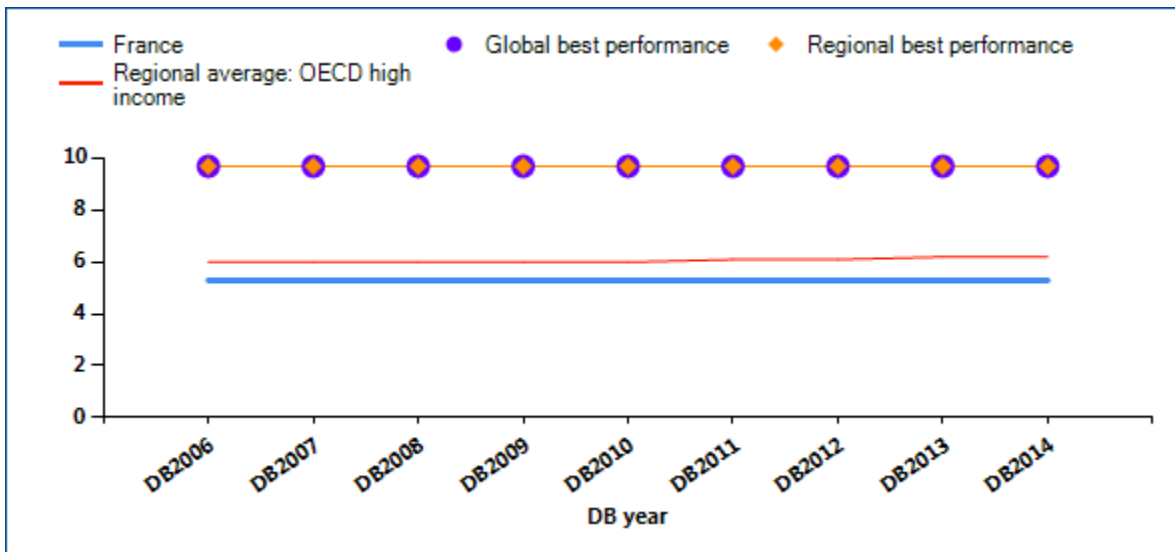
## PROTECTING INVESTORS

The scores recorded over time for France on the strength of investor protection index may also be revealing (figure 7.5). Equally interesting may be the

changes over time in the regional average score on this index.

Figure 7.5 Have investor protections become stronger over time?

### Strength of investor protection index (0–10)



Note: The higher the score, the stronger the protections.  
 Source: Doing Business database.

## PROTECTING INVESTORS

Economies with the strongest protections of minority investors from self-dealing require detailed disclosure and define clear duties for directors. They also have well-functioning courts and up-to-date procedural rules that give minority shareholders the means to prove their case and obtain a judgment within a

reasonable time. As a result, reforms to strengthen investor protections may move ahead on different fronts—such as through new or amended company laws, securities regulations or civil procedure rules. What investor protection reforms has *Doing Business* recorded in France (table 7.2)?

Table 7.2 How has France strengthened investor protections—or not?  
By *Doing Business* report year

DB year	Reform
DB2009	No reform as measured by Doing Business.
DB2010	No reform as measured by Doing Business.
DB2011	No reform as measured by Doing Business.
DB2012	No reform as measured by Doing Business.
DB2013	No reform as measured by Doing Business.
DB2014	No reform as measured by Doing Business.

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

Source: *Doing Business* database.



## PROTECTING INVESTORS

### What are the details?

The protecting investors indicators reported here for France are based on detailed information collected through a survey of corporate and securities lawyers about securities regulations, company laws and court rules of evidence and procedure. To construct the extent of disclosure, extent of director liability and

ease of shareholder suits indices, scores are assigned to each based on a range of conditions relating to disclosure, director liability and shareholder suits in a standard case study transaction (see the data notes at the end of this chapter). The summary below shows the details underlying the scores for France.

#### Summary of scoring for the protecting investors indicators in France

Indicator	France	OECD high income average	OECD high income average
<b>Extent of disclosure index (0-10)</b>	10		7
<b>Extent of director liability index (0-10)</b>	1		5
<b>Ease of shareholder suits index (0-10)</b>	5		7
<b>Strength of investor protection index (0-10)</b>	5.3		6.2

*Note:* In cases where an economy's regional classification is "OECD high income," regional averages above are only displayed once.

	Score	Score description
<b>Extent of disclosure index (0-10)</b>	10	
What corporate body provides legally sufficient approval for the transaction?	3	Both board of directors and shareholders meeting and Mr. James is not allowed to vote
Whether disclosure of the conflict of interest by Mr. James to the board of directors is required?	2	Full disclosure of all material facts
Whether immediate disclosure of the transaction to the public and/or shareholders is required?	2	Disclosure on the transaction and Mr. James' conflict of interest
Whether disclosure of the transaction in published periodic filings (annual reports) is required?	2	Disclosure on the transaction and Mr. James' conflict of interest
Whether an external body must review the terms of the transaction before it takes place?	1	Yes
<b>Extent of director liability index (0-10)</b>	1	
Whether shareholders can sue directly or derivatively for the damage that the Buyer-Seller transaction causes to the company?	1	Yes
Whether shareholders can hold Mr. James liable for the damage that the Buyer-Seller transaction causes to the company?	0	Not liable
Whether shareholders can hold members of the approving body liable for the damage that the Buyer-Seller transaction causes to the company?	0	Not liable

	Score	Score description
Whether a court can void the transaction upon a successful claim by a shareholder plaintiff?	0	Not possible or only in case of Seller's fraud or bad faith
Whether Mr. James pays damages for the harm caused to the company upon a successful claim by the shareholder plaintiff?	0	No
Whether Mr. James repays profits made from the transaction upon a successful claim by the shareholder plaintiff?	0	No
Whether fines and imprisonment can be applied against Mr. James?	0	No
<b>Ease of shareholder suits index (0-10)</b>	<b>5</b>	
Whether shareholders owning 10% or less of Buyer's shares can inspect transaction documents before filing suit?	0	No
Whether shareholders owning 10% or less of Buyer's shares can request an inspector to investigate the transaction?	1	Yes
Whether the plaintiff can obtain any documents from the defendant and witnesses during trial?	3	Any information that is relevant to the subject matter of the claim
Whether the plaintiff can request categories of documents from the defendant without identifying specific ones?	0	No
Whether the plaintiff can directly question the defendant and witnesses during trial?	0	No
Whether the level of proof required for civil suits is lower than that of criminal cases?	1	Yes
<b>Strength of investor protection index (0-10)</b>	<b>5.3</b>	

Source: Doing Business database.

## PAYING TAXES

Taxes are essential. They fund the public amenities, infrastructure and services that are crucial for a properly functioning economy. But the level of tax rates needs to be carefully chosen—and needless complexity in tax rules avoided. According to *Doing Business* data, in economies where it is more difficult and costly to pay taxes, larger shares of economic activity end up in the informal sector—where businesses pay no taxes at all.

### What do the indicators cover?

Using a case scenario, *Doing Business* measures the taxes and mandatory contributions that a medium-size company must pay in a given year as well as the administrative burden of paying taxes and contributions. This case scenario uses a set of financial statements and assumptions about transactions made over the year. Information is also compiled on the frequency of filing and payments as well as time taken to comply with tax laws. The ranking on the ease of paying taxes is the simple average of the percentile rankings on its component indicators: number of annual payments, time and total tax rate, with a threshold being applied to the total tax rate.<sup>1</sup> To make the data comparable across economies, several assumptions about the business and the taxes and contributions are used.

- TaxpayerCo is a medium-size business that started operations on January 1, 2011.
- 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.

### WHAT THE PAYING TAXES INDICATORS MEASURE

#### Tax payments for a manufacturing company in 2012 (number per year adjusted for electronic and joint filing and payment)

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

Method and frequency of filing and payment

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

Collecting information and computing the tax payable

Completing tax return forms, filing with proper agencies

Arranging payment or withholding

Preparing separate tax accounting books, if required

#### Total tax rate (% of profit before all taxes)

Profit or corporate income tax

Social contributions and labor taxes paid by the employer

Property and property transfer taxes

Dividend, capital gains and financial transactions taxes

Waste collection, vehicle, road and other taxes

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

<sup>1</sup> The threshold is defined as the highest total tax rate among the top 15% of economies in the ranking on the total tax rate. It is calculated and adjusted on a yearly basis. The threshold is not based on any economic theory of an "optimal tax rate" that minimizes distortions or maximizes efficiency in the tax system of an economy overall. Instead, it is mainly empirical in nature, set at the lower end of the distribution of tax rates levied on medium-size enterprises in the manufacturing sector as observed through the paying taxes indicators. This reduces the bias in the indicators toward economies that do not need to levy significant taxes on companies like the *Doing Business* standardized case study company because they raise public revenue in other ways—for example, through taxes on foreign companies, through taxes on sectors other than manufacturing or from natural resources (all of which are outside the scope of the methodology). This year's threshold is 25.5%.

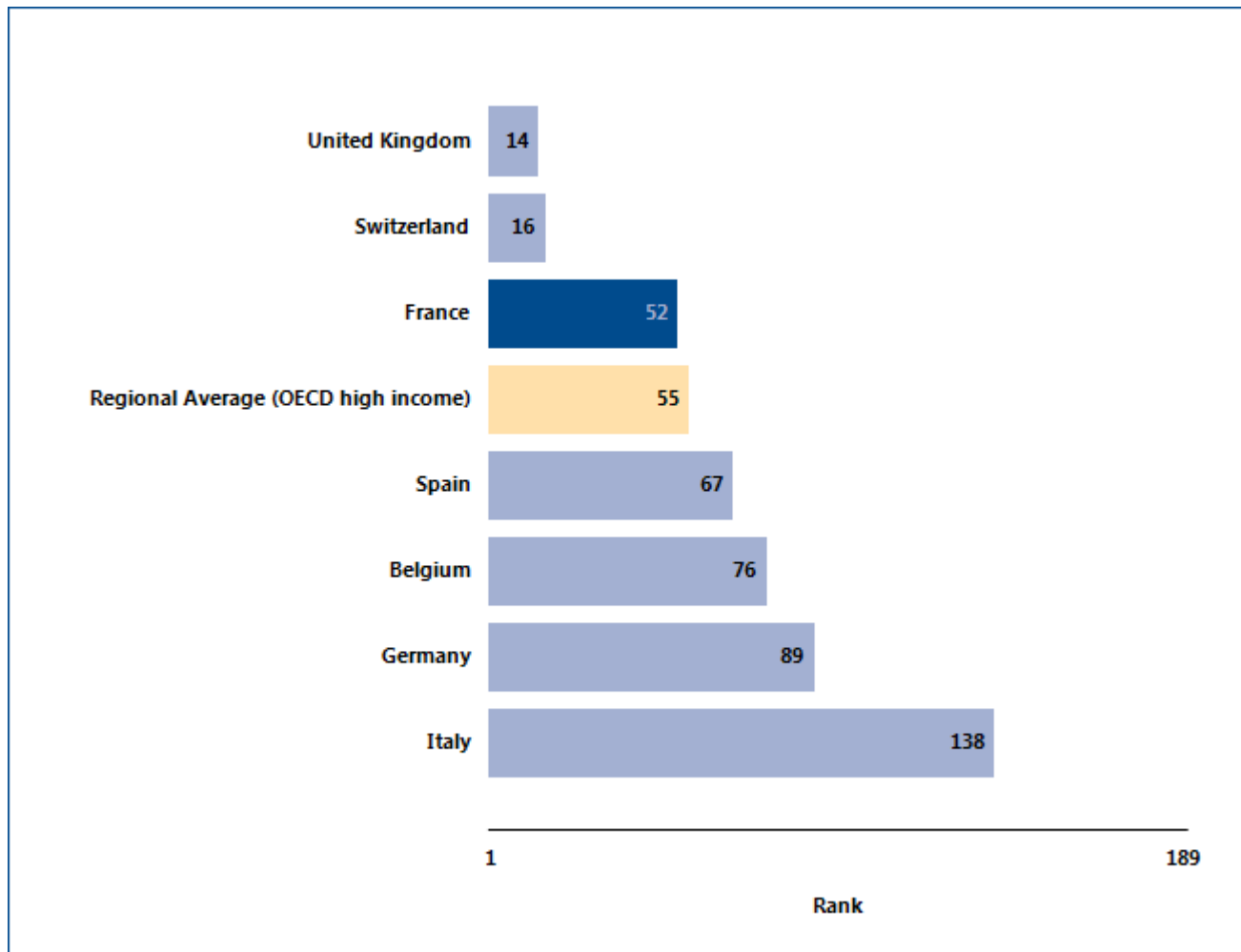
## PAYING TAXES

### Where does the economy stand today?

What is the administrative burden of complying with taxes in France—and how much do firms pay in taxes? On average, firms make 7 tax payments a year, spend 132 hours a year filing, preparing and paying taxes and pay total taxes amounting to 64.7% of profit (see the summary at the end of this chapter for details).

Globally, France stands at 52 in the ranking of 189 economies on the ease of paying taxes (figure 8.1). The rankings for comparator economies and the regional average ranking provide other useful information for assessing the tax compliance burden for businesses in France.

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



Source: Doing Business database.

## PAYING TAXES

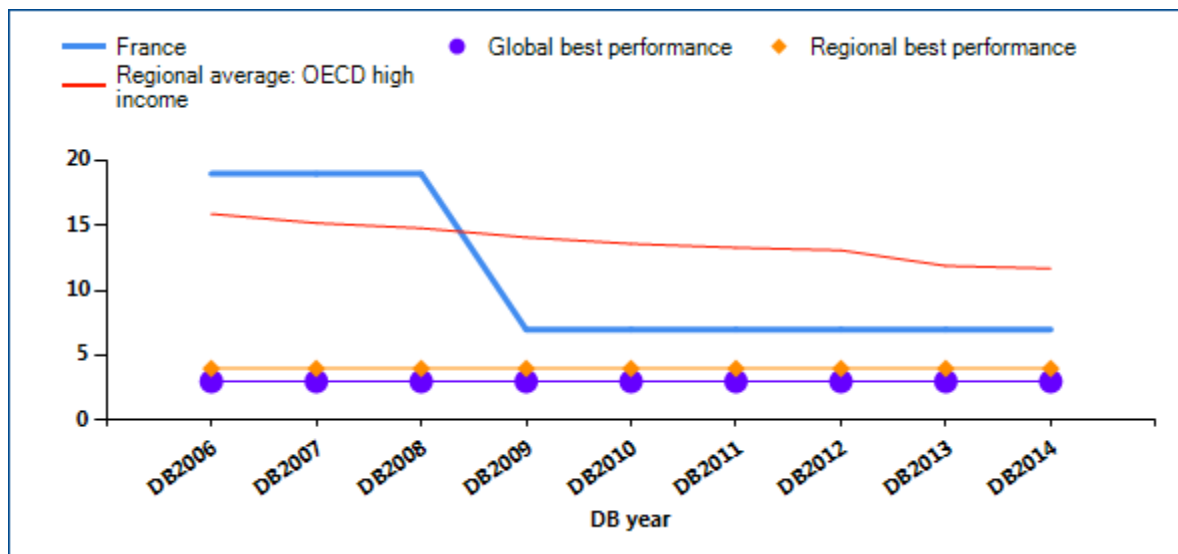
### What are the changes over time?

The benchmarks provided by the economies that over time have had the best performance regionally or globally on the number of payments or the time required to prepare and file taxes (figure 8.2) help

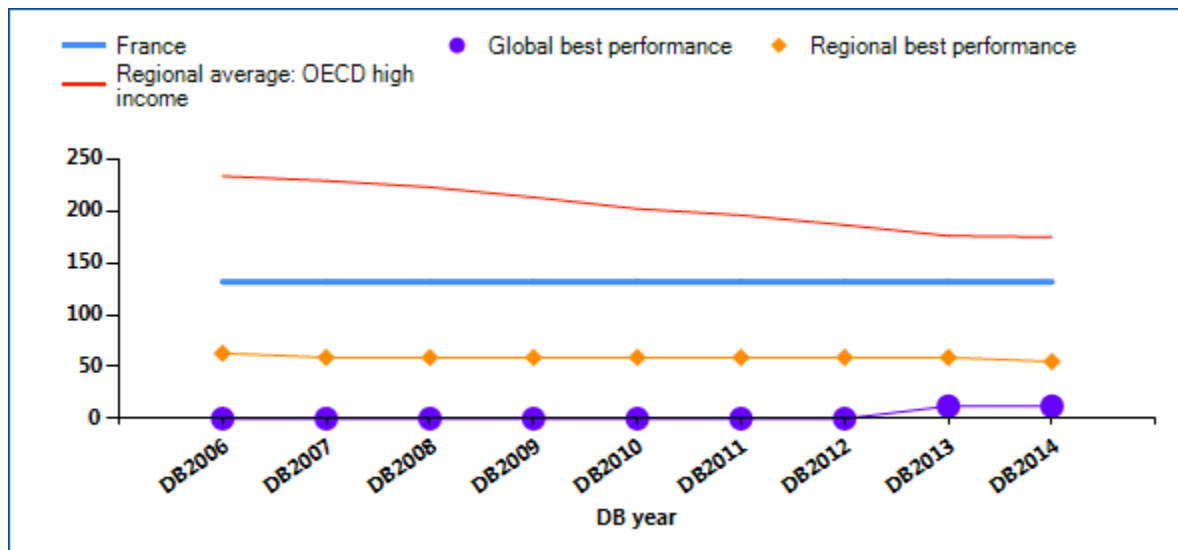
show what is possible in easing the administrative burden of tax compliance. And changes in regional averages can show where France is keeping up—and where it is falling behind.

Figure 8.2 Has paying taxes become easier over time?

#### Payments (number per year)

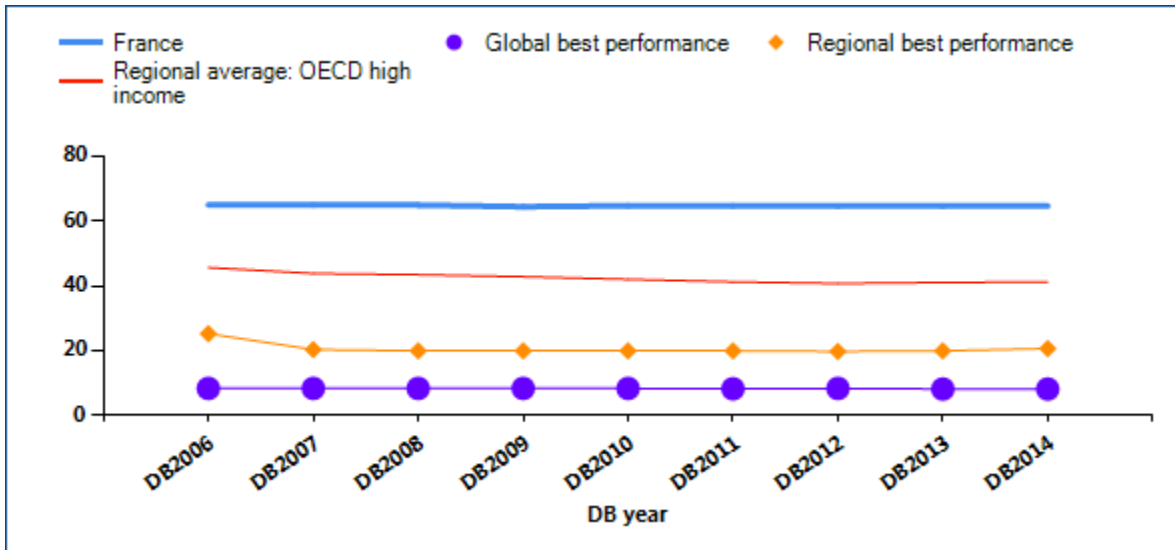


#### Time (hours per year)



## PAYING TAXES

### Total tax rate (% of profit)



Note: DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year. DB2013 rankings reflect changes to the methodology. For all economies with a total tax rate below the threshold of 25.5% applied in DB2014, the total tax rate is set at 25.5% for the purpose of calculating the ranking on the ease of paying taxes.

Source: *Doing Business* database.

## PAYING TAXES

Economies around the world have made paying taxes faster and easier for businesses—such as by consolidating filings, reducing the frequency of payments or offering electronic filing and payment. Many have lowered tax rates. Changes have brought

concrete results. Some economies simplifying tax payment and reducing rates have seen tax revenue rise. What tax reforms has *Doing Business* recorded in France (table 8.1)?

Table 8.1 How has France made paying taxes easier—or not?  
By *Doing Business* report year

DB year	Reform
<b>DB2009</b>	Update in salary ceilings changed the effective rates for social security and payroll taxes. Electronic filing became mandatory for social security contributions, effective 1 January 2007 for companies which are liable for more than 800,000 EUR in social security contributions
<b>DB2010</b>	No reform as measured by Doing Business.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

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

Source: *Doing Business* database.

## PAYING TAXES

### What are the details?

The indicators reported here for France are based on a standard set of taxes and contributions that would be paid by the case study company used by *Doing Business* in collecting the data (see the section in this chapter on what the indicators cover). Tax practitioners are asked to review standard 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.

#### LOCATION OF STANDARDIZED COMPANY

**City: Paris**

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

#### Summary of tax rates and administrative burden in France

Indicator	France	OECD high income average	OECD high income average
<b>Payments (number per year)</b>	7		12
<b>Time (hours per year)</b>	132		175
<b>Profit tax (%)</b>	8.7		16.1
<b>Labor tax and contributions (%)</b>	51.7		23.1
<b>Other taxes (%)</b>	4.3		2.0
<b>Total tax rate (% profit)</b>	64.7		41.3

Note: In cases where an economy's regional classification is "OECD high income," regional averages above are only displayed once.

Tax or mandatory contribution	Payments (number)	Notes on payments	Time (hours)	Statutory tax rate	Tax base	Total tax rate (% of profit)	Notes on total tax rate
<b>Employer paid - Social security contributions</b>	1	online filing	80	40.02%-40.49%	gross salaries	45.6	
<b>Corporate income tax</b>	1	online filing	26	33.33%	taxable profits	8.7	
<b>Employer paid - Payroll tax</b>	1	online filing	0	5.45%	gross salaries	6.1	



<b>Tax or mandatory contribution</b>	<b>Payments (number)</b>	<b>Notes on payments</b>	<b>Time (hours)</b>	<b>Statutory tax rate</b>	<b>Tax base</b>	<b>Total tax rate (% of profit)</b>	<b>Notes on total tax rate</b>
<b>Territorial economic contribution (CET)</b>	1	online filing	0	1.45%	rental value of fixed business assets for CFE and added value for CVAE	4.3	
<b>Value added tax (VAT)</b>	1	online filing	26	19.6%	value added	0	not included
<b>Fuel tax</b>	1		0	0.4245 Euro	per liter	0	small amount
<b>Stamp duty</b>	1		0			0	small amount
<b>Totals</b>	<b>7</b>		<b>132</b>			<b>64.7</b>	

Source: Doing Business database.

## TRADING ACROSS BORDERS

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

### What do the indicators cover?

*Doing Business* measures the time and cost (excluding tariffs and the time and cost for sea transport) associated with exporting and importing a standard shipment of goods by sea transport, and the number of documents necessary to complete the transaction. The indicators cover procedural requirements such as documentation requirements and procedures at customs and other regulatory agencies as well as at the port. They also cover trade logistics, including the time and cost of inland transport to the largest business city. The ranking on the ease of trading across borders is the simple average of the percentile rankings on its component indicators: documents, time and cost to export and import.

To make the data comparable across economies, *Doing Business* uses several assumptions about the business and the traded goods.

The business:

- Is of medium size and employs 60 people.
- Is located in the periurban area of the economy's largest business city.
- Is a private, limited liability company, domestically owned, formally registered and operating under commercial laws and regulations of the economy.

The traded goods:

- Are not hazardous nor do they include

### WHAT THE TRADING ACROSS BORDERS

#### INDICATORS MEASURE

#### Documents required to export and import (number)

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

#### Time required to export and import (days)

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

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

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

military items.

- Do not require refrigeration or any other special environment.
- Do not require any special phytosanitary or environmental safety standards other than accepted international standards.
- Are one of the economy's leading export or import products.
- Are transported in a dry-cargo, 20-foot full container load.

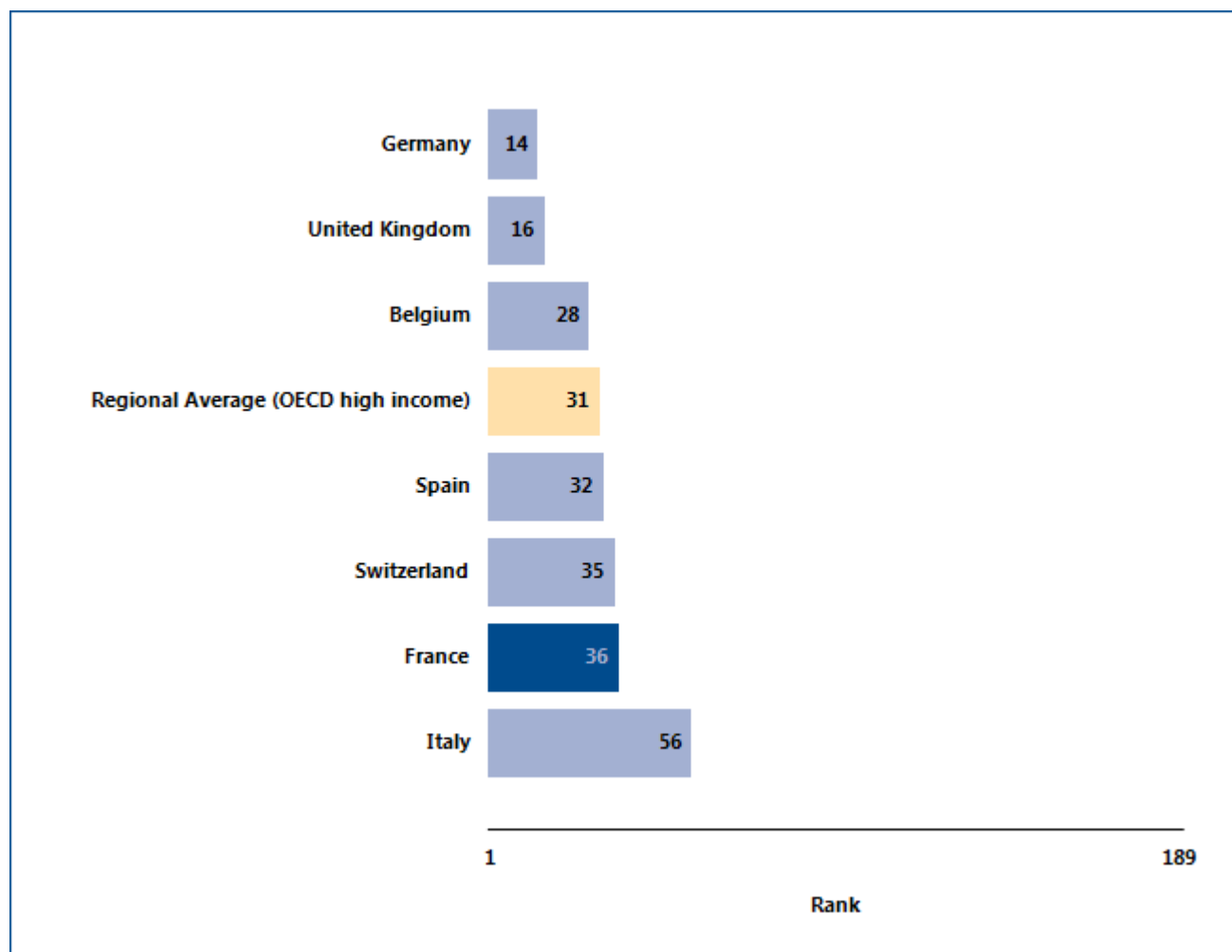
## TRADING ACROSS BORDERS

### Where does the economy stand today?

What does it take to export or import in France? According to data collected by *Doing Business*, exporting a standard container of goods requires 2 documents, takes 10 days and costs \$1335. Importing the same container of goods requires 2 documents, takes 11 days and costs \$1445 (see the summary of procedures and documents at the end of this chapter for details).

Globally, France stands at 36 in the ranking of 189 economies on the ease of trading across borders (figure 9.1). The rankings for comparator economies and the regional average ranking provide other useful information for assessing how easy it is for a business in France to export and import goods.

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



Source: *Doing Business* database.

## TRADING ACROSS BORDERS

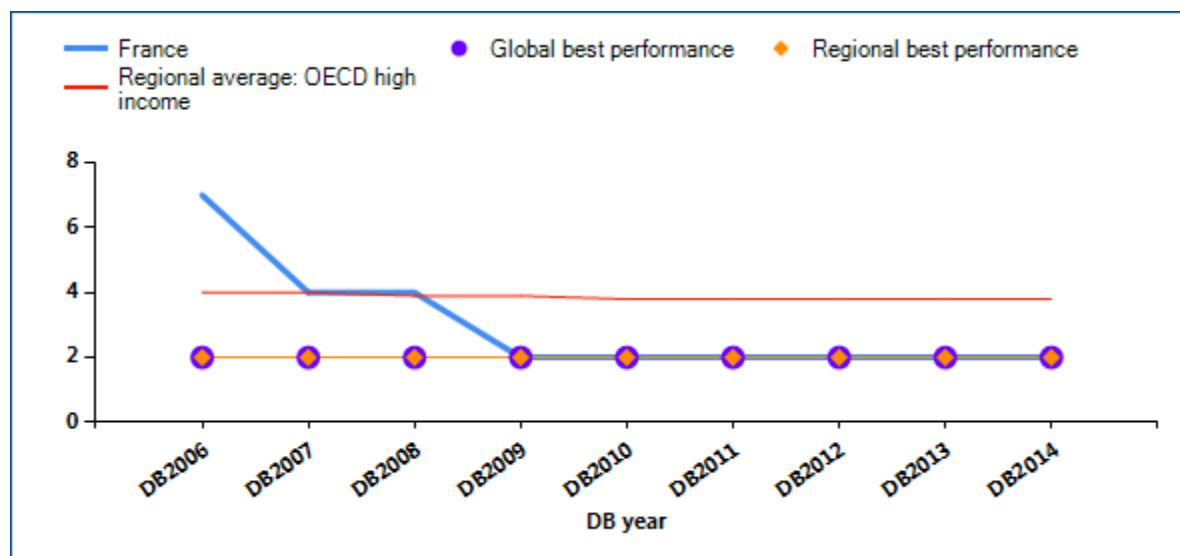
### What are the changes over time?

The benchmarks provided by the economies that over time have had the best performance regionally or globally on the documents, time or cost required to export or import (figure 9.2) help show what is

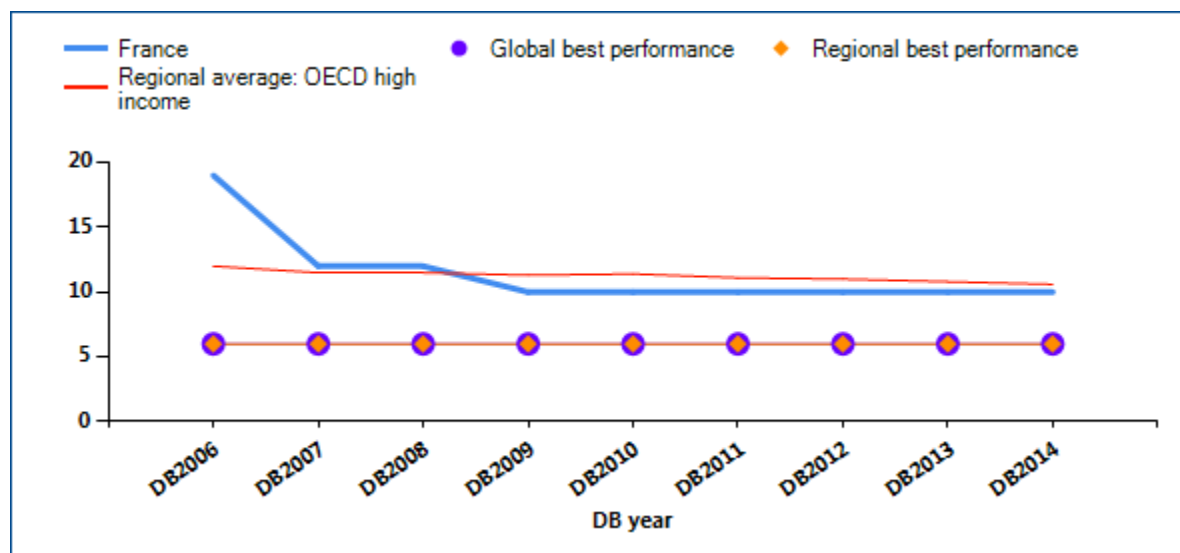
possible in making it easier to trade across borders. And changes in regional averages can show where France is keeping up—and where it is falling behind.

Figure 9.2 Has trading across borders become easier over time?

#### Documents to export (number)

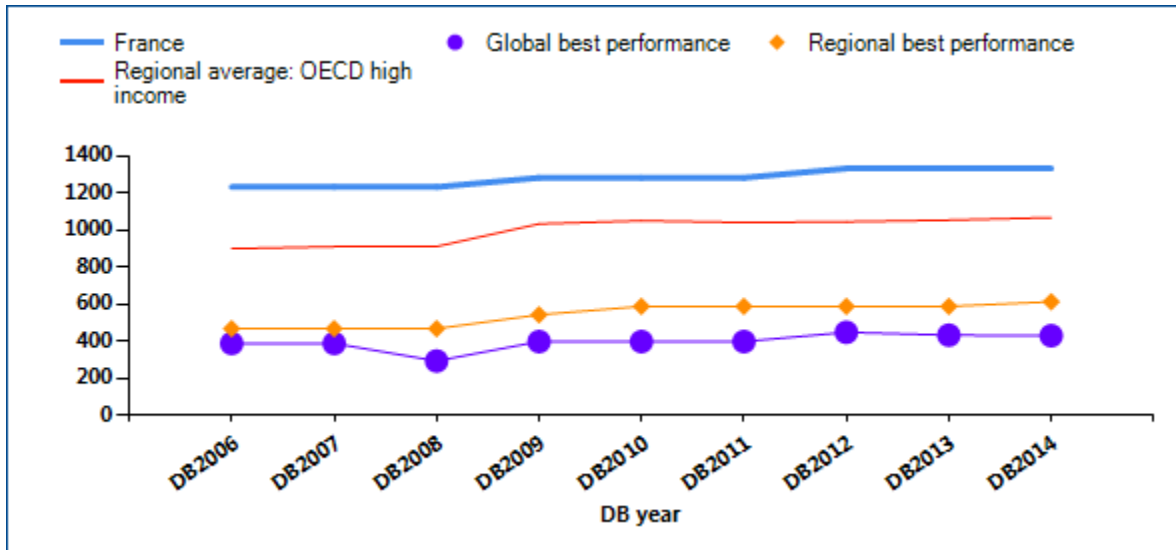


#### Time to export (days)

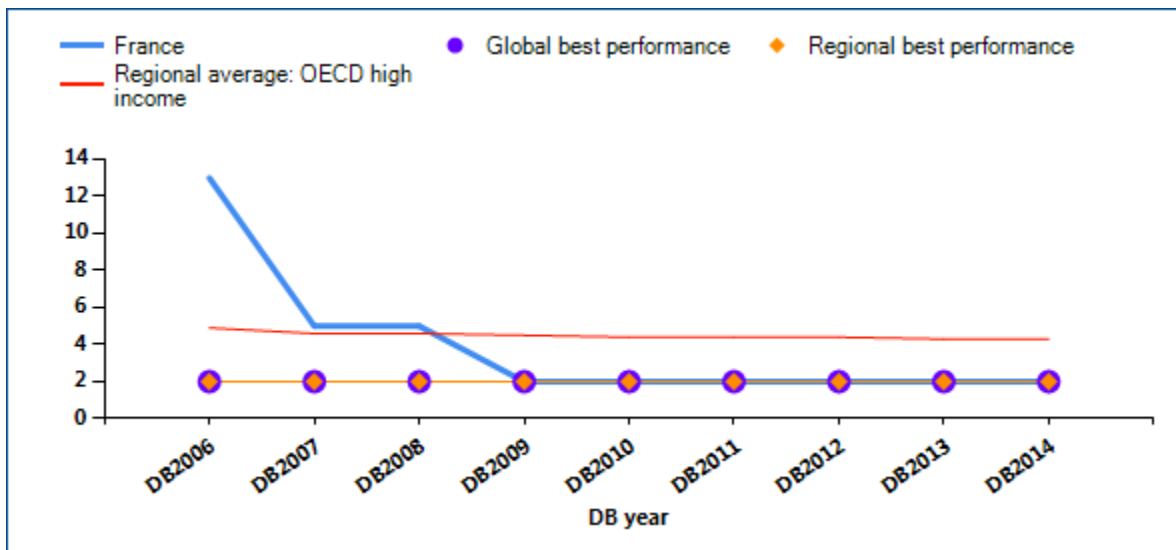


## TRADING ACROSS BORDERS

### Cost to export (US\$ per container)

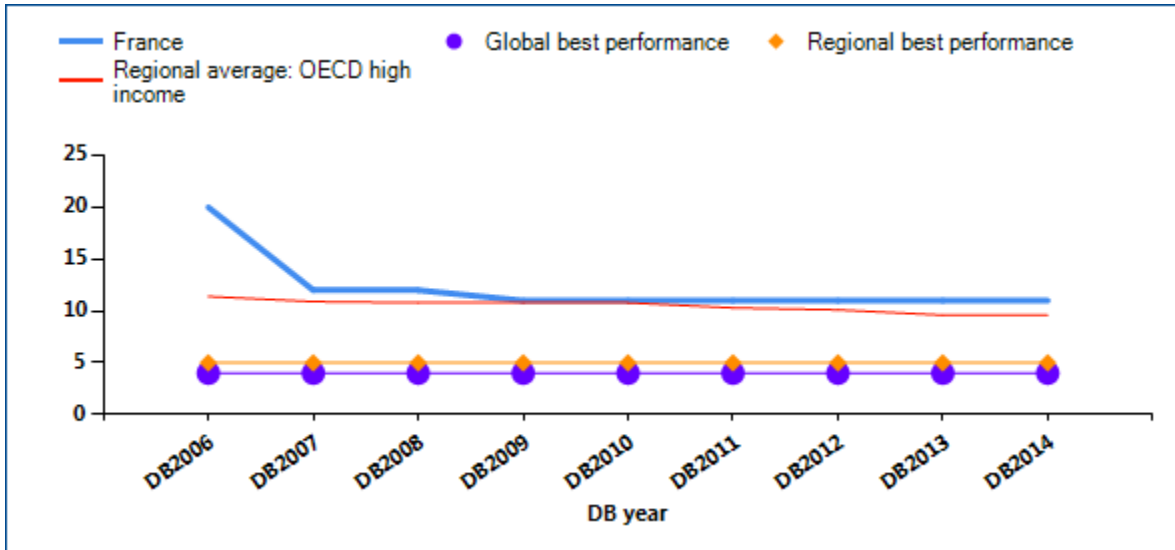


### Documents to import (number)

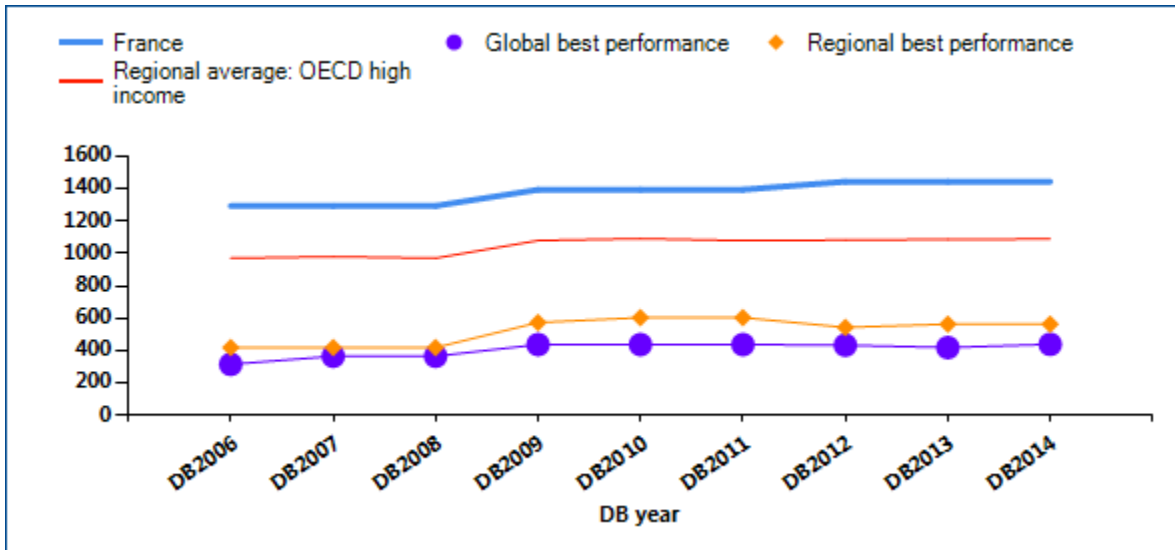


## TRADING ACROSS BORDERS

### Time to import (days)



### Cost to import (US\$ per container)



Note: DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year.

Source: Doing Business database.

## TRADING ACROSS BORDERS

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

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

Table 9.1 How has France made trading across borders easier—or not?  
By *Doing Business* report year

DB year	Reform
<b>DB2009</b>	France speeded up and simplified its customs clearance procedures by introducing an electronic customs declaration and eliminating the need to submit certain documents.
<b>DB2010</b>	No reform as measured by Doing Business.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

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

Source: *Doing Business* database.

## TRADING ACROSS BORDERS

### What are the details?

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

#### LOCATION OF STANDARDIZED COMPANY

**City: Paris**

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

#### Summary of procedures and documents for trading across borders in France

Indicator	France	OECD high income average	OECD high income average
<b>Documents to export (number)</b>	2		4
<b>Time to export (days)</b>	10		11
<b>Cost to export (US\$ per container)</b>	1,335		1,070
<b>Documents to import (number)</b>	2		4
<b>Time to import (days)</b>	11		10
<b>Cost to import (US\$ per container)</b>	1,445		1,090

*Note:* In cases where an economy's regional classification is "OECD high income," regional averages above are only displayed once.

Procedures to export	Time (days)	Cost (US\$)
Documents preparation	4	310
Customs clearance and technical control	1	80
Ports and terminal handling	3	315
Inland transportation and handling	2	630
Totals	10	1,335

Procedures to import	Time (days)	Cost (US\$)
Documents preparation	5	300



<b>Procedures to import</b>	Time (days)	Cost (US\$)
Customs clearance and technical control	1	150
Ports and terminal handling	3	315
Inland transportation and handling	2	680
Totals	11	1,445

<b>Documents to export</b>
Bill of lading
Customs export declaration

<b>Documents to import</b>
Bill of lading
Customs import declaration

Source: Doing Business database.

## ENFORCING CONTRACTS

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

### What do the indicators cover?

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

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

- The seller and buyer are located in the economy's largest business city.
- The buyer orders custom-made goods, then fails to pay.
- The seller sues the buyer before a competent court.
- The value of the claim is 200% of income per capita.
- The seller requests a pretrial attachment to secure the claim.
- The dispute on the quality of the goods requires an expert opinion.
- The judge decides in favor of the seller; there is no appeal.
- The seller enforces the judgment through a public sale of the buyer's movable assets.

### WHAT THE ENFORCING CONTRACTS

#### INDICATORS MEASURE

#### Procedures to enforce a contract through the courts (number)

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

#### Time required to complete procedures (calendar days)

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

#### Cost required to complete procedures (% of claim)

- Average attorney fees
- Court costs
- Enforcement costs

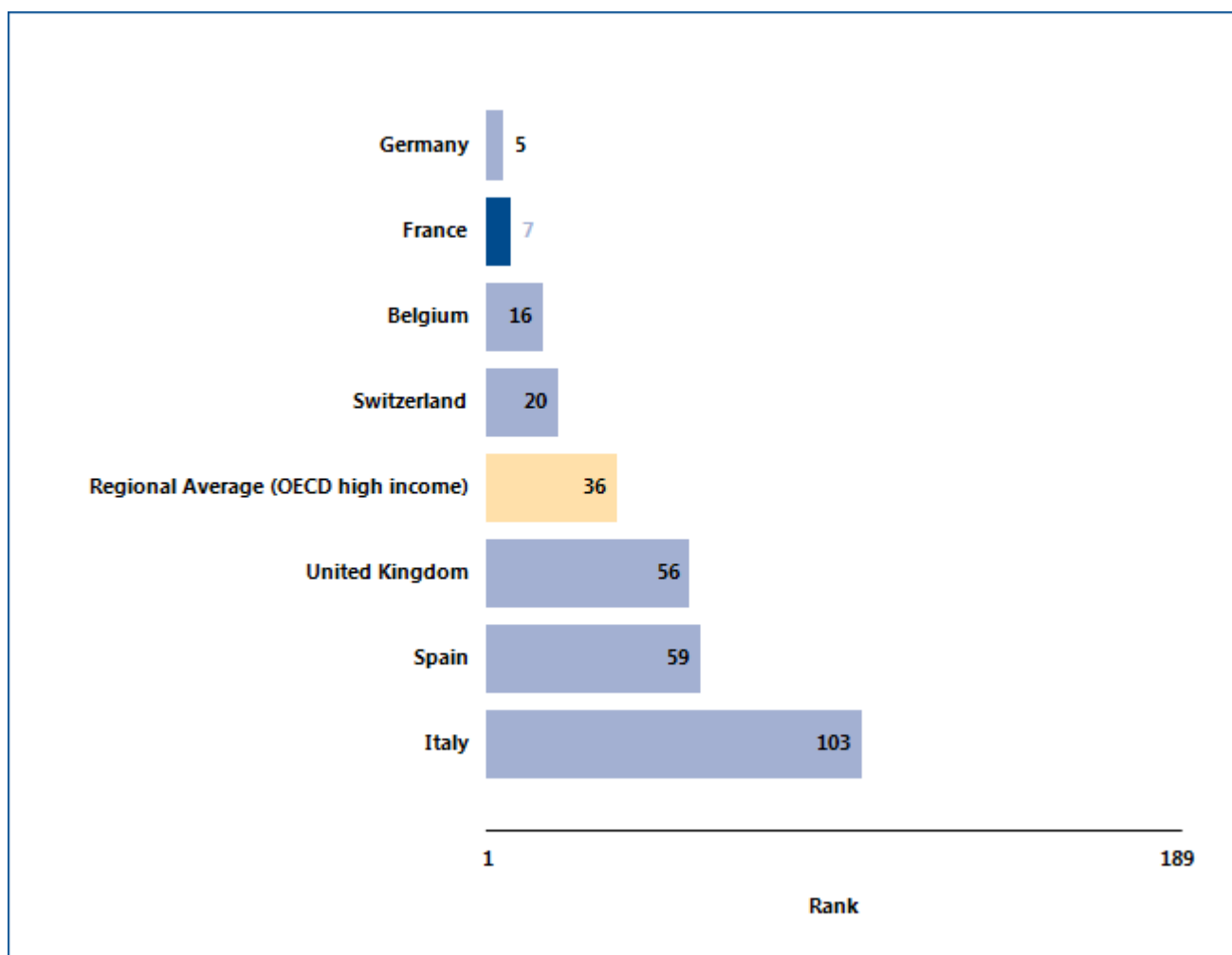
## ENFORCING CONTRACTS

### Where does the economy stand today?

How efficient is the process of resolving a commercial dispute through the courts in France? According to data collected by *Doing Business*, contract enforcement takes 395 days, costs 17.4% of the value of the claim and requires 29 procedures (see the summary at the end of this chapter for details).

Globally, France stands at 7 in the ranking of 189 economies on the ease of enforcing contracts (figure 10.1). The rankings for comparator economies and the regional average ranking provide other useful benchmarks for assessing the efficiency of contract enforcement in France.

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



Source: *Doing Business* database.

## ENFORCING CONTRACTS

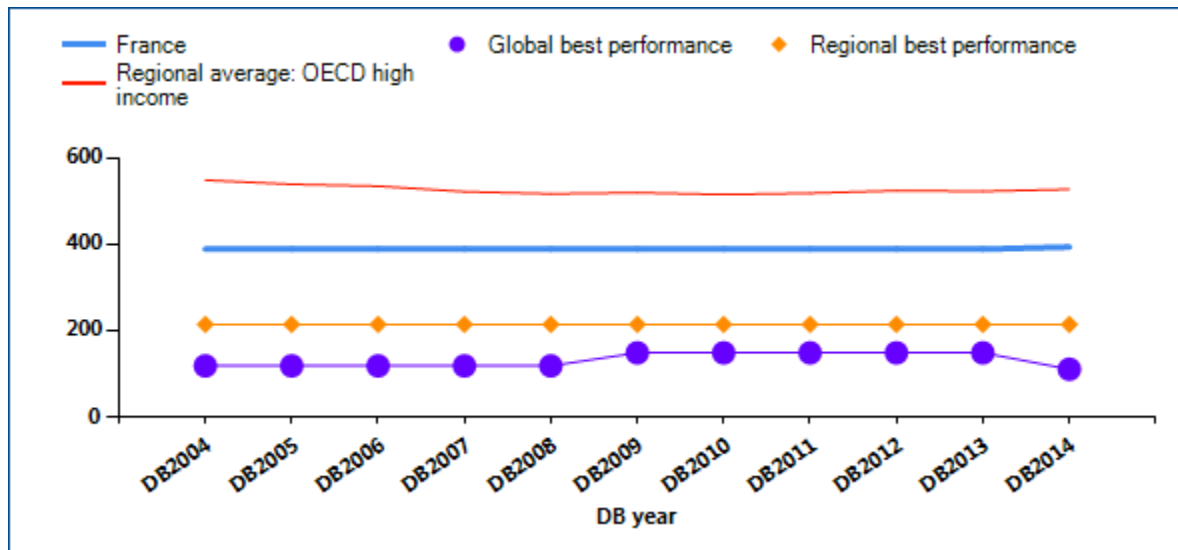
### What are the changes over time?

The benchmarks provided by the economies that over time have had the best performance regionally or globally on the number of steps, time or cost required to enforce a contract through the courts (figure 10.2)

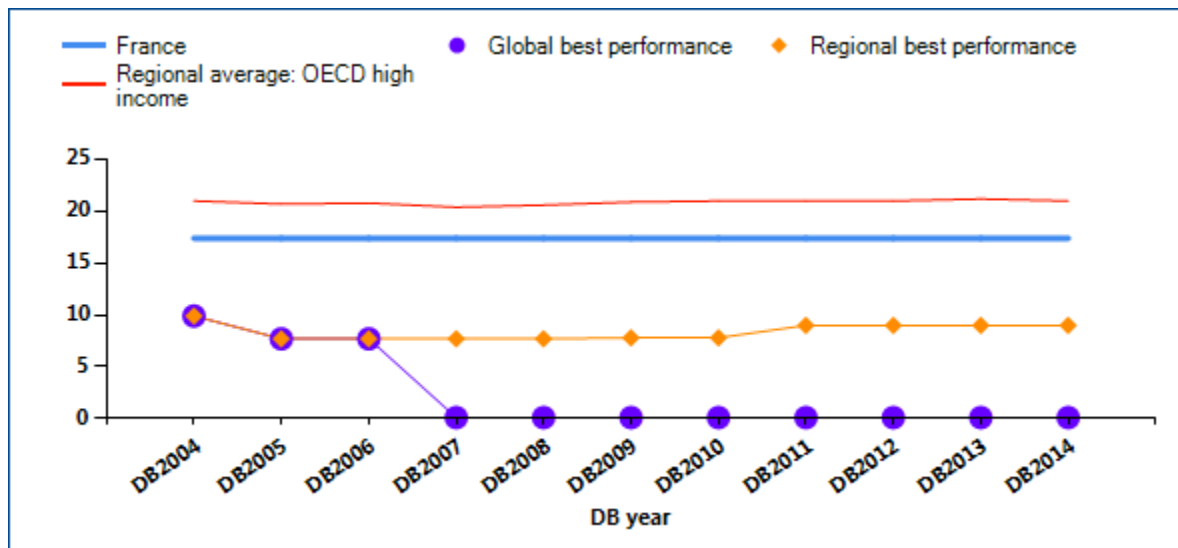
help show what is possible in improving the efficiency of contract enforcement. And changes in regional averages can show where France is keeping up—and where it is falling behind.

Figure 10.2 Has enforcing contracts become easier over time?

#### Time (days)

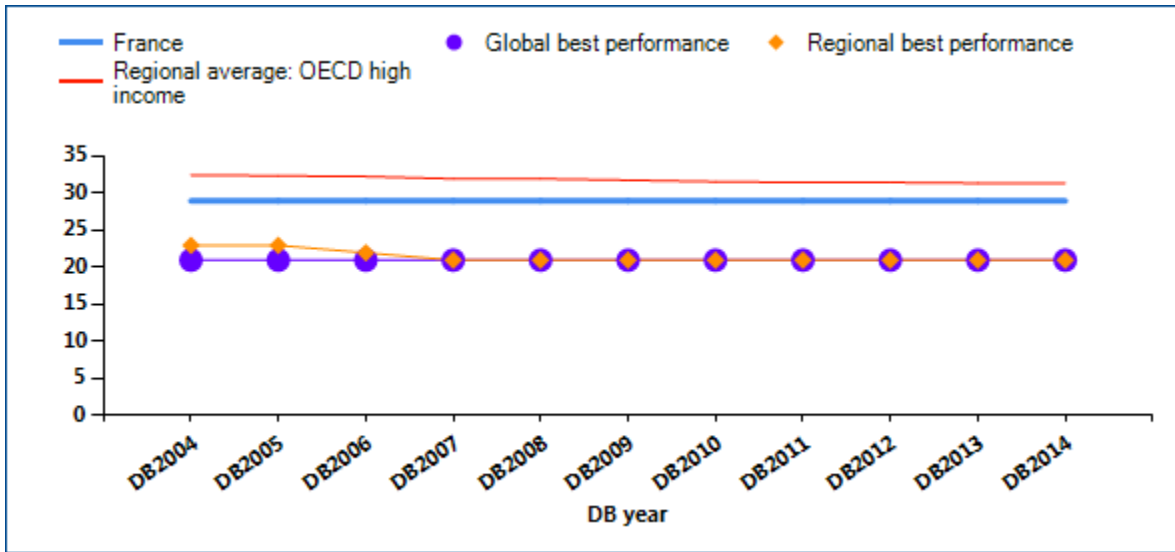


#### Cost (% of claim)



## ENFORCING CONTRACTS

### Procedures (number)



Note: DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year.

Source: Doing Business database.

## ENFORCING CONTRACTS

Economies in all regions have improved contract enforcement in recent years. A judiciary can be improved in different ways. Higher-income economies tend to look for ways to enhance efficiency by introducing new technology. Lower-income economies

often work on reducing backlogs by introducing periodic reviews to clear inactive cases from the docket and by making procedures faster. What reforms making it easier (or more difficult) to enforce contracts has *Doing Business* recorded in France (table 10.1)?

Table 10.1 How has France made enforcing contracts easier—or not?

By *Doing Business* report year

DB year	Reform
DB2009	No reform as measured by Doing Business.
DB2010	No reform as measured by Doing Business.
DB2011	No reform as measured by Doing Business.
DB2012	No reform as measured by Doing Business.
DB2013	No reform as measured by Doing Business.
DB2014	No reform as measured by Doing Business.

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

Source: *Doing Business* database.

## ENFORCING CONTRACTS

### What are the details?

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

#### COURT NAME

**City:** Paris

**Claim Value LCU:** 62177

**Court Name:** Paris Commercial Court

The procedures for resolving a commercial lawsuit, and the associated time and cost, are listed in the summary below.

#### Summary of procedures for enforcing a contract in France—and the time and cost

Indicator	France	OECD high income average	OECD high income average
<b>Time (days)</b>	<b>395</b>	<b>529</b>	<b>529</b>
<b>Filing and service</b>	10		
<b>Trial and judgment</b>	325		
<b>Enforcement of judgment</b>	60		
<b>Cost (% of claim)</b>	<b>17.4</b>	<b>21.0</b>	<b>21.0</b>
<b>Attorney cost (% of claim)</b>	10.7		
<b>Court cost (% of claim)</b>	2.7		
<b>Enforcement Cost (% of claim)</b>	4.0		
<b>Procedures (number)</b>	<b>29</b>	<b>31</b>	<b>31</b>
<b>Number of procedures (without bonus points)</b>	30		
<b>Specialized commercial courts</b>	-1		
<b>Total number of procedures (including bonus points)</b>	29		

*Note:* In cases where an economy's regional classification is "OECD high income," regional averages above are only displayed once.

## ENFORCING CONTRACTS

No.	Procedure
	<b>Filing and service:</b>
1	Plaintiff requests payment: Plaintiff or his lawyer asks Defendant orally or in writing to comply with the contract.
2	Plaintiff's hiring of lawyer: Plaintiff hires a lawyer to represent him before the court.
*	Plaintiff's filing of summons and complaint: Plaintiff files his summons and complaint with the court, orally or in writing.
*	Plaintiff's payment of court fees: Plaintiff pays court duties, stamp duties, or any other type of court fee.
3	Registration of court case: The court administration registers the lawsuit or court case. This includes assigning a reference number to the lawsuit or court case.
*	Assignment of court case to a judge: The court case is assigned to a specific judge through a random procedure, automated system, ruling of an administrative judge, court officer, etc.
*	Arrangements for physical delivery of summons and complaint: Plaintiff takes whatever steps are necessary to arrange for physical service of process on Defendant, such as instructing a court officer or a (private) bailiff.
4	First attempt at physical delivery: A first attempt to physically deliver summons and complaint to Defendant is successful in the majority of cases.
*	Application for pre-judgment attachment: Plaintiff submits an application in writing for the attachment of Defendant's property prior to judgment. (see assumption 5)
*	Decision on pre-judgment attachment: The judge decides whether to grant Plaintiff's request for pre-judgment attachment of Defendant's property and notifies Plaintiff and Defendant of the decision. This step may include requesting that Plaintiff submit guarantees or bonds to secure Defendant
5	Pre-judgment attachment.: Defendant's property is attached prior to judgment. Attachment is either physical or achieved by registering, marking, debiting or separating assets. (see assumption 5)
6	Hearing on pre-judgment attachment: A hearing takes place to resolve the question of whether Defendant's assets can be attached prior to judgment. This process may include the submission of separate summons and petitions. (see assumption 5)
	<b>Trial and judgment:</b>
7	Defendant's filing of defense or answer to Plaintiff's claim: Defendant files a written pleading which includes his defense or answer on the merits of the case. Defendant's written answer may or may not include witness statements, expert statements, the documents Defendant relies on as evidence and the legal authority
8	Deadline for Plaintiff to answer Defendant's defense or answer: Judge sets the deadline by which Plaintiff will be allowed to answer Defendant's defense or answer.



No.	Procedure
9	Plaintiff's written response to Defendant's defense or answer: Plaintiff responds to Defendant's defense or answer with a written pleading. Plaintiff's answer may or may not include a witness statements or expert (witness) statements.
10	Filing of pleadings: Plaintiff and Defendant file written pleadings and submissions with the court and transmit copies of the written pleadings or submissions to one another. The pleadings may or may not include witness statements or expert (witness) statements.
11	Adjournments: Court procedure is delayed because one or both parties request and obtain an adjournment to submit written pleadings.
*	Court appointment of independent expert: Judge appoints, either at the parties' request or at his own initiative, an independent expert to decide whether the quality of the goods Plaintiff delivered to Defendant is adequate. (see assumption 6-b of this case)
12	Notification of court-appointment of independent expert: The court notifies both parties that the court is appointing an independent expert. (see assumption 6-b of this case)
*	Delivery of expert report by court-appointed expert: The independent expert appointed by the court delivers his or her expert report to the court. (see assumption 6-b of this case)
*	Setting of date(s) for oral hearing or trial: The judge sets the date(s) for the oral hearing or trial.
13	Oral hearing (prevalent in civil law): The parties argue the merits of the case at an oral hearing before the judge. Witnesses and a court-appointed independent expert may be heard and questioned at the oral hearing.
14	Judgment date: The judge sets a date for delivery of the judgment.
15	Notification of judgment in court: The parties are notified of the judgment at a court hearing.
16	Writing of judgment: The judge produces a written copy of the judgment.
17	Registration of judgment: The court office registers the judgment after receiving a written copy of the judgment.
18	Court notification of availability of the written judgment: The court notifies the parties that the written judgment is available at the courthouse.
19	Plaintiff's receipt of a copy of written judgment: Plaintiff receives a copy of the written judgment.
20	Notification of Defendant of judgment: Plaintiff or court formally notifies the Defendant of the judgment. The appeal period starts to run the day the Defendant is formally notified of the judgment.
21	Appeal period: By law, Defendant has the opportunity to appeal the judgment during a period specified in the law. Defendant decides not to appeal. Judgment becomes final the day the appeal period ends.
22	Reimbursement by Defendant of Plaintiff's court fees: The judgment obliges Defendant to reimburse Plaintiff for the court fees Plaintiff has advanced, because Defendant has lost the case.
<b>Enforcement of judgment:</b>	
*	Plaintiff's hiring of lawyer: Plaintiff hires a lawyer to enforce the judgment or continues to be represented by a lawyer during the enforcement of judgment phase.

No.	Procedure
23	Plaintiff's approaching of court enforcement officer or (private) bailiff to enforce the judgment: To enforce the judgment, Plaintiff approaches a court enforcement officer such as a court bailiff or sheriff, or a private bailiff.
24	Plaintiff's advancement of enforcement fees: Plaintiff pays the fees related to the enforcement of the judgment.
*	Delivery of enforcement order: The court's enforcement order is delivered to a court enforcement officer or a (private) bailiff.
25	Request to Defendant to comply voluntarily with judgment: Plaintiff, a court enforcement officer or a (private) bailiff requests Defendant to voluntarily comply with the judgment, giving Defendant a last chance to comply voluntarily with the judgment.
26	Identification of Defendant's assets for attachment by court official or Defendant: Judge, a court enforcement officer, a (private) bailiff or the Defendant himself identifies Defendant's movable assets for attachment.
27	Attachment: Defendant's movable goods are attached (physically or by registering, marking or separating assets).
28	Enforcement disputes before court: The enforcement of the judgment is delayed because Defendant opposes aspects of the enforcement process before the judge.
29	Sale through public auction: The Defendant's movable property is sold at public auction.
30	Reimbursement of Plaintiff's enforcement fees: Defendant reimburses Plaintiff's enforcement fees which Plaintiff had advanced previously.

\* Not counted in the total number of procedures.

Source: *Doing Business* database.

## RESOLVING INSOLVENCY

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

### What do the indicators cover?

*Doing Business* studies the time, cost and outcome of insolvency proceedings involving domestic entities. It does not measure insolvency proceedings of individuals and financial institutions. The data are derived from survey responses by local insolvency practitioners and verified through a study of laws and regulations as well as public information on bankruptcy systems.

The ranking on the ease of resolving insolvency is based on the recovery rate, which is recorded as cents on the dollar recouped by creditors through reorganization, liquidation or debt enforcement (foreclosure) proceedings. The recovery rate is a function of time, cost and other factors, such as lending rate and the likelihood of the company continuing to operate.

To make the data comparable across economies, *Doing Business* uses several assumptions about the business and the case. It assumes that the company:

- Is a domestically owned, limited liability company operating a hotel.
- Operates in the economy's largest business city.
- Has 201 employees, 1 main secured creditor and 50 unsecured creditors.

### WHAT THE RESOLVING INSOLVENCY INDICATORS MEASURE

#### Time required to recover debt (years)

Measured in calendar years

Appeals and requests for extension are included

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

Measured as percentage of estate value

Court fees

Fees of insolvency administrators

Lawyers' fees

Assessors' and auctioneers' fees

Other related fees

#### Outcome

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

#### Recovery rate for creditors (cents on the dollar)

Measures the cents on the dollar recovered by creditors

Present value of debt recovered

Official 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

- Has a higher value as a going concern—and the efficient outcome is either reorganization or sale as a going concern, not piecemeal liquidation.

## RESOLVING INSOLVENCY

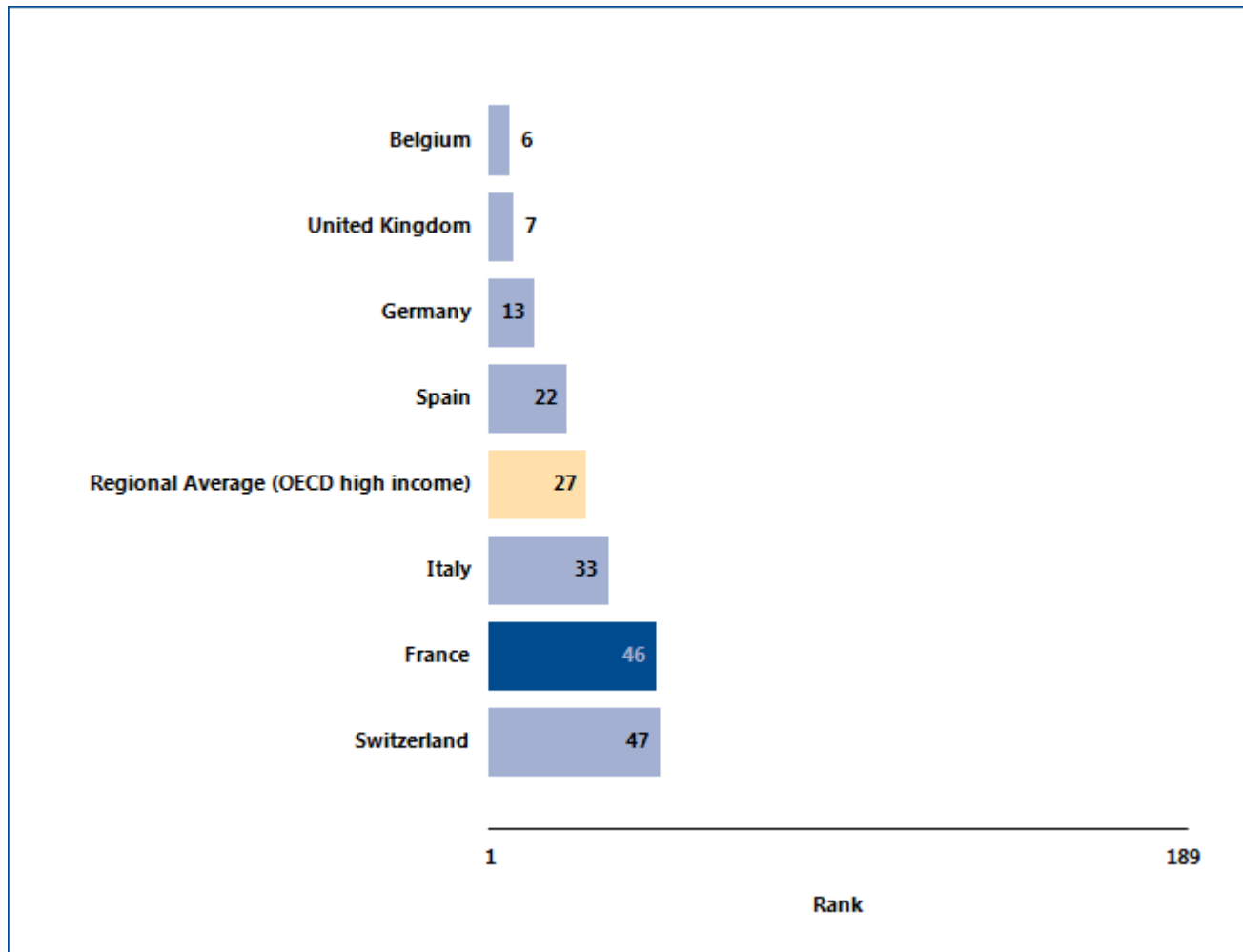
### Where does the economy stand today?

Speed, low costs and continuation of viable businesses characterize the top-performing economies. How efficient are insolvency proceedings in France? According to data collected by *Doing Business*, resolving insolvency takes 1.9 years on average and costs 9% of the debtor’s estate, with the most likely outcome being that the company will be sold as

piecemeal sale. The average recovery rate is 48.3 cents on the dollar.

Globally, France stands at 46 in the ranking of 189 economies on the ease of resolving insolvency (figure 11.1). The rankings for comparator economies and the regional average ranking provide other useful benchmarks for assessing the efficiency of insolvency proceedings in France.

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



Source: *Doing Business* database.

## RESOLVING INSOLVENCY

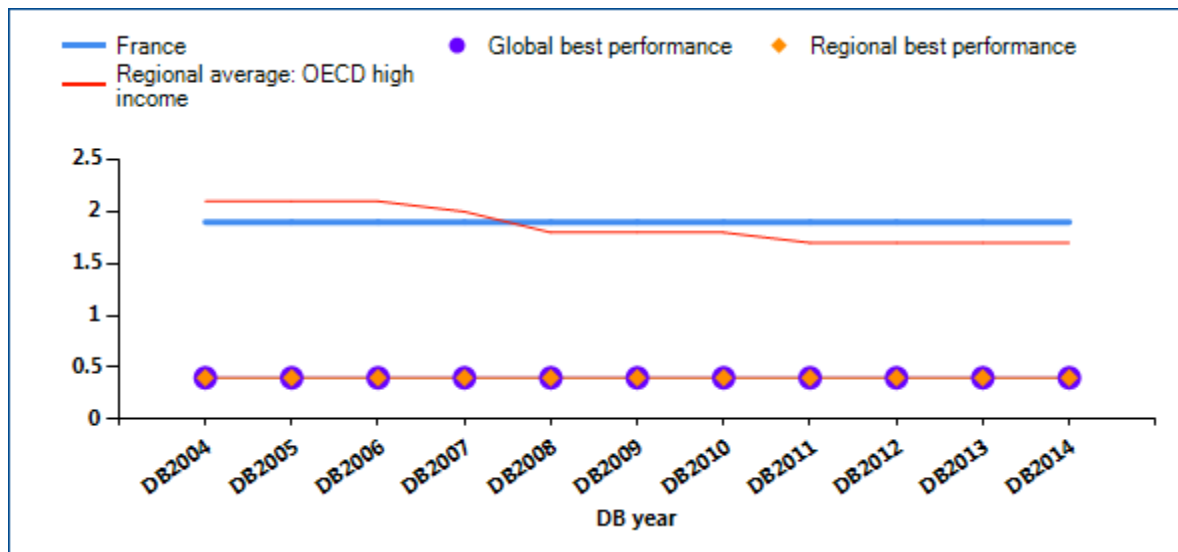
### What are the changes over time?

The benchmarks provided by the economies that over time have had the best performance regionally or globally on the time or cost of insolvency proceedings or on the recovery rate (figure 11.2) help show what is

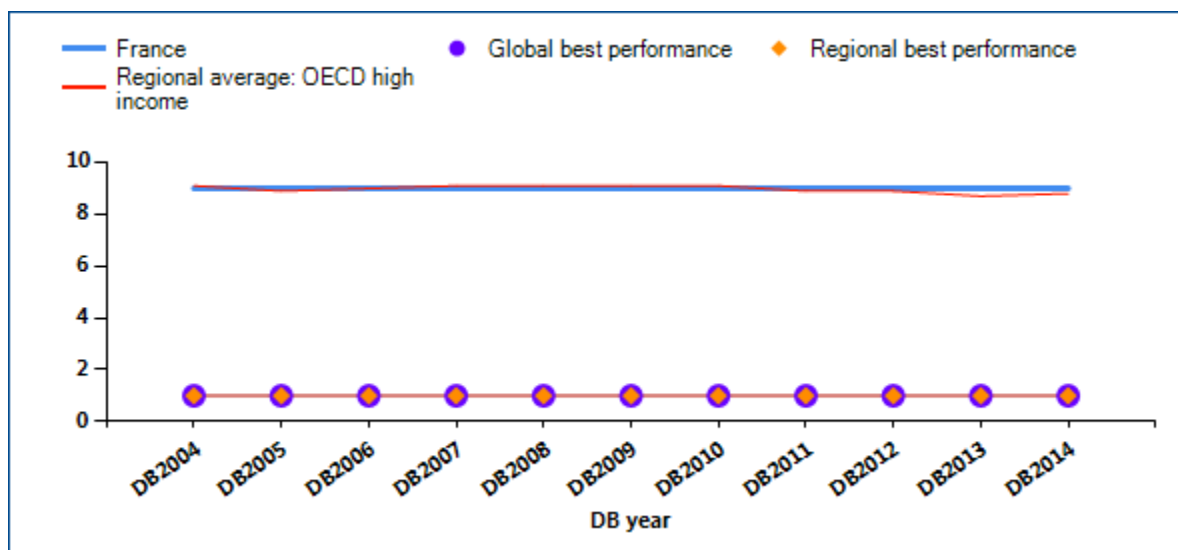
possible in improving the efficiency of insolvency proceedings. And changes in regional averages can show where France is keeping up—and where it is falling behind.

Figure 11.2 Has resolving insolvency become easier over time?

#### Time (years)

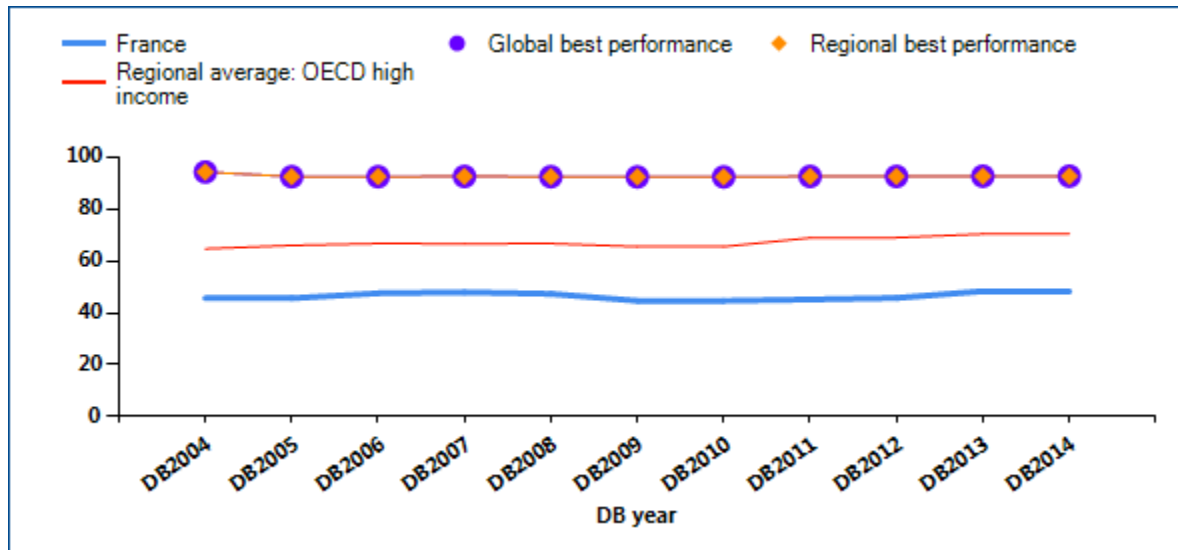


#### Cost (% of estate)



## RESOLVING INSOLVENCY

### Recovery rate (cents on the dollar)



Note: DB2013 rankings shown are not last year's published rankings but comparable rankings for DB2013 that capture the effects of such factors as data corrections and the addition of 4 economies (Libya, Myanmar, San Marino and South Sudan) to the sample this year. "No practice" indicates that in each of the previous 5 years the economy had no cases involving a judicial reorganization, judicial liquidation or debt enforcement procedure (foreclosure). This means that creditors are unlikely to recover their money through a formal legal process (in or out of court). The recovery rate for "no practice" economies is 0. Regional averages on time and cost exclude economies with a "no practice" mark.

Source: Doing Business database.

## RESOLVING INSOLVENCY

A well-balanced bankruptcy system distinguishes companies that are financially distressed but economically viable from inefficient companies that should be liquidated. But in some insolvency systems even viable businesses are liquidated. This is starting to

change. Many recent reforms of bankruptcy laws have been aimed at helping more of the viable businesses survive. What insolvency reforms has *Doing Business* recorded in France (table 11.1)?

Table 11.1 How has France made resolving insolvency easier—or not?

By *Doing Business* report year

DB year	Reform
<b>DB2009</b>	No reform as measured by Doing Business.
<b>DB2010</b>	France enhanced the process of insolvency by encouraging pre-insolvency work-outs while also no longer requiring the estimation of the assets by a public auctioneer.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	France passed a law that enables debtors to implement a restructuring plan with financial creditors only, without affecting trade creditors.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

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

*Source:* *Doing Business* database.

## EMPLOYING WORKERS

*Doing Business* measures flexibility in the regulation of employment, specifically as it affects the hiring and redundancy of workers and the rigidity of working hours. Over the period from 2007 to 2011 improvements were made to align the methodology for the employing workers indicators with the letter and spirit of the International Labour Organization (ILO) conventions. Only 4 of the 188 ILO conventions cover areas measured by *Doing Business*: employee termination, weekend work, holiday with pay and night work. The *Doing Business* methodology is fully consistent with these 4 conventions. The ILO conventions covering areas related to the Employing Workers indicators do not include the ILO core labor standards—8 conventions covering the right to collective bargaining, the elimination of forced labor, the abolition of child labor and equitable treatment in employment practices.

Between 2009 and 2011 the World Bank Group worked with a consultative group—including labor lawyers, employer and employee representatives, and experts from the ILO, OECD, civil society and the private sector—to review the employing workers methodology and explore future areas of research.<sup>i</sup> A full report with the conclusions of the consultative group is available at <http://www.doingbusiness.org/methodology/employing-workers>.

This year *Doing Business* continued research collecting additional data on regulations covering the probationary period for new employees.

*Doing Business 2014* presents the data on the employing workers indicators in an annex. The report does not present rankings of economies on the employing workers indicators nor include the topic in the aggregate ranking on the ease of doing business. Detailed data collected on labor regulations and the

employing workers methodology proposed by the consultative group are available on the *Doing Business* website (<http://www.doingbusiness.org>). The data on employing workers are based on a detailed survey of employment regulations that is completed by local lawyers and public officials. Employment laws and regulations as well as secondary sources are reviewed to ensure accuracy.

To make the data comparable across economies, several assumptions about the worker and the business are used.

The worker:

- Earns a salary plus benefits equal to the economy's average wage during the entire period of his employment.
- Has a pay period that is the most common for workers in the economy.
- Is a lawful citizen who belongs to the same race and religion as the majority of the economy's population.
- Resides in the economy's largest business city.
- Is not a member of a labor union, unless membership is mandatory.

The business:

- Is a limited liability company.
- Operates in the economy's largest business city.
- Is 100% domestically owned.
- Operates in the manufacturing sector.
- Has 60 employees.
- Is subject to collective bargaining agreements in economies where such agreements cover more than half the manufacturing sector and apply even to firms not party to them.
- Abides by every law and regulation but does not grant workers more benefits than mandated by law, regulation or (if applicable) collective bargaining agreement.



## EMPLOYING WORKERS

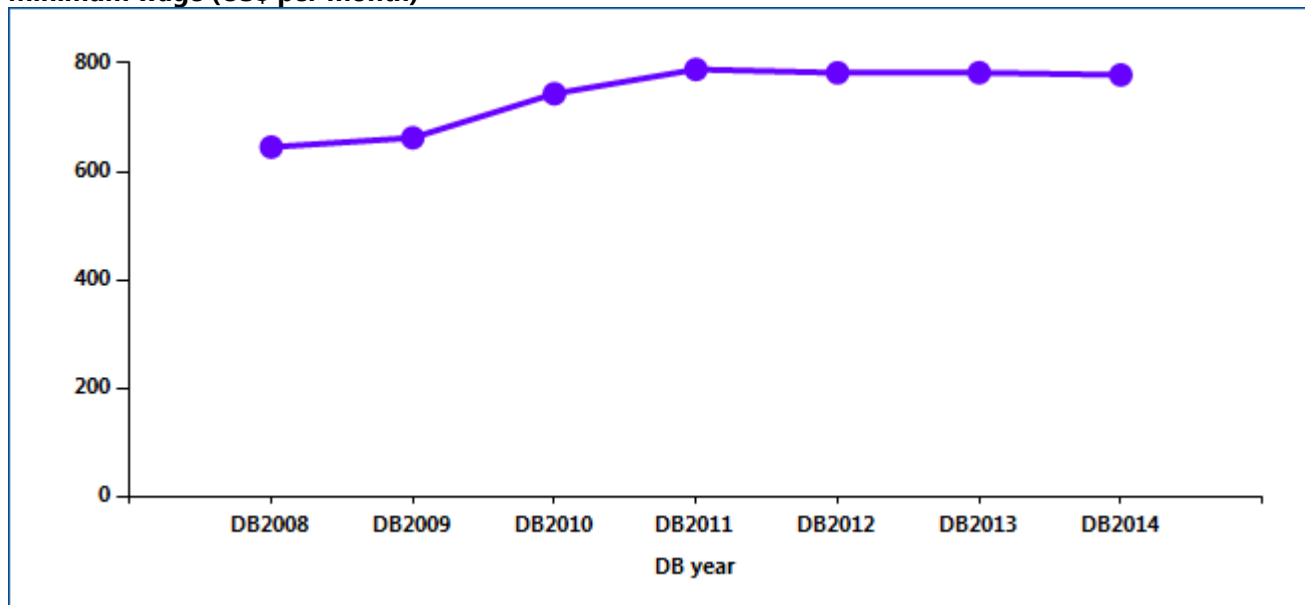
### What do some of the data show?

One of the employing workers indicators is the difficulty of hiring index. This measure assesses, among other things, the minimum wage for a 19-year-old

worker in his or her first job. *Doing Business* data show the trend in the minimum wage applied by France (figure 12.1).

Figure 12.1 Has the minimum wage for a 19-year-old worker or an apprentice increased over time?

#### Minimum wage (US\$ per month)



Note: A horizontal line along the x-axis of the figure indicates that the economy has no minimum wage.

Source: *Doing Business* database.

## EMPLOYING WORKERS

Employment laws are needed to protect workers from arbitrary or unfair treatment and to ensure efficient contracting between employers and workers. Many economies that changed their labor regulations in the

past 5 years did so in ways that increased labor market flexibility. What changes did France adopt that affected the *Doing Business* indicators on employing workers (table 12.1)?

Table 12.1 What changes did France make in employing workers in 2013?

DB year	Reform
<b>DB2009</b>	No reform as measured by Doing Business.
<b>DB2010</b>	No reform as measured by Doing Business.
<b>DB2011</b>	No reform as measured by Doing Business.
<b>DB2012</b>	No reform as measured by Doing Business.
<b>DB2013</b>	No reform as measured by Doing Business.
<b>DB2014</b>	No reform as measured by Doing Business.

Source: *Doing Business* database.

## EMPLOYING WORKERS

### What are the details?

The data on employing workers reported here for France are based on a detailed survey of employment regulations that is completed by local lawyers and

public officials. Employment laws and regulations as well as secondary sources are reviewed to ensure accuracy.

### Rigidity of employment index

The rigidity of employment index measures 3 areas of labor regulation: difficulty of hiring, rigidity of hours and difficulty of redundancy.

#### Difficulty of hiring index

The difficulty of hiring index measures whether fixed-term contracts are prohibited for permanent tasks; the maximum cumulative duration of fixed-term contracts; and the ratio of the minimum wage for a trainee or first-time employee to the average value added per

worker. (The average value added per worker is the ratio of an economy's gross national income per capita to the working-age population as a percentage of the total population.)

Difficulty of hiring index	Data
Fixed-term contracts prohibited for permanent tasks?	Yes
Maximum length of a single fixed-term contract (months)	18 months; can be extended to 24 months for work abroad or in certain other specific circumstances listed at article L.1242-8 of the Labor Code
Maximum length of fixed-term contracts, including renewals (months)	18
Minimum wage for a 19-year old worker or an apprentice (US\$/month)	778.1
Ratio of minimum wage to value added per worker	0.14

Source: *Doing Business* database.

## EMPLOYING WORKERS

### Rigidity of hours index

The rigidity of hours index has 5 components: whether there are restrictions on night work; whether there are restrictions on weekly holiday work; whether the workweek can consist of 5.5 days or is more than 6 days; whether the workweek can extend to 50 hours or more (including overtime) for 2 months a year to

respond to a seasonal increase in production; and whether the average paid annual leave for a worker with 1 year of tenure, a worker with 5 years and a worker with 10 years is more than 26 working days or fewer than 15 working days.

Rigidity of hours index	Data
Standard workday in manufacturing (hours)	7 hours
50-hour workweek allowed for 2 months a year in case of a seasonal increase in production?	No
Maximum working days per week	6.0
Premium for night work (% of hourly pay) in case of continuous operations	0%
Premium for work on weekly rest day (% of hourly pay) in case of continuous operations	0%
Major restrictions on night work in case of continuous operations?	No
Major restrictions on weekly holiday in case of continuous operations?	Yes
Paid annual leave for a worker with 1 year of tenure (in working days)	30.0
Paid annual leave for a worker with 5 years of tenure (in working days)	30.0
Paid annual leave for a worker with 10 years of tenure (in working days)	30.0
Paid annual leave (average for workers with 1, 5 and 10 years of tenure, in working days)	30.0

Source: *Doing Business* database.

## EMPLOYING WORKERS

### Difficulty of redundancy index

The difficulty of redundancy index has 8 components: whether redundancy is disallowed as a basis for terminating workers; whether the employer needs to notify a third party (such as a government agency) to terminate 1 redundant worker; whether the employer needs to notify a third party to terminate a group of 9 redundant workers; whether the employer needs approval from a third party to terminate 1 redundant

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

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

Source: *Doing Business* database.

## EMPLOYING WORKERS

### Redundancy cost

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

notice requirements and severance payments applicable to a worker with 1 year of tenure, a worker with 5 years and a worker with 10 years is used to assign the score.

Redundancy cost indicator	Data
Notice period for redundancy dismissal (for a worker with 1 year of tenure, in salary weeks)	4.3
Notice period for redundancy dismissal (for a worker with 5 years of tenure, in salary weeks)	8.7
Notice period for redundancy dismissal (for a worker with 10 years of tenure, in salary weeks)	8.7
Notice period for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure, in salary weeks)	7.2
Severance pay for redundancy dismissal (for a worker with 1 year of tenure, in salary weeks)	0.9
Severance pay for redundancy dismissal (for a worker with 5 years of tenure, in salary weeks)	4.3
Severance pay for redundancy dismissal (for a worker with 10 years of tenure, in salary weeks)	8.7
Severance pay for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure, in salary weeks)	4.6

Source: *Doing Business* database.

## DATA NOTES

The indicators presented and analyzed in *Doing Business* measure business regulation and the protection of property rights—and their effect on businesses, especially small and medium-size domestic firms. First, the indicators document the complexity of regulation, such as the number of procedures to start a business or to register and transfer commercial property. Second, they gauge the time and cost to achieve a regulatory goal or comply with regulation, such as the time and cost to enforce a contract, go through bankruptcy or trade across borders. Third, they measure the extent of legal protections of property, for example, the protections of investors against looting by company directors or the range of assets that can be used as collateral according to secured transactions laws. Fourth, a set of indicators documents the tax burden on businesses. Finally, a set of data covers different aspects of employment regulation. The 11 sets of indicators measured in *Doing Business* were added over time, and the sample of economies expanded.

The data for all sets of indicators in *Doing Business 2014* are for June 2013.<sup>2</sup>

### Methodology

The *Doing Business* data are collected in a standardized way. To start, the *Doing Business* team, with academic advisers, designs a questionnaire. The questionnaire uses a simple business case to ensure comparability across economies and over time—with assumptions about the legal form of the business, its size, its location and the nature of its operations. Questionnaires are administered to more than 10,200 local experts, including lawyers, business consultants, accountants, freight forwarders, government officials and other professionals routinely administering or advising on legal and regulatory requirements (table 21.2). These experts have several rounds of interaction with the *Doing Business* team, involving conference calls, written correspondence and visits by the team. For *Doing Business 2014* team members visited 33 economies to verify data and recruit respondents. The data from questionnaires are subjected to numerous

rounds of verification, leading to revisions or expansions of the information collected.

### ECONOMY CHARACTERISTICS

#### Gross national income per capita

*Doing Business 2014* reports 2012 income per capita as published in the World Bank's *World Development Indicators 2013*. Income is calculated using the Atlas method (current U.S. dollars). For cost indicators expressed as a percentage of income per capita, 2012 gross national income (GNI) in U.S. dollars is used as the denominator. GNI data were not available from the World Bank for Afghanistan, The Bahamas, Bahrain, Barbados, Brunei Darussalam, Djibouti, the Islamic Republic of Iran, Kuwait, Libya, Myanmar, New Zealand, Oman, San Marino, the Syrian Arab Republic, West Bank and Gaza, and the Republic of Yemen. In these cases GDP or GNP per capita data and growth rates from other sources, such as the International Monetary Fund's World Economic Outlook database and the Economist Intelligence Unit, were used.

#### Region and income group

*Doing Business* uses the World Bank regional and income group classifications, available at <http://data.worldbank.org/about/country-classifications>. The World Bank does not assign regional classifications to high-income economies. For the purpose of the *Doing Business* report, high-income OECD economies are assigned the "regional" classification *OECD high income*. Figures and tables presenting regional averages include economies from all income groups (low, lower middle, upper middle and high income).

#### Population

*Doing Business 2014* reports midyear 2012 population statistics as published in *World Development Indicators 2013*.

The *Doing Business* methodology offers several advantages. It is transparent, using factual information about what laws and regulations say and allowing multiple interactions with local respondents to clarify

<sup>2</sup> The data for paying taxes refer to January – December 2012.

potential misinterpretations of questions. Having representative samples of respondents is not an issue; *Doing Business* is not a statistical survey, and the texts of the relevant laws and regulations are collected and answers checked for accuracy. The methodology is inexpensive and easily replicable, so data can be collected in a large sample of economies. Because standard assumptions are used in the data collection, comparisons and benchmarks are valid across economies. Finally, the data not only highlight the extent of specific regulatory obstacles to business but also identify their source and point to what might be reformed. Information on the methodology for each *Doing Business* topic can be found on the *Doing Business* website at <http://www.doingbusiness.org/methodology>.

## Limits to what is measured

The *Doing Business* methodology has 5 limitations that should be considered when interpreting the data. First, the collected data refer to businesses in the economy's largest business city (which in some economies differs from the capital) and may not be representative of regulation in other parts of the economy. To address this limitation, subnational *Doing Business* indicators were created (box 21.1). Second, the data often focus on a specific business form—generally a limited liability company (or its legal equivalent) of a specified size—and may not be representative of the regulation on other businesses, for example, sole proprietorships. Third, transactions described in a standardized case scenario refer to a specific set of issues and may not represent the full set of issues a business encounters. Fourth, the measures of time involve an element of judgment by the expert respondents. When sources indicate different estimates, the time indicators reported in *Doing Business* represent the median values of several responses given under the assumptions of the standardized case.

Finally, the methodology assumes that a business has full information on what is required and does not waste time when completing procedures. In practice, completing a procedure may take longer if the business lacks information or is unable to follow up promptly. Alternatively, the business may choose to disregard some burdensome procedures. For both reasons the time delays reported in *Doing Business 2014* would differ from the recollection of

entrepreneurs reported in the World Bank Enterprise Surveys or other perception surveys.

This year *Doing Business* completed subnational studies in Colombia, Italy and the city of Hargeisa (Somaliland) and is currently updating indicators in Egypt, Mexico and Nigeria. *Doing Business* also published regional studies for the g7+ and the East African Community. The g7+ group is a country-owned and country-led global mechanism established in April 2010 to monitor, report and draw attention to the unique challenges faced by fragile states. The member countries included in the report are Afghanistan, Burundi, the Central African Republic, Chad, the Comoros, the Democratic Republic of Congo, Côte d'Ivoire, Guinea, Guinea-Bissau, Haiti, Liberia, Papua New Guinea, Sierra Leone, the Solomon Islands, South Sudan, Timor-Leste and Togo.

The subnational studies point to differences in business regulation and its implementation—as well as in the pace of regulatory reform—across cities in the same economy. For several economies subnational studies are now periodically updated to measure change over time or to expand geographic coverage to additional cities. This year that is the case for all the subnational studies published.

## Changes in what is measured

The methodology for 2 indicator sets—trading across borders and paying taxes—was updated this year. For trading across borders, documents that are required purely for purposes of preferential treatment are no longer included in the list of documents (for example, a certificate of origin if the use is only to qualify for a preferential tariff rate under trade agreements). For paying taxes, the value of fuel taxes is no longer included in the total tax rate because of the difficulty of computing these taxes in a consistent way across all economies covered. The fuel tax amounts are in most cases very small, and measuring these amounts is often complicated because they depend on fuel consumption. Fuel taxes continue to be counted in the number of payments.

In a change involving several indicator sets, the rule establishing that each procedure must take at least 1 day was removed for procedures that can be fully completed online in just a few hours. This change affects the time indicator for starting a business,



dealing with construction permits and registering property.<sup>3</sup> For procedures that can be fully completed online, the duration is now set at half a day rather than a full day.

The threshold for the total tax rate introduced in 2011 for the purpose of calculating the ranking on the ease of paying taxes was updated. All economies with a total tax rate below the threshold (which is calculated and adjusted on a yearly basis) receive the same ranking on the total tax rate indicator. The threshold is not based on any economic theory of an “optimal tax rate” that minimizes distortions or maximizes efficiency in the tax system of an economy overall. Instead, it is mainly empirical in nature, set at the lower end of the distribution of tax rates levied on medium-size enterprises in the manufacturing sector as observed through the paying taxes indicators. This reduces the bias in the indicators toward economies that do not need to levy significant taxes on companies like the *Doing Business* standardized case study company because they raise public revenue in other ways—for example, through taxes on foreign companies, through taxes on sectors other than manufacturing or from natural resources (all of which are outside the scope of the methodology). This year the threshold is 25,5%.

## Data challenges and revisions

Most laws and regulations underlying the *Doing Business* data are available on the *Doing Business* website at <http://www.doingbusiness.org>. All the sample questionnaires and the details underlying the indicators are also published on the website. Questions on the methodology and challenges to data can be submitted through the website’s “Ask a Question” function at <http://www.doingbusiness.org>.

## Ease of doing business and distance to frontier

*Doing Business 2014* presents results for 2 aggregate measures: the aggregate ranking on the ease of doing business and the distance to frontier measure. The ease of doing business ranking compares economies

with one another, while the distance to frontier measure benchmarks economies to the frontier in regulatory practice, measuring the absolute distance to the best performance on each indicator. Both measures can be used for comparisons over time. When compared across years, the distance to frontier measure shows how much the regulatory environment for local entrepreneurs in each economy has changed over time in absolute terms, while the ease of doing business ranking can show only relative change.

### Ease of doing business

The ease of doing business index ranks economies from 1 to 189. For each economy the ranking is calculated as the simple average of the percentile rankings on each of the 10 topics included in the index in *Doing Business 2014*: starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting investors, paying taxes, trading across borders, enforcing contracts, and resolving insolvency. The employing workers indicators are not included in this year’s aggregate ease of doing business ranking.

### Construction of the ease of doing business index

Here is one example of how the ease of doing business index is constructed. In Denmark it takes 4 procedures, 5.5 days and 0.2% of annual income per capita in fees to open a business. The minimum capital requirement is 24% of annual income per capita. On these 4 indicators Denmark ranks in the 12th, 11th, 1st and 79th percentiles. So on average Denmark ranks in the 25th percentile on the ease of starting a business. It ranks in the 21st percentile on getting credit, 19th percentile on paying taxes, 27th percentile on enforcing contracts, 5th percentile on resolving insolvency and so on. Higher rankings indicate simpler regulation and stronger protection of property rights. The simple average of Denmark’s percentile rankings on all topics is 17th. When all economies are ordered by their average percentile rankings, Denmark stands at 5 in the aggregate ranking on the ease of doing business.

More complex aggregation methods—such as principal components and unobserved components—yield a ranking nearly identical to the simple average

<sup>3</sup> For getting electricity the rule that each procedure must take a minimum of 1 day still applies because in practice there are no cases in which procedures can be fully completed online in less than a day. For example, even though in some cases it is possible to apply for an electricity connection online, additional requirements mean that the process cannot be completed in less than 1 day.

used by *Doing Business*.<sup>4</sup> Thus, *Doing Business* uses the simplest method: weighting all topics equally and, within each topic, giving equal weight to each of the topic components.

If an economy has no laws or regulations covering a specific area—for example, insolvency—it receives a “no practice” mark. Similarly, an economy receives a “no practice” or “not possible” mark if regulation exists but is never used in practice or if a competing regulation prohibits such practice. Either way, a “no practice” mark puts the economy at the bottom of the ranking on the relevant indicator.

The ease of doing business index is limited in scope. It does not account for an economy’s proximity to large markets, the quality of its infrastructure services (other than services related to trading across borders and getting electricity), the strength of its financial system, the security of property from theft and looting, macroeconomic conditions or the strength of underlying institutions.

#### Variability of economies’ rankings across topics

Each indicator set measures a different aspect of the business regulatory environment. The rankings of an economy can vary, sometimes significantly, across indicator sets. The average correlation coefficient between the 10 indicator sets included in the aggregate ranking is 0.38, and the coefficients between any 2 sets of indicators range from 0.18 (between getting electricity and getting credit) to 0.58 (between trading across borders and resolving insolvency and between trading across borders and getting electricity). These correlations suggest that economies rarely score universally well or universally badly on the indicators.

Consider the example of Canada. It stands at 19 in the aggregate ranking on the ease of doing business. Its ranking is 2 on starting a business, 4 on protecting investors, and 8 on paying taxes. But its ranking is only

<sup>4</sup> See Simeon Djankov, Darshini Manraj, Caralee McLiesh and Rita Ramalho, “*Doing Business* Indicators: Why Aggregate, and How to Do It” (World Bank, Washington, DC, 2005). Principal components and unobserved components methods yield a ranking nearly identical to that from the simple average method because both these methods assign roughly equal weights to the topics, since the pairwise correlations among indicators do not differ much. An alternative to the simple average method is to give different weights to the topics, depending on which are considered of more or less importance in the context of a specific economy.

58 on enforcing contracts, 116 on dealing with construction permits and 145 on getting electricity.

Variation in performance across the indicator sets is not at all unusual. It reflects differences in the degree of priority that government authorities give to particular areas of business regulation reform and the ability of different government agencies to deliver tangible results in their area of responsibility.

#### Distance to frontier measure

A drawback of the ease of doing business ranking is that it can measure the regulatory performance of economies only relative to the performance of others. It does not provide information on how the absolute quality of the regulatory environment is improving over time. Nor does it provide information on how large the gaps are between economies at a single point in time.

The distance to frontier measure is designed to address both shortcomings, complementing the ease of doing business ranking. This measure illustrates the distance of an economy to the “frontier,” and the change in the measure over time shows the extent to which the economy has closed this gap. The frontier is a score derived from the most efficient practice or highest score achieved on each of the component indicators in 10 *Doing Business* indicator sets (excluding the employing workers indicators) by any economy. In starting a business, for example, Canada and New Zealand have achieved the highest performance on the number of procedures required (1) and on the time (0.5 days), Denmark and Slovenia on the cost (0% of income per capita) and Chile, Zambia and 99 other economies on the paid-in minimum capital requirement (0% of income per capita) (table 22.2).

Calculating the distance to frontier for each economy involves 2 main steps. First, individual indicator scores are normalized to a common unit: except for the total tax rate, each of the 31 component indicators  $y$  is rescaled to  $(\max - y)/(\max - \min)$ , with the minimum value ( $\min$ ) representing the frontier—the highest performance on that indicator across all economies since 2003 or the first year the indicator was collected.<sup>5</sup> For the total tax rate, consistent with the calculation of

<sup>5</sup> Even though scores for the distance to frontier are calculated from 2005, data from as early as 2003 are used to define the frontier

the rankings, the frontier is defined as the total tax rate at the 15th percentile of the overall distribution of total tax rates for all years. Second, for each economy the scores obtained for individual indicators are aggregated through simple averaging into one distance to frontier score, first for each topic and then across all topics. An economy's distance to frontier is indicated on a scale from 0 to 100, where 0 represents the lowest performance and 100 the frontier.

The maximum (max) and minimum (min) observed values are computed for all economies included in the *Doing Business* sample since 2003 and for all years (from 2003 to 2013). To mitigate the effects of extreme outliers in the distributions of the rescaled data (very few economies need 694 days to complete the procedures to start a business, but many need 9 days), the maximum (max) is defined as the 95<sup>th</sup> percentile of the pooled data for all economies and all years for each indicator. The exceptions are the getting credit, protecting investors and resolving insolvency indicators, whose construction precludes outliers. In addition, the cost to export and cost to import for each year are divided by the GDP deflator, so as to take the general price level into account when benchmarking these absolute-cost indicators across economies with different inflation trends. The base year for the deflator is 2013 for all economies.

The difference between an economy's distance to frontier score in any previous year and its score in 2013 illustrates the extent to which the economy has closed the gap to the frontier over time. And in any given year the score measures how far an economy is from the highest performance at that time.

Take Colombia, which has a score of 70.5 on the distance to frontier measure for 2014. This score indicates that the economy is 29.5 percentage points away from the frontier constructed from the best performances across all economies and all years. Colombia was further from the frontier in 2009, with a score of 66.2. The difference between the scores shows an improvement over time.

The distance to frontier measure can also be used for comparisons across economies in the same year, complementing the ease of doing business ranking. For example, Colombia stands at 63 this year in the ease of doing business ranking, while Peru, which is 29.3 percentage points from the frontier, stands at 42.

### Economies that improved the most across 3 or more Doing Business topics in 2012/13

*Doing Business 2014* uses a simple method to calculate which economies improved the most in the ease of doing business. First, it selects the economies that in 2012/13 implemented regulatory reforms making it easier to do business in 3 or more of the 10 topics included in this year's ease of doing business ranking.<sup>6</sup> Twenty-nine economies meet this criterion: Azerbaijan, Belarus, Burundi, Côte d'Ivoire, Croatia, Djibouti, Gabon, Guatemala, Guinea, Italy, Kosovo, Latvia, the former Yugoslav Republic of Macedonia, Malaysia, Mauritius, Mexico, Moldova, Mongolia, Morocco, Panama, the Philippines, the Republic of Congo, Romania, the Russian Federation, Rwanda, Sri Lanka, Ukraine, Uzbekistan and the United Arab Emirates. Second, *Doing Business* sorts these economies on the increase in their distance to frontier measure from the previous year using comparable data.

Selecting the economies that implemented regulatory reforms in at least 3 topics and improved the most in the distance to frontier measure is intended to highlight economies with ongoing, broadbased reform programs. The criterion for identifying the top improvers was changed from last year. The improvement in ease of doing business ranking is no longer used. The improvement in the distance to frontier measure is used instead because under this measure economies are sorted according to their absolute improvement instead of relative improvement.

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<sup>6</sup> *Doing Business* reforms making it more difficult to do business are subtracted from the total number of those making it easier to do business.



## RESOURCES ON THE *DOING BUSINESS* WEBSITE

### **Current features**

News on the *Doing Business* project  
<http://www.doingbusiness.org>

### **Rankings**

How economies rank—from 1 to 189  
<http://www.doingbusiness.org/rankings/>

### **Data**

All the data for 189 economies—topic rankings, indicator values, lists of regulatory procedures and details underlying indicators  
<http://www.doingbusiness.org/data/>

### **Reports**

Access to *Doing Business* reports as well as subnational and regional reports, reform case studies and customized economy and regional profiles  
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The methodologies and research papers underlying *Doing Business*  
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Short summaries of DB2014 business regulation reforms, lists of reforms since DB2008 and a ranking simulation tool  
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Customized data sets since DB2004  
<http://www.doingbusiness.org/custom-query/>

### **Law library**

Online collection of business laws and regulations relating to business and gender issues  
<http://www.doingbusiness.org/law-library/>  
<http://wbl.worldbank.org/>

### **Contributors**

More than 10,200 specialists in 189 economies who participate in *Doing Business*  
<http://www.doingbusiness.org/contributors/doing-business/>

### **Entrepreneurship data**

Data on business density for 139 economies  
<http://www.doingbusiness.org/data/exploretopics/entrepreneurship>

### ***Doing Business* iPhone App**

*Doing Business at a Glance* App presents the full report, rankings and highlights  
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