



Doing Business 2014

Economy Profile: Romania



Comparing Business Regulations for Domestic Firms in 189 Economies

11TH EDITION

A World Bank Group Corporate Flagship

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CONTENTS

Introduction	4
The business environment	5
Starting a business	14
Dealing with construction permits	23
Getting electricity	34
Registering property	42
Getting credit	55
Protecting investors	62
Paying taxes	71
Trading across borders	78
Enforcing contracts	86
Resolving insolvency	95
Employing workers	100
Data notes	107
Resources on the <i>Doing Business</i> website	113

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 Romania. 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: Europe & Central Asia

Income category: Upper middle income

Population: 21,326,905

GNI per capita (US\$): 8,420

DB2014 rank: 73

DB2013 rank: 73*

Change in rank: 0

DB 2014 DTF: 65.11

DB 2013 DTF: 64.63

Change in DTF: 0.51

* 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



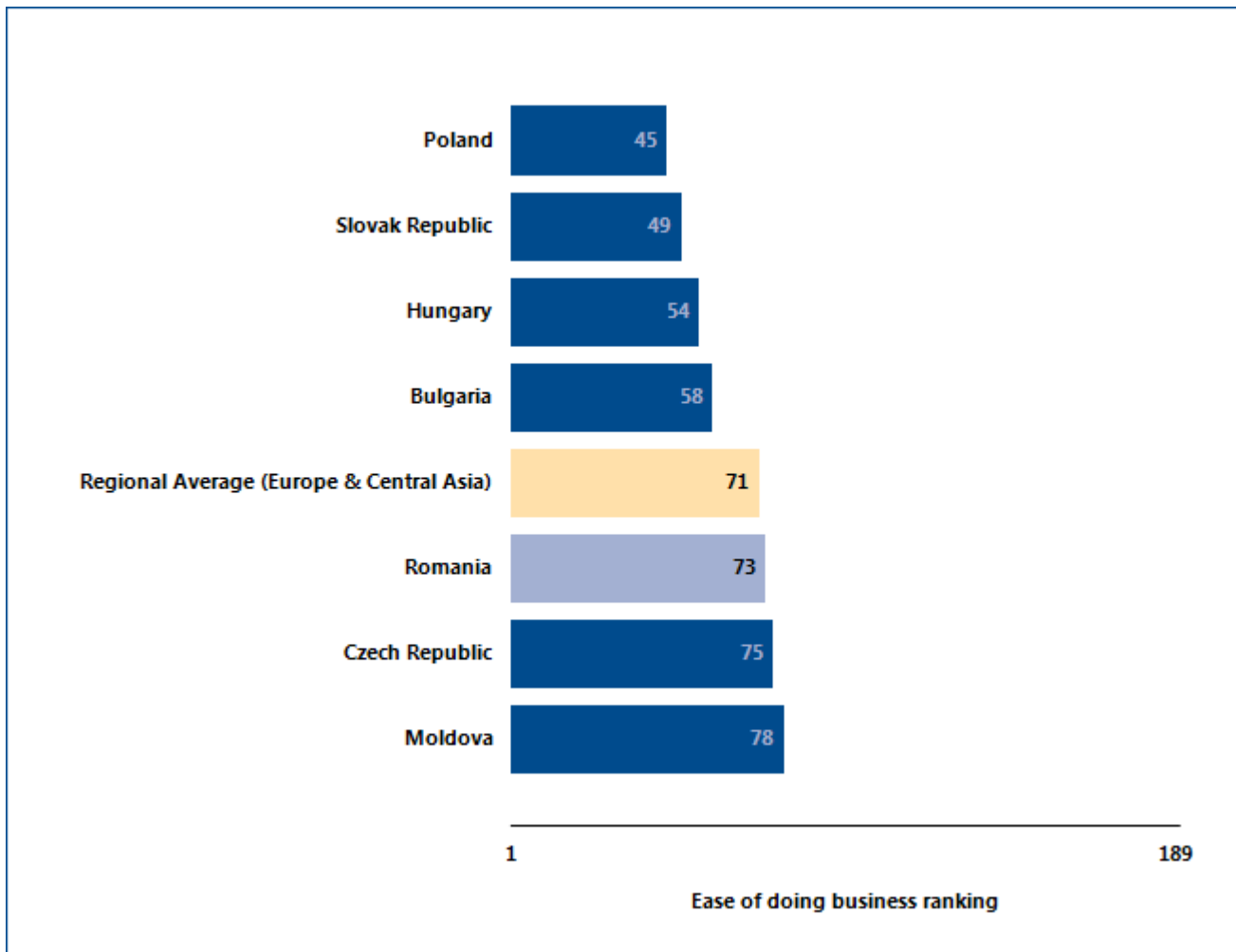
Source: *Doing Business* database.

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).

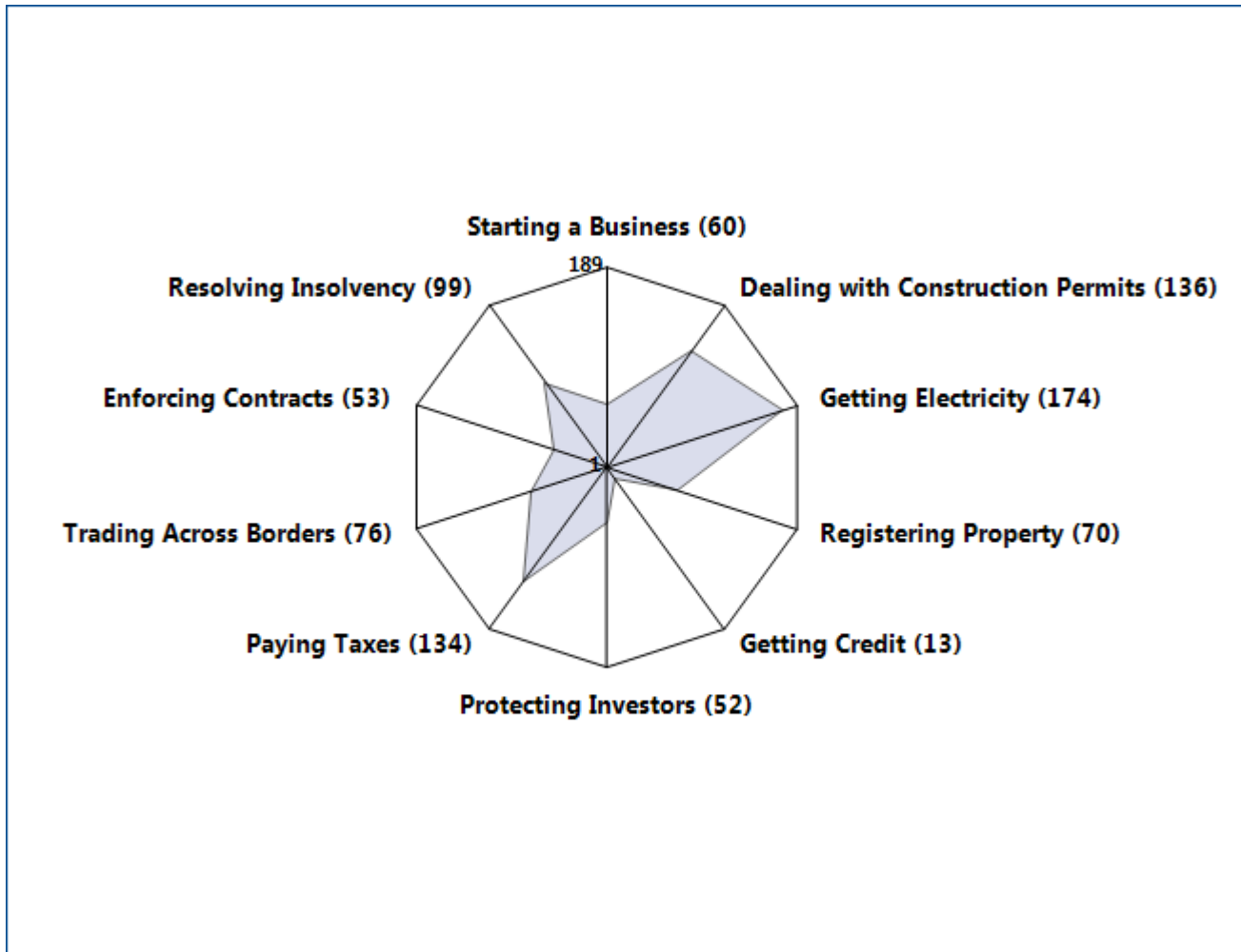
Figure 1.2 How Romania and comparator economies rank on the ease of doing business



Source: Doing Business database.

THE BUSINESS ENVIRONMENT

Figure 1.3 How Romania ranks on *Doing Business* topics



Source: *Doing Business* database.

THE BUSINESS ENVIRONMENT

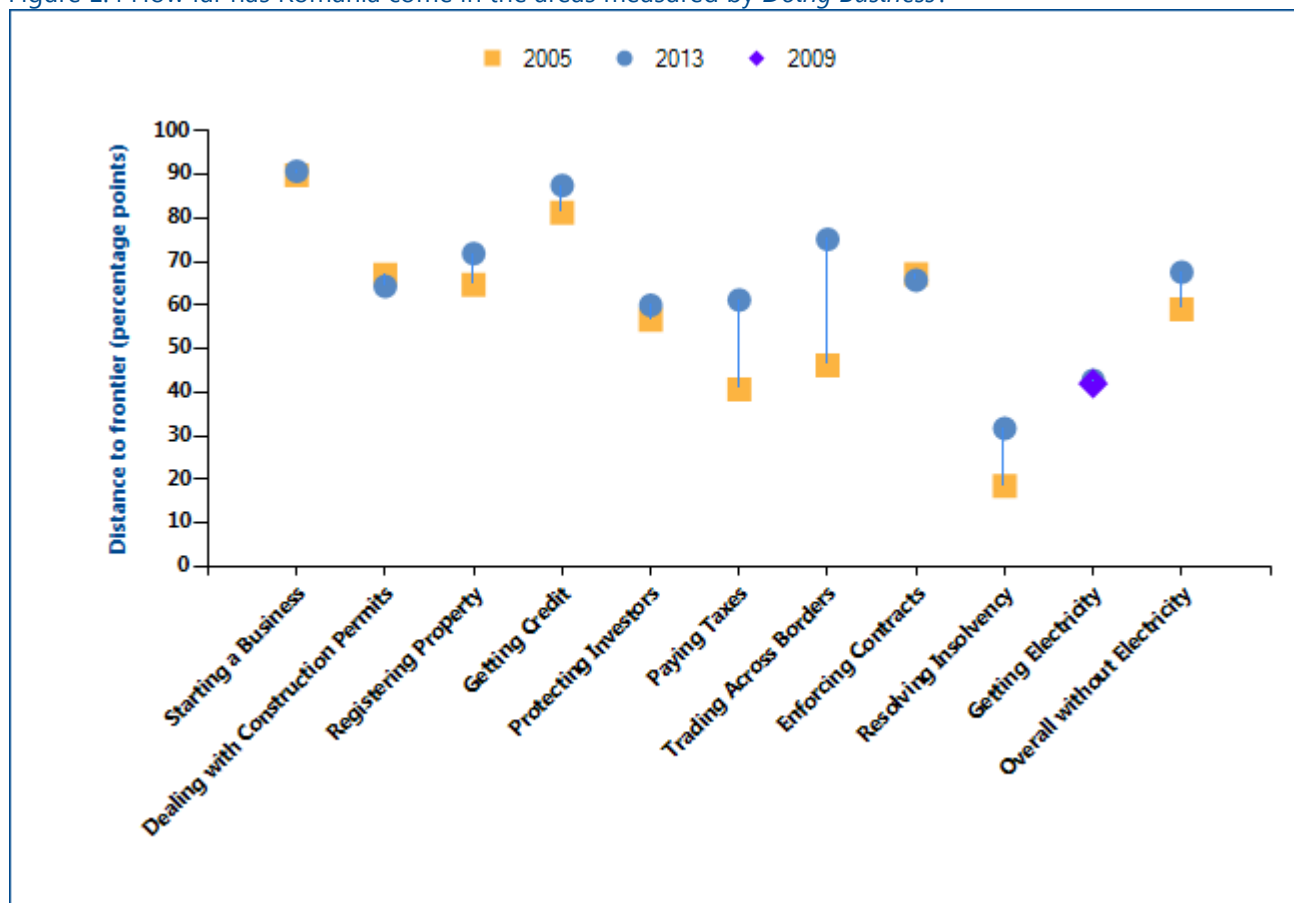
Just as the overall ranking on the ease of doing business tells only part of the story, so do changes in that ranking. Yearly movements in rankings can provide some indication of changes in an economy’s regulatory environment for firms, but they are always relative.

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 Romania 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 Romania

Indicator	Romania DB2014	Romania DB2013	Bulgaria DB2014	Czech Republic DB2014	Hungary DB2014	Moldova DB2014	Poland DB2014	Slovak Republic DB2014	Best performer globally DB2014
Starting a Business (rank)	60	65	65	146	59	81	116	108	New Zealand (1)
Procedures (number)	5	6	4	9	4	6	4	7	New Zealand (1)*
Time (days)	8.5	9.5	18.0	19.5	5.0	7.0	30.0	18.5	New Zealand (0.5)
Cost (% of income per capita)	2.4	2.8	1.0	8.2	8.6	5.4	14.3	1.5	Slovenia (0.0)
Paid-in Min. Capital (% of income per capita)	0.7	0.8	0.0	29.5	9.4	8.1	12.6	19.3	112 Economies (0.0)*
Dealing with Construction Permits (rank)	136	134	118	86	47	174	88	53	Hong Kong SAR, China (1)
Procedures (number)	15	15	18	33	24	26	18	11	Hong Kong SAR, China (6)
Time (days)	287.0	287.0	104.0	120.0	79.0	291.0	161.0	286.0	Singapore (26.0)

Indicator	Romania DB2014	Romania DB2013	Bulgaria DB2014	Czech Republic DB2014	Hungary DB2014	Moldova DB2014	Poland DB2014	Slovak Republic DB2014	Best performer globally DB2014
Cost (% of income per capita)	71.2	75.2	222.9	10.5	9.2	65.0	10.6	6.6	Qatar (1.1)
Getting Electricity (rank)	174	173	135	146	112	165	137	65	Iceland (1)
Procedures (number)	7	7	6	6	5	7	6	5	10 Economies (3)*
Time (days)	223	223	130	279	252	140	161	158	Germany (17)
Cost (% of income per capita)	534.0	584.2	320.0	179.0	116.4	542.1	205.2	10.6	Japan (0.0)
Registering Property (rank)	70	67	62	37	45	19	54	11	Georgia (1)
Procedures (number)	8	8	7	3	4	5	6	3	4 Economies (1)*
Time (days)	20.0	20.0	14.0	24.0	16.5	6.0	35.0	16.5	New Zealand (1.0)*
Cost (% of property value)	1.6	1.6	2.9	4.0	5.0	0.9	0.4	0.0	5 Economies (0.0)*
Getting Credit (rank)	13	11	28	55	55	13	3	42	Malaysia (1)*
Strength of legal rights index (0-10)	9	9	9	6	7	9	9	8	10 Economies (10)*
Depth of credit information index (0-6)	5	5	4	5	4	5	6	4	31 Economies (6)*
Public registry coverage (% of adults)	11.8	14.0	61.0	6.4	0.0	0.0	0.0	2.7	Portugal (100.0)*
Private bureau coverage (% of adults)	46.9	44.9	0.0	76.0	73.2	4.5	82.8	61.6	22 Economies (100.0)*
Protecting Investors (rank)	52	51	52	98	128	80	52	115	New Zealand (1)
Extent of disclosure	9	9	10	2	2	7	7	3	10 Economies (10)*

Indicator	Romania DB2014	Romania DB2013	Bulgaria DB2014	Czech Republic DB2014	Hungary DB2014	Moldova DB2014	Poland DB2014	Slovak Republic DB2014	Best performer globally DB2014
index (0-10)									
Extent of director liability index (0-10)	5	5	2	5	4	3	2	4	Cambodia (10)
Ease of shareholder suits index (0-10)	4	4	6	8	7	6	9	7	3 Economies (10)*
Strength of investor protection index (0-10)	6.0	6.0	6.0	5.0	4.3	5.3	6.0	4.7	New Zealand (9.7)
Paying Taxes (rank)	134	139	81	122	124	95	113	102	United Arab Emirates (1)
Payments (number per year)	39	41	13	8	12	31	18	20	Hong Kong SAR, China (3)*
Time (hours per year)	200	216	454	413	277	181	286	207	United Arab Emirates (12)
Trading Across Borders (rank)	76	76	79	68	70	150	49	108	Singapore (1)
Documents to export (number)	5	5	4	4	6	7	5	7	Ireland (2)*
Time to export (days)	13	13	20	17	17	32	17	17	5 Economies (6)*
Cost to export (US\$ per container)	1,485	1,485	1,375	1,215	885	1,545	1,050	1,500	Malaysia (450)
Documents to import (number)	6	6	5	6	6	8	4	6	Ireland (2)*
Time to import (days)	13	13	17	17	19	35	14	16	Singapore (4)
Cost to import (US\$ per container)	1,495	1,495	1,365	1,190	845	1,870	1,025	1,480	Singapore (440)
Enforcing Contracts (rank)	53	54	79	75	15	23	55	65	Luxembourg (1)

Indicator	Romania DB2014	Romania DB2013	Bulgaria DB2014	Czech Republic DB2014	Hungary DB2014	Moldova DB2014	Poland DB2014	Slovak Republic DB2014	Best performer globally DB2014
Time (days)	512	512	564	611	395	337	685	545	Singapore (150)
Cost (% of claim)	28.9	28.9	23.8	33.0	15.0	28.6	19.0	30.0	Bhutan (0.1)
Procedures (number)	32	32	38	27	35	31	33	32	Singapore (21)*
Resolving Insolvency (rank)	99	103	92	29	70	91	37	38	Japan (1)
Time (years)	3.3	3.3	3.3	2.1	2.0	2.8	3.0	4.0	Ireland (0.4)
Cost (% of estate)	11	11	9	17	15	9	15	18	Norway (1)
Outcome (0 as piecemeal sale and 1 as going concern)	0	0	0	1	0	0	1	1	
Recovery rate (cents on the dollar)	30.0	29.2	32.6	65.0	38.3	32.8	54.8	54.1	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

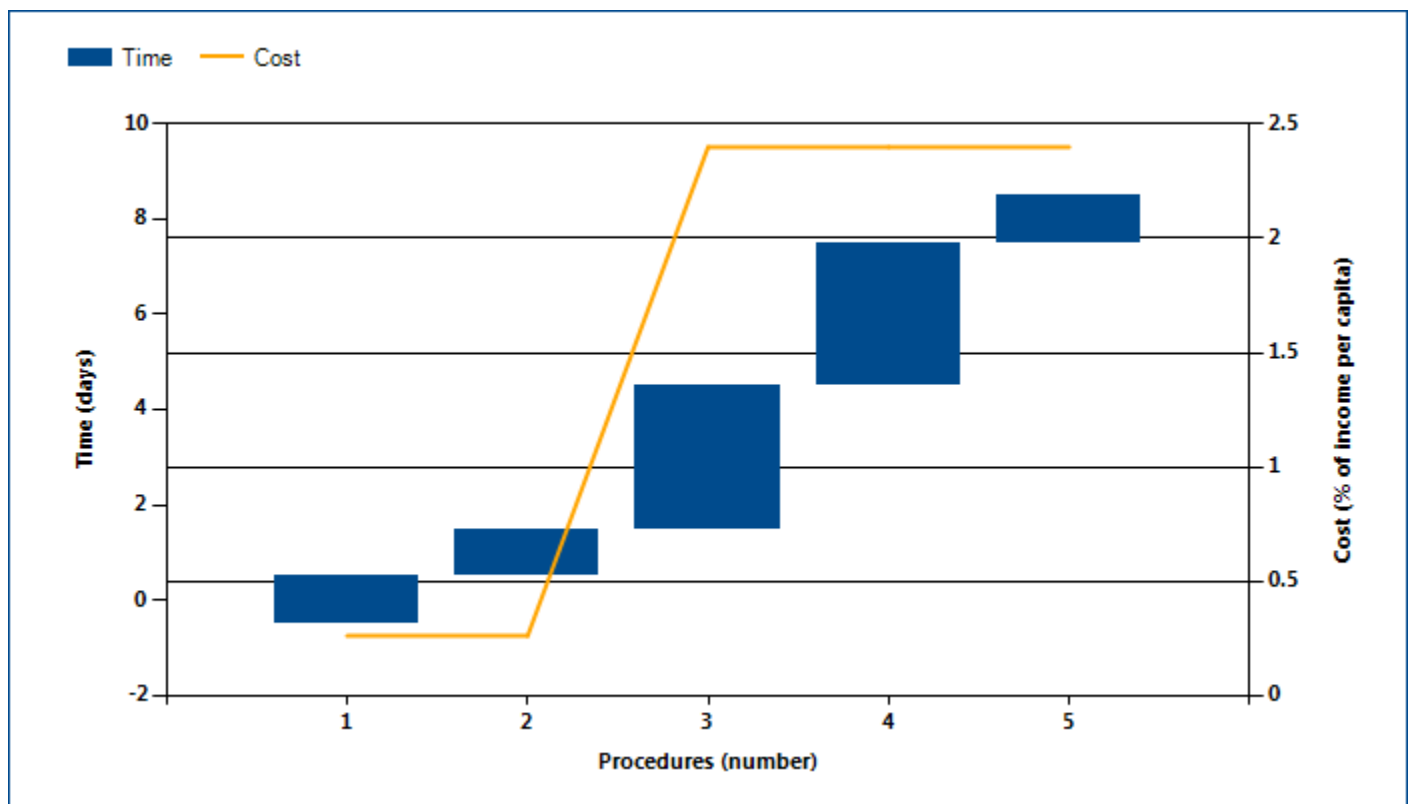
Where does the economy stand today?

What does it take to start a business in Romania? According to data collected by *Doing Business*, starting a business there requires 5 procedures, takes 8.5 days,

costs 2.4% of income per capita and requires paid-in minimum capital of 0.7% of income per capita (figure 2.1).

Figure 2.1 What it takes to start a business in Romania

Paid-in minimum capital (% of income per capita): 0.7



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.

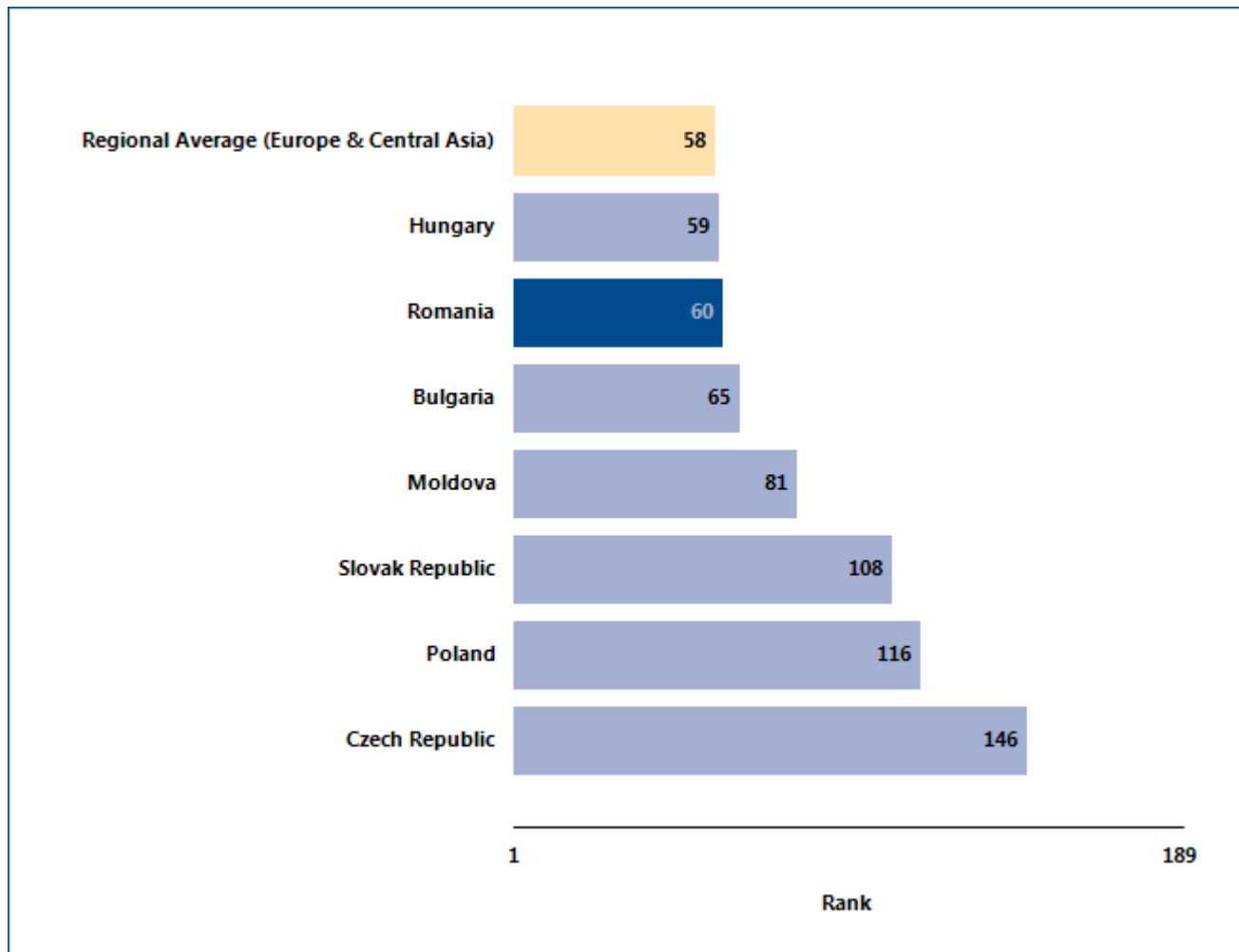
Source: *Doing Business* database.

STARTING A BUSINESS

Globally, Romania stands at 60 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 Romania to start a business.

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



Source: Doing Business database.

STARTING A BUSINESS

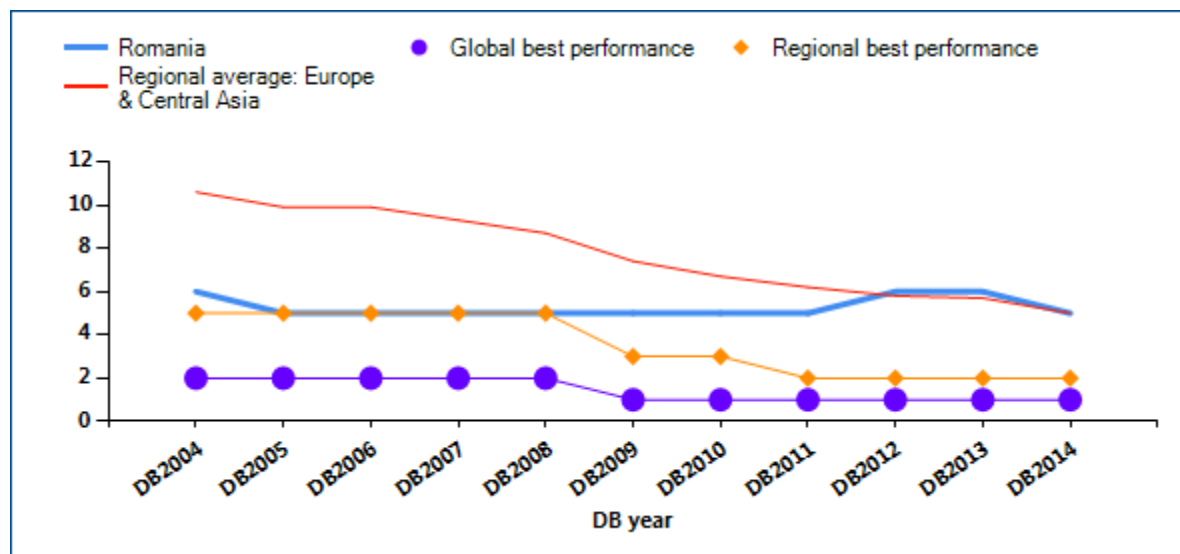
What are the changes over time?

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

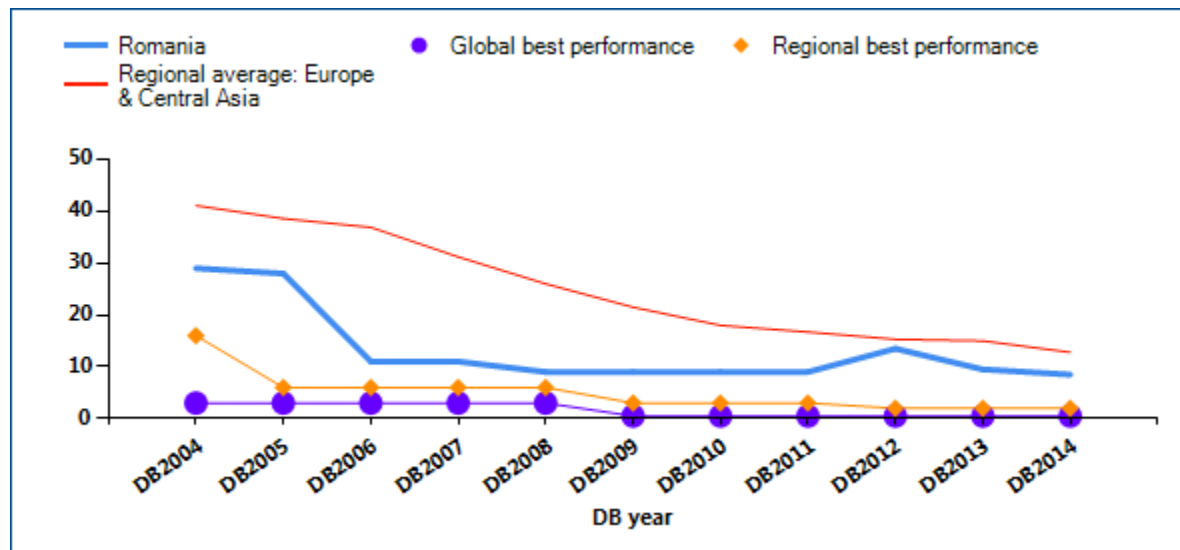
2.3) can help show what is possible in making it easier to start a business. And changes in regional averages can show where Romania is keeping up—and where it is falling behind.

Figure 2.3 Has starting a business become easier over time?

Procedures (number)

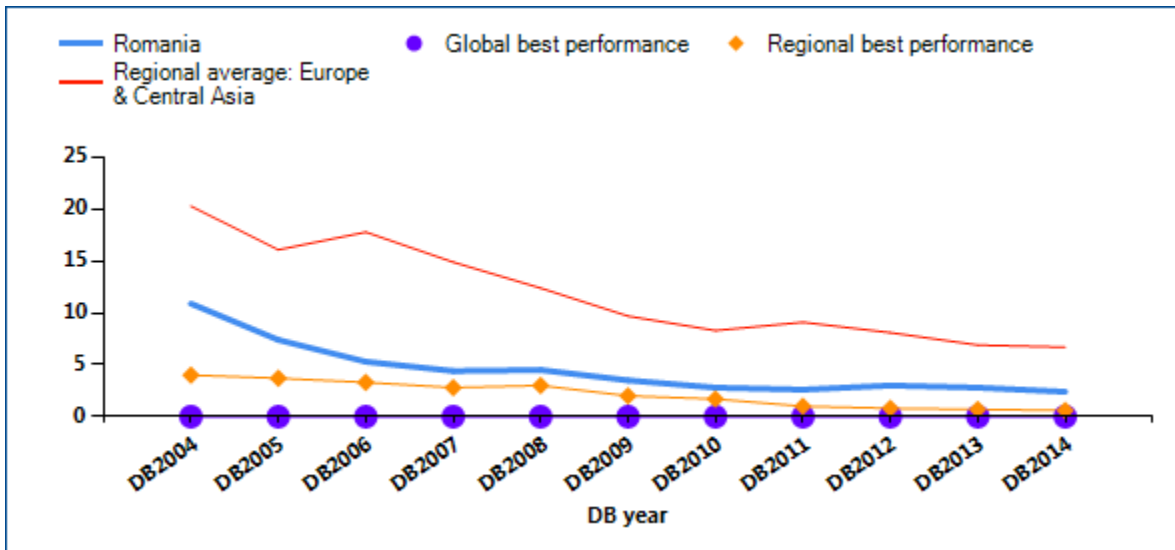


Time (days)

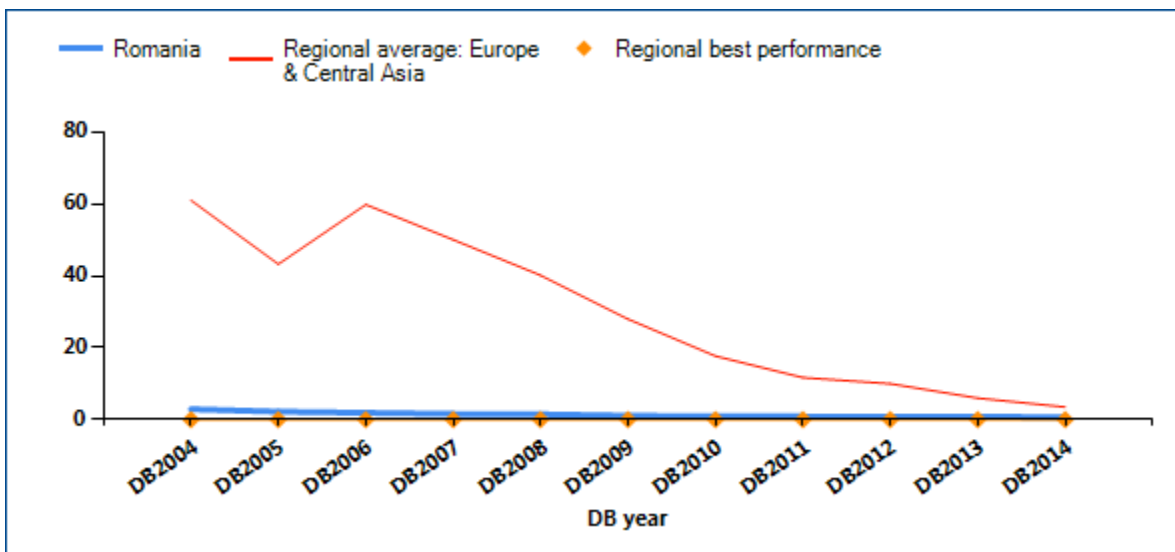


STARTING A BUSINESS

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 Romania (table 2.1)?

Table 2.1 How has Romania made starting a business 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	Romania made starting a business more difficult by requiring a tax clearance certificate for a new company's headquarters before company registration.
DB2013	Romania made starting a business easier by reducing the time required to obtain a clearance certificate from the fiscal administration agency.
DB2014	Romania made starting a business easier by transferring responsibility for issuing the headquarters clearance certificate from the Fiscal Administration Office to the Trade 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.

STARTING A BUSINESS

What are the details?

Underlying the indicators shown in this chapter for Romania 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: Bucharest

Legal Form: Societate cu răspundere limitată - Limited Liability Company

Paid in Minimum Capital Requirement: RON 200

Start-up Capital: 10 times GNI per capita

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

No.	Procedure	Time to complete	Cost to complete
1	<p>Evidence of verification of company name availability and reservation thereof</p> <p>According to the Methodological Norms on keeping the trade register, making reservations and release of information:</p> <ul style="list-style-type: none"> - The reservation of a company name is requested at the trade register office by application and is checked and made at national level so that company names are protected at national level as well. <p>A company name shall not include words like: “științific”, “academie”, “academic”, “universitate”, “universitar”, “școală”, “școlar” or their derivatives.</p> <ul style="list-style-type: none"> - A company name including words like “național”, “român”, “institut” or their derivatives or words or phrases characteristic of the central or local public institutions or authorities may be used only with the approval of the General Secretariat of the Government or the Prefect. Such certificate is valid for a period of 3 months. <p><i>Procedure can be done online</i></p>	Less than one day (online procedure)	RON 72
2	<p>Deposit funds in a bank and obtain a document confirming bank deposit of sufficient funds</p>	1 day	bank commission ranges from zero to 0.5% of capital.

No.	Procedure	Time to complete	Cost to complete
3	<p>Company registration at the Trade Register Office</p> <p>A requester files, together with the other documents of incorporation, an application enclosing the documents attesting to the right of use of the registered office in order to obtain the certificate giving clearance for the registered office. The trade register office obtains it electronically from the competent Fiscal Administration Authority.</p> <p>The trade register office also obtains electronically the fiscal record certificates.</p> <p>Registration at the trade register office is finalized by issuance of the certificate of incorporation ensures the following:</p> <ul style="list-style-type: none"> - company incorporation - fiscal registration (for profit, wages, health, pensions, unemployment taxes) by obtaining the unique registration code from the Ministry of Public Finance - authorization, based on statements of own responsibility, in the field of food safety and sanitary-veterinary protection, environment protection and labor protection - publication in the Official Gazette of Romania as legal publicity. <p>Registration for VAT purposes is made at the Fiscal Administration Authority directly.</p> <p>Based on Government Emergency Ordinance no. 116/2009 instituting certain measures regarding the activity of registration in the trade register, in order to simplify the registration procedures, the final approval for incorporation is no longer given by a delegated judge, but by the director or the appointed person of the territorial trade register office in the county where the company is incorporated, Bucharest in our case study.</p> <p>Cost details: RON 580.50 = (RON 250 registration fee + 50% liquidation fund fee and 10% insolvency bulletin fee) + RON 31.50 for publication in the Official Gazette of Romania + RON 100 per partner for the fiscal record certificate (20 per partner for the fiscal record certificate) + RON 45 for filling with the Trade Registry ("ascertaining certificate") + 4 (fiscal stamp fee)</p>	3 days	see procedure details
4	<p>Register for VAT</p> <p>A person subject to taxation established in Romania and has or intends to have an economic activity which implies operations that can be taxed and/or exempted from VAT with deduction rights, must request the registration for VAT purpose from the qualified fiscal authority. The registration code for VAT purpose has the RO prefix, in concordance with the International Standard ISO 3166 - alpha 2 and is obtained in 3 days from the moment the documentation is submitted. The company which requests the registration for VAT purpose must submit to the competent fiscal authority the application in the same day with the</p>	3 days	no charge

No.	Procedure	Time to complete	Cost to complete
	<p>submission of the file related to the incorporation of the company.</p> <p>In order to be registered for VAT purpose the company must submit to the competent fiscal authority the Registration Form 098. In addition to this, Tax Registration Form 010 must be submitted to the Ministry of Finance within the next 30 days as from the company's registration in order for the new company to register as profit tax and social contributions payer. In some cases the 3 days registration term provided by law is not observed.</p>		
5	<p>Register the employees contracts with the Territorial Labor Inspectorate (TLI) online</p> <p>Since January 01, 2011 the individual employment contracts should be registered within the internal general register recording the employees, which is conveyed in electronic format to the competent Labor Territorial Inspectorate, at the latest on the working day prior to the commencement of the activity.</p>	1 day	no charge

* 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).

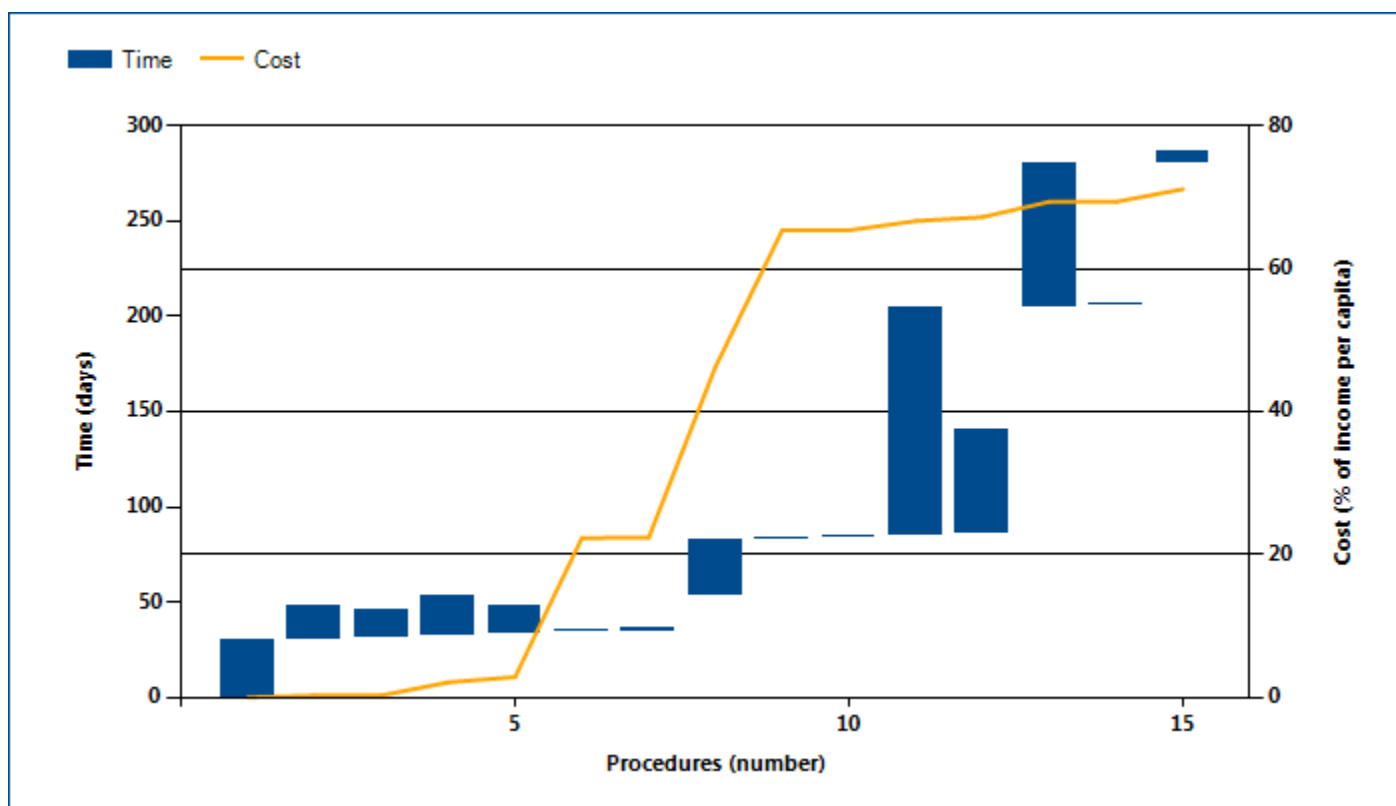
DEALING WITH CONSTRUCTION PERMITS

Where does the economy stand today?

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

permits there requires 15 procedures, takes 287.0 days and costs 71.2% of income per capita (figure 3.1).

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



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.

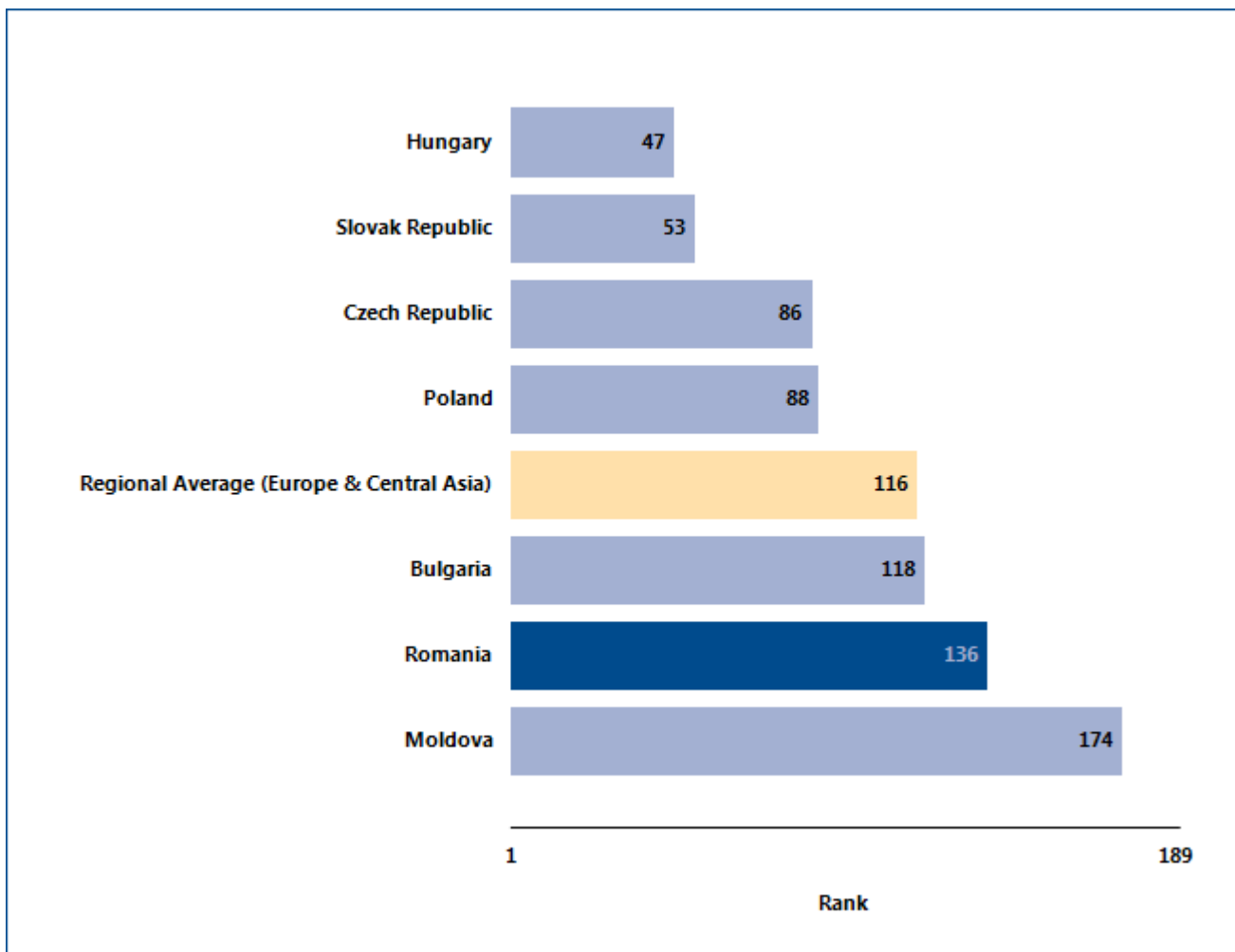
Source: *Doing Business* database.

DEALING WITH CONSTRUCTION PERMITS

Globally, Romania stands at 136 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 Romania to legally build a warehouse.

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



Source: Doing Business database.

DEALING WITH CONSTRUCTION PERMITS

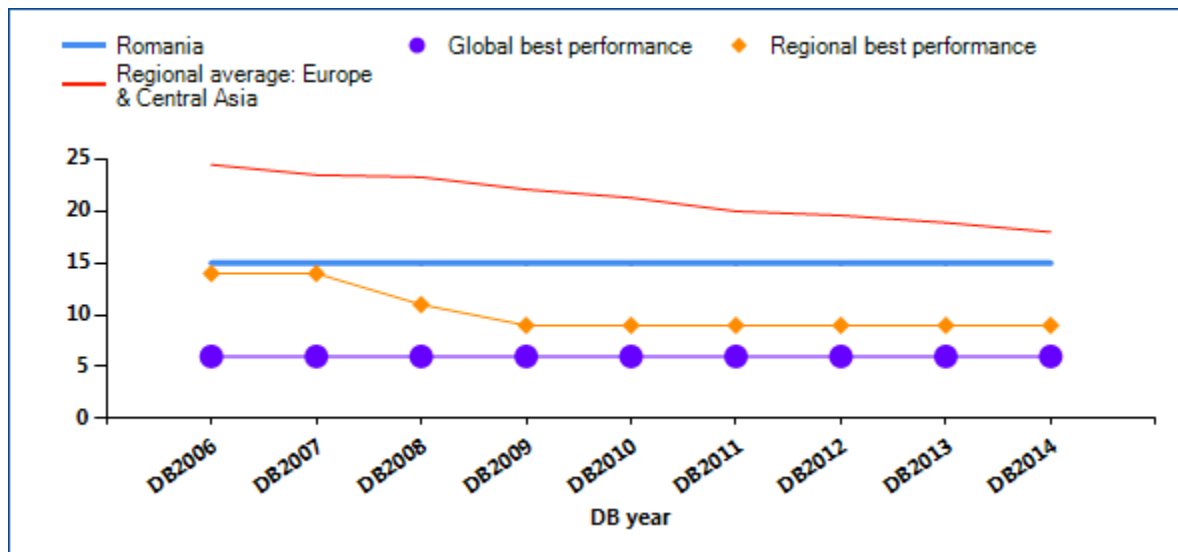
What are the changes over time?

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

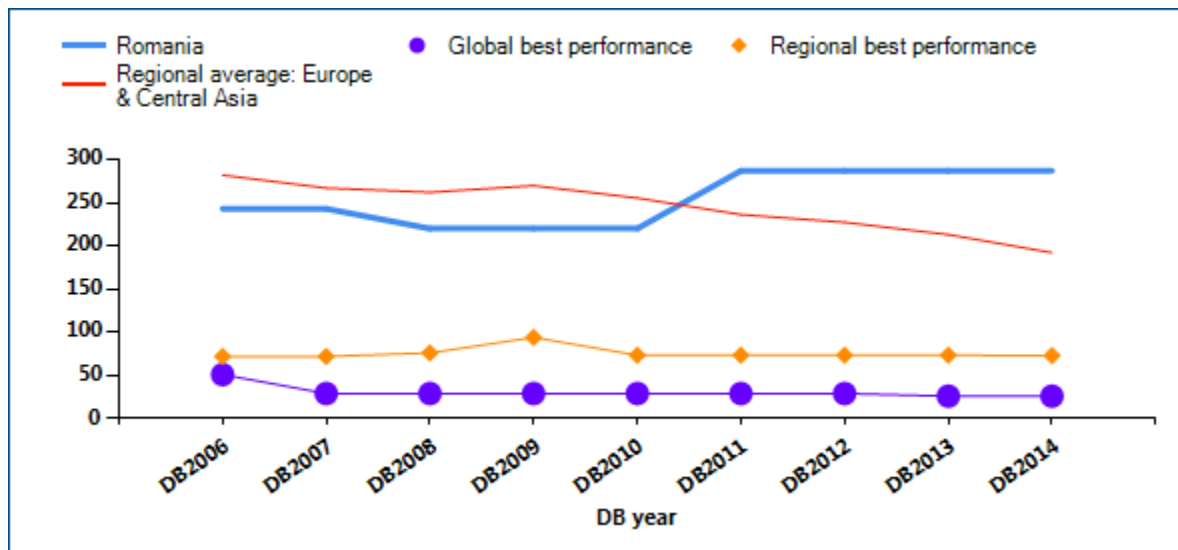
what is possible in making it easier to deal with construction permits. And changes in regional averages can show where Romania is keeping up—and where it is falling behind.

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

Procedures (number)

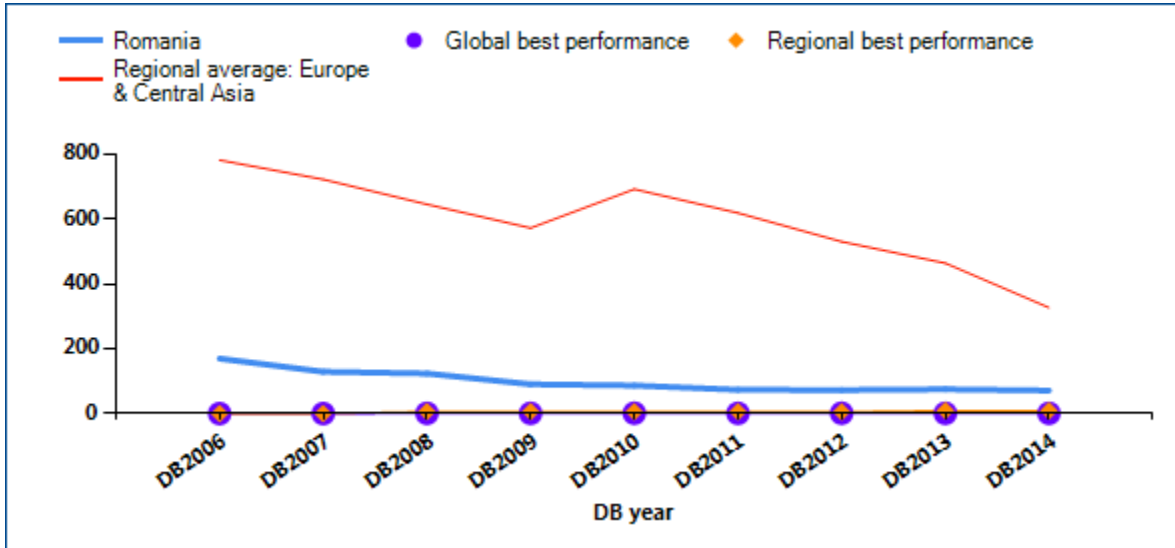


Time (days)



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 Romania (table 3.1)?

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

By *Doing Business* report year

DB year	Reform
DB2009	No reform as measured by Doing Business.
DB2010	Cost of construction in Romania was increased because of a new fee equal to 0.05% of project value.
DB2011	Romania amended regulations related to construction permitting to reduce fees and expedite the process.
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.

DEALING WITH CONSTRUCTION PERMITS

What are the details?

The indicators reported here for Romania 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 : Bucharest

Estimated Warehouse Value : RON 650,000

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

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

No.	Procedure	Time to complete	Cost to complete
1	<p>Obtain urban planning certificate</p> <p>Pursuant to the Order no.839/2009 issued by the Ministry of Regional Development and Housing (“Order 839”), approving the new Methodological Norms to the Construction Law, the validity period of the urban planning certificate may vary between 6 and 24 months. The following urban planning documents are needed:</p> <ul style="list-style-type: none"> • The general urban plan (PUG) and the related local regulation • The (zone) urban plan (PUZ) and the related local regulation • The detailed urban plan (PUD) <p>The urban planning certificate gives information on the ownership, the public utility service availability, the location within (intravilan) and outside (extravilan) the city limits, the urban planning requirements, the land use at the time, the allowed uses, and so forth.</p> <p>From a technical point of view, the certificate shows the percentage of land occupation, the coefficient of land use, the minimum and maximum dimensions of the plots, the allowed built-up area, utilities, and access, necessary parking, alignment of the land and buildings with the adjacent streets, and the maximum and minimum construction height allowed.</p> <p>This certificate does not grant the right to build. Its validity period varies but cannot exceed 12 months. Construction must start during that 12-month period.</p> <p>The urban planning certificate enumerates all the necessary project clearances applicable to the warehouse case considered here. The municipality has the right to decide which project clearances are needed.</p>	30 days	RON 17

No.	Procedure	Time to complete	Cost to complete
2	<p>Obtain project clearance from water supply and sewerage authority (Apa Nova SA)</p> <p>By law, the project clearance from the water supply and sewerage authority (Apa Nova S.A.) must be issued in 15 days, but, in practice, it can take up to 18 days.</p>	18 days	RON 72
3	<p>* Obtain project clearance from General Inspectorate for Emergency Situations</p> <p>The relevant legal provisions in force are the Methodological Norms for the endorsement and permitting regarding fire security and civil protection, approved by Order no. 80/2009 of the Ministry of Administration and Interior.</p> <p>According to the amendments to the Construction Law, if the 15-day term provided by the law for issuing the clearance is not observed by the General Inspectorate for Emergency Situations, the legal provisions referring to tacit approval shall be applied.</p>	15 days	no charge
4	<p>* Obtain project clearance from environment protection office</p> <p>By law, this procedure can take up to 10 days, and the associated cost is RON 100.00. According to the public authorities, however, the time to complete is 21 days, and the cost can be up to RON 500.00. This procedure depends on all the previous ones, and is thus done after all preceding procedures have been completed.</p>	21 days	RON 500
5	<p>* Obtain project clearance from health department</p> <p>By law, the time to complete this procedure is 15 days. To apply for the approval at the Bucharest Health Department, several documents must be submitted: urbanism certificate with annexed plans, technical memorandum drafted by the architect, ownership title, and incorporation certificate.</p>	15 days	RON 200
6	<p>* Contract with the solid waste authority (REBU SA)</p> <p>The municipality requests, through the certificate of urbanization, that a contract be signed with a waste disposal company to clear construction debris from the construction site. There are two companies that provide services in this area: ROSAL S.A. and REBU S.A. The latter is a larger player with a wider network. The tariffs have been modified, currently being RON 93 (RON 75.00 + 24% VAT) per cubic meter of waste. Additionally, for the surface of the land in question, a tax of RON 42.00</p>	1 day	RON 5,292

No.	Procedure	Time to complete	Cost to complete
	would also be applicable. The minimum of 35 cubic meters must be contracted according to the requirements of company.		
7	<p>* Notarize statement about inexistence of land disputes</p> <p>The company should make a notarized statement (in this case, BuildCo is both the company and the applicant) stating that there are no disputes related to the land. This procedure is not a standard requirement by law but is often requested in practice.</p> <p>Each notary charges a different fee, but the fee cannot exceed RON 30.00 (equivalent to USD 10.00), the maximum notary fee established by the National Notaries Union.</p>	1 day	RON 15
8	<p>Obtain building permit</p> <p>BuildCo must apply for a building permit by submitting the following documents:</p> <ul style="list-style-type: none"> • City-planning certificate • Property title on the land (there are no requirements as to how recent the title must be) • Technical documentation which replaced former Plans for the authorization of construction • Necessary approvals, as required by the city-planning certificate • Environmental approval Environmental Protection Agency • Proof of payment of the legally required taxes (receipts from the tax authorities) • Legalized copy of the title to the real estate or the updated cadastral plan and land registry extract for informative purposes, if the law does not otherwise require <p>The building permit is issued by the municipality. Note that, for Bucharest, the construction permit is issued by the General Mayor of Bucharest, if the construction is to be done outside the buildable area or if it exceeds a district area; or by the relevant district mayor, if the construction is to be located in one of the six districts of Bucharest.</p> <p>The cost of the building permit is 1% of the value of the construction work.</p>	30 days	RON 6,500
9	<p>Receive foundations work inspection</p> <p>The schedule of inspections is described in the building permit. By law, BuildCo must pay 0.1% of the authorized value to the competent territorial inspectorate for construction. In addition, the investors or owners must pay the State Inspectorate for Construction a monthly payment equivalent to 0.70% of the value of the expenses incurred in that month for the execution of the construction work.</p>	1 day	RON 5,200

No.	Procedure	Time to complete	Cost to complete
10	Receive frame inspection	1 day	no charge
11	<p>Final assessment of the construction through the Acceptance Commission</p> <p>The company notifies the local public administration and other relevant authorities of the date of completion of construction so that the Approval Commission may be convened. The Acceptance Commission is a body made up of the construction beneficiary (BuildCo), officials from local public administration, and technical experts. It is legally required to meet and determine that the construction meets all applicable legal requirements.</p> <p>The commission must be convened within 15 days from the date of completion of works. The utility connections would have been made at this stage. The final assessment can take several days and includes an on-site inspection. Within 3 working days from the end of the assessment, the Acceptance Commission must submit the notes and conclusions to the beneficiary of construction and recommend approval (with or without reservations), postponement, or rejection of the construction.</p>	120 days	RON 350
12	<p>* Receive final inspection from Acceptance Commission</p> <p>Acceptance Commission</p>	55 days	RON 150
13	<p>Obtain water and sewage connection (Apa Nova SA)</p> <p>According to the water and sewage authority (Apa Nova S.A.), this procedure takes approximately 2 -- 3 months due to significant increase in demand and backlog. The associated costs were increased to RON 520 for connection fee, RON 62.00 for application fee. Inspections for utilities occur at the same time as the connection.</p>	75 days	RON 582
14	<p>* Obtain telephone connection (Romtelecom SA)</p> <p>Inspections for utilities occur at the same time as the connection.</p>	1 day	no charge
15	<p>Register the building with the real estate registry</p> <p>The building can be registered once it has been completed and approved. There are two stages of approval, and for that reason, the building can be registered twice. The first stage is after the Commission approval, and the second is when the warranty period had expired, after the final Commission approval. The second approval applies only when the owner and the builder are different entities. Therefore, in the case considered here, it is assumed that only one registration is done.</p>	7 days	RON 480

No.	Procedure	Time to complete	Cost to complete
	Pursuant to Order no. 186/2009 on the establishment of time frames for performing services by the National Agency for Cadastre and Land Registration ("Order 186"), the standard registration time is of 21 days but, if the applicant pays an additional fee, the registration time will be reduced to 7 days. According to Order no. 39/2009 on the approval of fees for performing services by the National Agency for Cadastre and Land Registration ("Order 39"), the standard registration fee is of RON 120 and the additional fee, for obtaining a shorter issuance time, is four-times the standard fee.		

* 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.

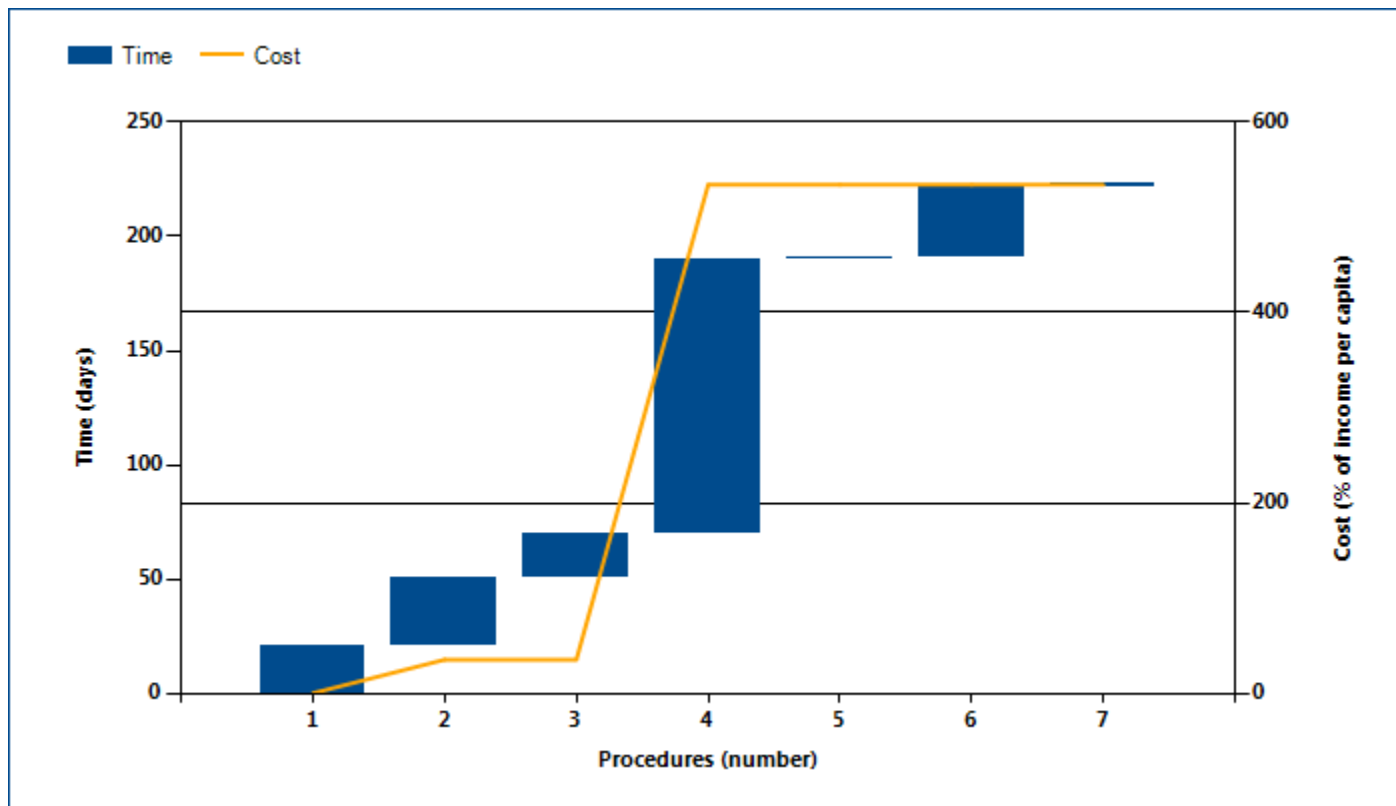
GETTING ELECTRICITY

Where does the economy stand today?

What does it take to obtain a new electricity connection in Romania? According to data collected by *Doing Business*, getting electricity there requires 7

procedures, takes 223 days and costs 534.0% of income per capita (figure 4.1).

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



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, Romania stands at 174 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 Romania to connect a warehouse to electricity.

Figure 4.2 How Romania 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 Romania

Indicator	Romania DB2014	Romania DB2013	Best performer in Europe & Central Asia DB2014	Best performer globally DB2014
Rank	174	173	San Marino (10)	Iceland (1)
Procedures (number)	7	7	San Marino (3)	10 Economies* (3)
Time (days)	223	223	San Marino (45)	Germany (17)
Cost (% of income per capita)	534.0	584.2	Lithuania (48.1)	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 Romania (table 4.2)?

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

By *Doing Business* report year

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

Source: *Doing Business* database.

GETTING ELECTRICITY

What are the details?

The indicators reported here for Romania 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: Bucharest

Name of Utility: ENEL Distributie Muntenia

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 Romania—and the time and cost

No.	Procedure	Time to complete	Cost to complete
1	<p>Submit application with ENEL and await letter and technical conditions</p> <p>The customer submits the application with ENEL for technical conditions. In the answer, ENEL writes if the connection is confirmed or not and recommends doing a technical study.</p>	21 calendar days	RON 128.6
2	<p>Hire electrical design firm to conduct a technical study and get study approved by ENEL</p> <p>The customer has to hire an electrical contractor that will do a technical study. The study could also be done by ENEL. The study will give the different technical options for the connection works. After the study is finished, the electrical contractor goes to ENEL with the study to get the best technical option approved. ENEL approves the best option and informs the customer about their choice.</p>	30 calendar days	USD 2,969.6
3	<p>Submit documents for conclusion of connection contract, receive contract and pay estimate</p> <p>Once ENEL has approved the study, the customer gets the technical connection approval together with the proposal of connection contract. After the conclusion of the connection contract, the customer gets the estimate for the connection cost including the component related to the cost of the connection installation (material and labor force), as well as the component corresponding to the work inspection and activation of</p>	19 calendar days	RON 38.6

No.	Procedure	Time to complete	Cost to complete
	the installations for use.		
4	<p>Obtain design of works, get design approved by ENEL and conclude execution contract with ENEL and await end of connection works carried out by electrical contractor</p> <p>The customer hires an electrical contractor (can also be the same firm as under procedure 2) to make the design of the connection. The design needs to be approved by ENEL. After the design has been approved, the customer goes to the municipality to pay 1% of the utility's invoice. This is the fee to obtain the construction permit that the customer has to submit for the connection works. The construction permit can be obtained by the electrical contractor on behalf of the customer. Depending on the municipality, 5-20 permits need to be obtained before at other agencies/stakeholders and then submitted to the municipality in order to obtain the construction permit for the connection works. At some municipalities, a geodesic assessment has to be submitted as part of the application package. After the construction permit has been obtained, ENEL concludes a contract (execution contract) with the electrical contractor (that was hired by the customer) and the works start. At the same time, the electrical contractor makes a file about the internal wiring of the warehouse that confirms that the internal wiring was done accordingly to safety standards. The customer pays the cost for the connection works directly to ENEL and not to the electrical contractor that he hired.</p>	120 calendar days	USD 41,943.5
5	<p>Receive final inspection of works by ENEL</p> <p>At the end of the works, ENEL comes to inspect the works. In the technical study (procedure 2), the whole time plan and different steps of the connection works are laid out. The electrical contractor has to call ENEL towards the end of the works and usually ENEL comes immediately to do the inspection.</p>	1 calendar day	no charge
6	<p>Submit internal wiring file, conclude use of land contract</p> <p>At the end of the works, the customer submits the internal wiring file to ENEL for verification. The customer has to go with a notary to ENEL to conclude a contract of "use of land" with ENEL. They have to meet the director responsible for the grid. This contract is stating that the land is in use by ENEL, but not owned by ENEL. Without this contract, there would be no connection.</p>	30 calendar days	no charge

No.	Procedure	Time to complete	Cost to complete
7	Supply contract and receive meter installation by ENEL The customer concludes the supply contract with ENEL. 48 hours after the signature of the contract, ENEL comes to the warehouse to install the meter and electricity starts flowing. When the connection to the network is done, the overall grid in the neighborhood needs to be interrupted. This is announced in the newspaper. There is no waiting time.	2 calendar days	no charge

* 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.

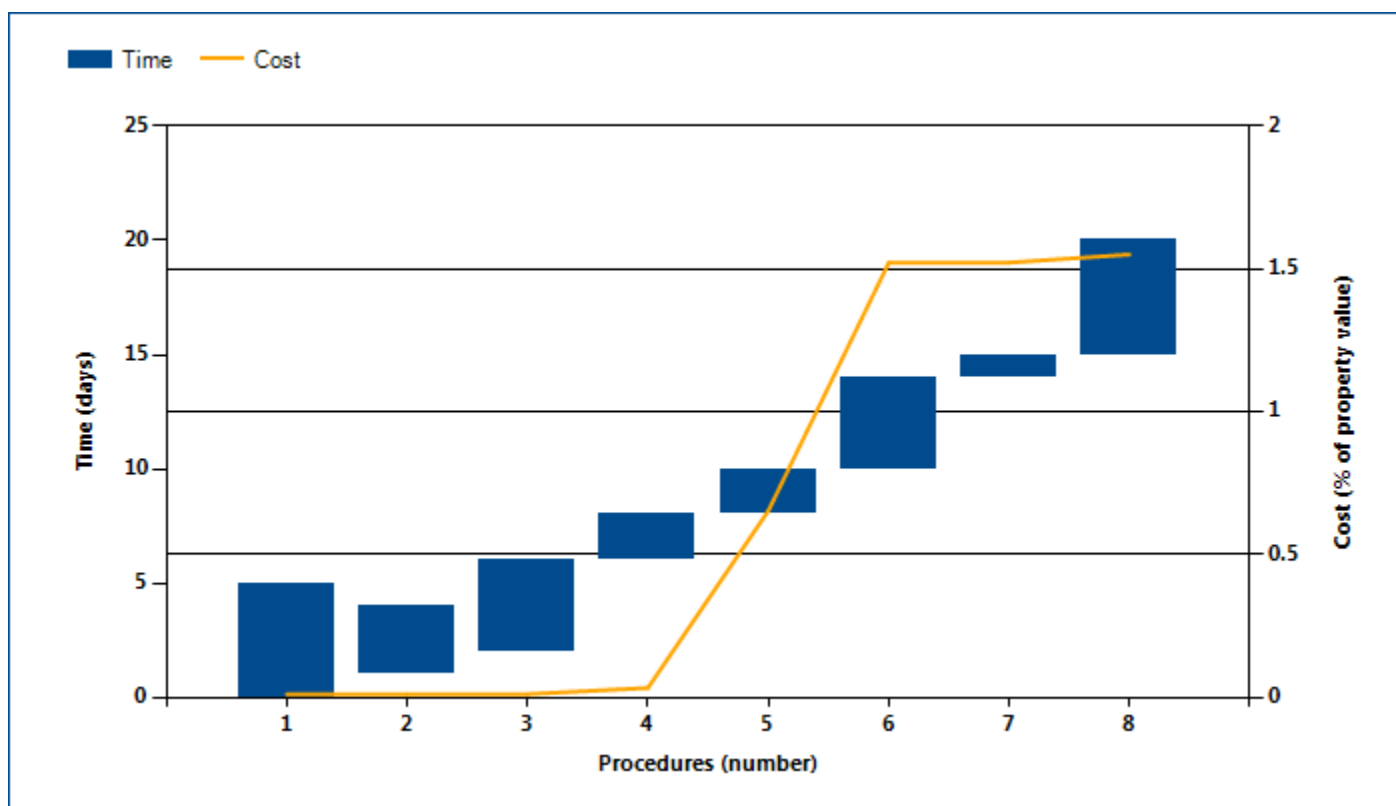
REGISTERING PROPERTY

Where does the economy stand today?

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

procedures, takes 20.0 days and costs 1.6% of the property value (figure 5.1).

Figure 5.1 What it takes to register property in Romania



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.

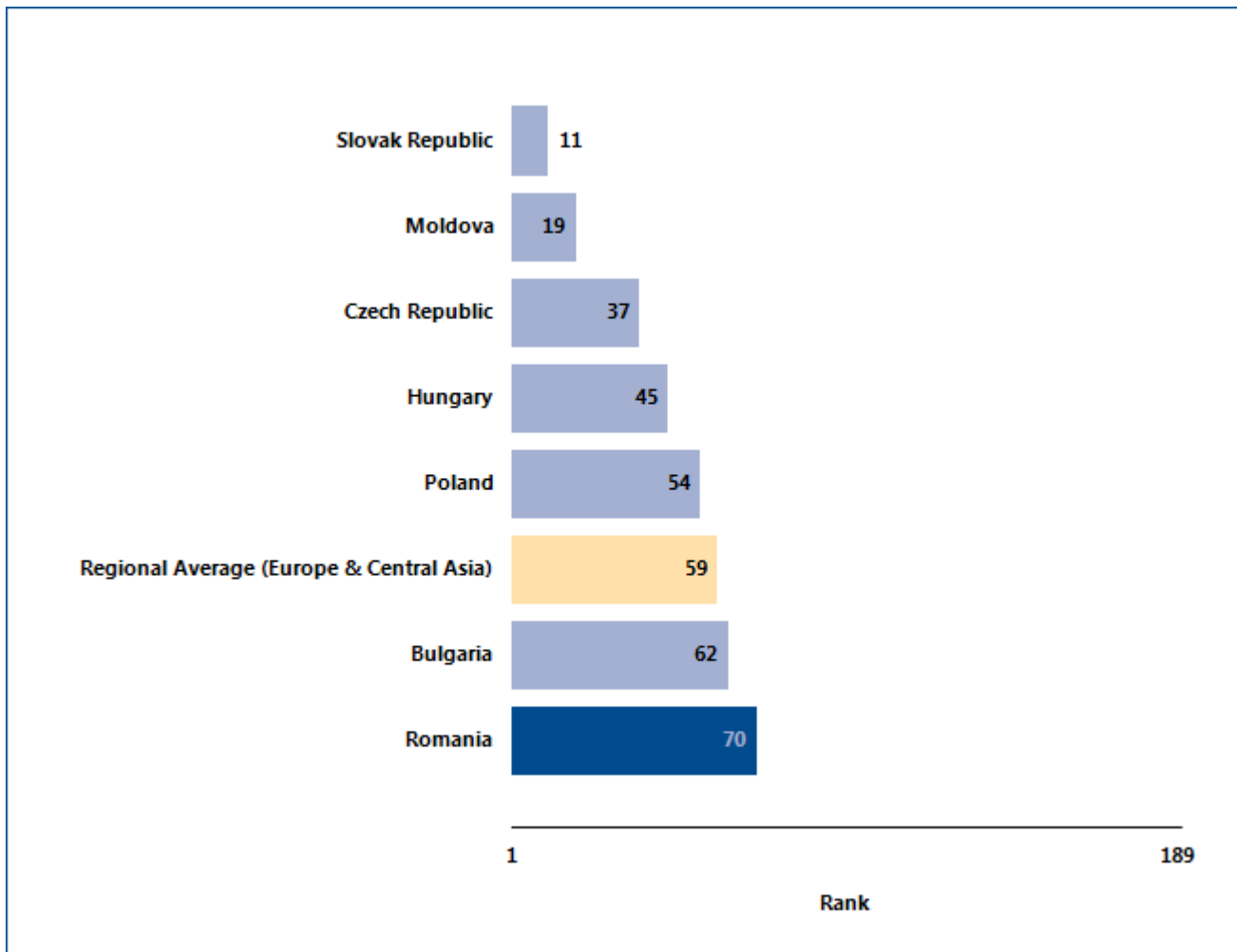
Source: *Doing Business* database.

REGISTERING PROPERTY

Globally, Romania stands at 70 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 Romania to transfer property.

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



Source: Doing Business database.

REGISTERING PROPERTY

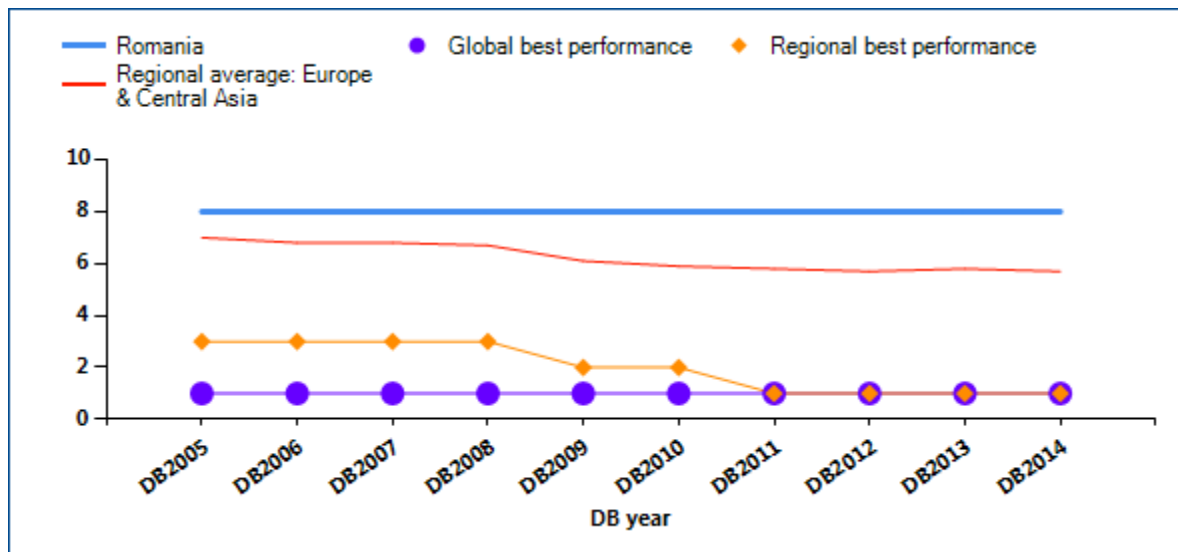
What are the changes over time?

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

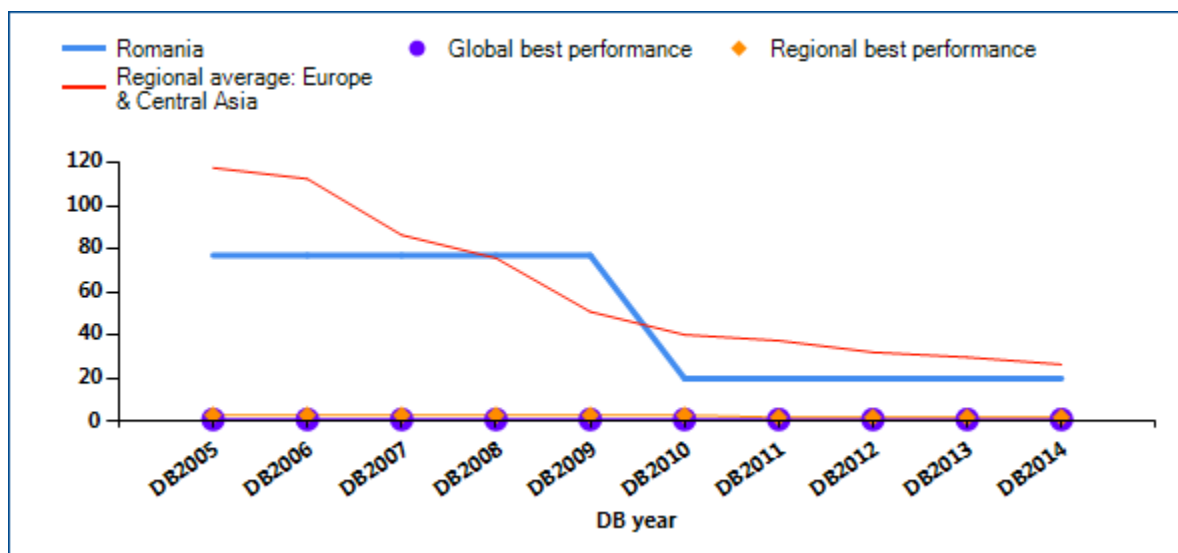
what is possible in making it easier to register property. And changes in regional averages can show where Romania is keeping up—and where it is falling behind.

Figure 5.3 Has registering property become easier over time?

Procedures (number)

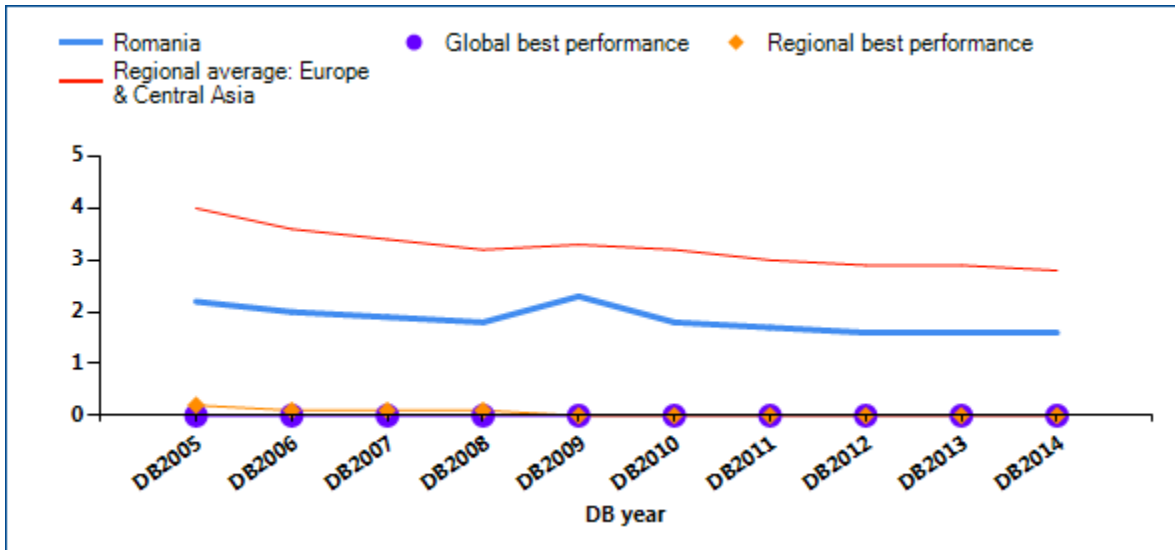


Time (days)



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 Romania (table 5.1)?

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

DB year	Reform
DB2009	No reform as measured by Doing Business.
DB2010	Romania sped the process of registering property by introducing expedited procedures at the Land Registry and the Cadastre.
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.

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	
City:	Bucharest
Property Value:	RON 1,360,041

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

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

No.	Procedure	Time to complete	Cost to complete
1	<p>* Obtain information from the Cadastre</p> <p>The seller must choose an authorized expert from the Cadastre and Real Estate Publicity Office. Together with the authorized person, the seller will identify the site of the property and will measure the limits of the property. This information includes: technical memo, coordinate inventory, analytical calculation of the land, topographical description, area plan on a scale of 1:500, 1:2000, description of the property, the plan of the real estate, and a property statement regarding the identification of the limits of the measured real estate.</p> <p>Also, the seller or the authorized person will file the documents to the Cadastre Office in order to obtain the cadastre number. The representatives of Cadastre Office may verify the situation of the property on site, if they consider necessary. After assigning the cadastre number, the Cadastre Office will register the cadastre reception by imprinting the Cadastre Office's paraph on the documentation.</p> <p>The documentation shall include:</p> <ul style="list-style-type: none"> - application form, - copy of the property title, - copy of the identification documents of the owner. <p>Order no. 186/2009 provides the deadlines for obtaining the technical information from the Cadastre and Real Estate Publicity Office, which differs by taking into account the relevant requested documents. The deadlines vary between three (3) and seven (7) days in the regular Procedure and between one (1) and two (2) days in the emergency Procedure. Order no. 39/2009 provides the relevant taxes to be paid, which vary from RON 15 per hour to RON 30 per sheet or even RON 150 for certain technical data. Any document having a public character (e.g. location layouts, cadastral data, etc.) may be obtained by any person, not</p>	<p>Time:(simultaneous with procedure 2 and 3)</p> <p>1. Consultation of archives: on the spot.
</p> <p>2. Obtaining a Land Book information excerpt: 3 days (regular Procedure) and 1 day (expedited Procedure).
</p> <p>3. Obtaining certified copies of documents from the files and land books: 3 days (regular Procedure) and 1 day (expedited Procedure).
</p> <p>4. Obtaining the certificate for the identification of the</p>	<p>Cost:</p> <p>1. Consultation of archives on the spot: RON 10 for 15 minutes.</p> <p>2. Land book information excerpt: RON 20 per property.</p> <p>3. Certified copies of documents from the document files and land books: RON 5 per page.</p> <p>4. Certificate for identification of the topographic/cadastral number and land book number according to the name of the owner: RON 100 per owner per land book office.</p> <p>5. Obtaining cadastral plan excerpts: RON 15</p>

No.	Procedure	Time to complete	Cost to complete
	<p>only by the owner of the property.</p> <p>Order no. 186/2009 provides the deadlines for obtaining technical information from the Cadastre which differ by taking into account the relevant requested document and vary between three (3) days and seven (7) days in the normal procedure and one (1) day and two (2) days in the expedited procedure. Order no. 39/2009 provides the relevant taxes to be paid which also vary from RON 15/hour to RON 30/sheet or even RON 150 for certain technical data. Order no. 371/2007 was repealed by Order no. 39/2009, starting with April 16, 2009, with its subsequent amendments. In addition, any document having a public character (e.g., location layouts, cadastral data) can be obtained by any person and not only by the owner of the property.</p> <p>Cost:</p> <ol style="list-style-type: none"> 1. Consultation of archives on the spot - cost: 10 RON for 15 minutes. 2. Land Book information excerpt - cost: 20 RON per property. 3. Certified copies of documents from the document files and land books - cost: 5 RON per page. 4. Certificate for the identification of the topographic/cadastral number and land book number according to the name of the owner - cost: 100 RON per owner/land book office. 5. Cadastre plan excerpts - cost: 15 RON per property <p>Time:</p> <ol style="list-style-type: none"> 1. Consultation of archives on the spot - time: on the spot. 2. Land Book information excerpt - ordinary procedure: 3 days; emergency procedure: 1 day. 3. Certified copies of documents from the document files and land books - ordinary procedure: 3 days; emergency procedure: 1 day. 4. Certificate for the identification of the topographic/cadastral number and land book number according to the name of the owner - ordinary procedure: 7 days; emergency procedure: 2 days. 5. Cadastre plan excerpts - ordinary procedure: 5 days; emergency procedure: 2 days. 	<p>topographic/cadastral number and land book number according to the name of the owner: 7 days (regular Procedure) and 2 days (expedited Procedure).</p> <p></br></p> <p>5. Obtaining cadastral plan excerpts: 5 days (regular Procedure) and 1 day (expedited Procedure).</br></p>	<p>per property.</p>
<p>2</p>	<p>* Obtain the fiscal certificate from the Local fiscal authority</p> <p>The fiscal certificate obtained by the Seller represents a clearance attesting that there are no unpaid taxes and fees related to the real estate. The fiscal certificate requirement is mandatory for the valid transfer of the ownership rights over a real estate. The fiscal certificate is valid for up to 30 days. In order to obtain the certificate the following documents are required:</p> <ul style="list-style-type: none"> - application from the owner - confirmation of payment of the fiscal stamp - copy of the identification documents of the owner 	<p>1-5 days (simultaneous with procedure 1 and 3)</p>	<p>RON 4 (fiscal stamp)</p>

No.	Procedure	Time to complete	Cost to complete
3	<p>* Obtain the fiscal certificate from the direction for public taxes of the Municipality</p> <p>The Seller obtains a clearance certificate from the direction for public taxes of the Municipality from the district where the real estate is located attesting that the property is not owned by someone else and that there are no unpaid taxes.</p> <p>This fiscal certificate is required for completion of a transfer of ownership. The fiscal certificate is valid for up to 30 days for legal entities. According to the provisions of art. 113 of the Romanian Fiscal Procedure Code, the validity of a fiscal certificate lasts until the end of the month within which the certificate is issued.</p> <p>The documentation shall include:</p> <ul style="list-style-type: none"> - application from the owner - copy of the last receipt with which it is demonstrated that there are no unpaid taxes - copy of the identification documents of the owner - last accounting records of the company - power of attorney for the company's representative - confirmation of payment of fiscal stamp 	1-5 days (simultaneous with procedure 1 and 2)	RON 4 (fiscal stamp)
4	<p>Obtain the Land Registry extract (authentication excerpt) from the Land Registry office</p> <p>For the notarisation of the the transfer deed having as object the real estate, the notary public needs an authentication excerpt of the land books where the real estate is registered. In order to obtain this excerpt from the Land Registry Office, the notary public must submit to the relevant land registry office the application form signed and stamped by it and the owner of the property, together with the proof regarding the payment of the issuance fee. The authentication excerpt may only be obtained by a notary public. The validity of the authentication excerpt is of 10 business days, starting with the day when the request application for the excerpt was registered. During the 10 business days validity period of the authentication excerpt, the registering clerk is not entitled to register other operation in the relevant land book, except for the one for which the excerpt was required; the land book is blocked during the aforementioned period, in order to ensure the security of the real estate transactions. However, if during the validity term, the notarial deed for which the excerpt was requested is submitted to the Cadastre and Real Estate Publicity Office for registration or if the notary public made an express request in this sense, the validity of the excerpt expires.</p>	Regular procedure - 2 business days (2-3 calendar days) Expedited procedure - 1 business day (1-2 calendar days)	Authentication excerpt - 40 RON in regular procedure, 200 RON in expedited procedure; Information excerpt - 20 RON in regular procedure, 100 RON in expedited procedure

No.	Procedure	Time to complete	Cost to complete
	<p>The authentication excerpt can be obtained in 2 days (regular Procedure, cost RON 40) or in 1 day (expedited Procedure, cost RON 200). The information excerpt can be obtained in 3 days (regular Procedure, cost RON 20) or in 1 day (expedited Procedure, cost RON 100).</p> <p>The documentation shall include:</p> <ul style="list-style-type: none"> - application for the Land Registry extract - copy of the identity documents - copy of the registration decision - copy of the fiscal certificate (obtained in Procedure 2) - proof of total payment 		
5	<p>Notary authenticates the transfer deed</p> <p>The notary verifies the non-encumbrance and fiscal certificates and authenticates the sale purchase agreement. Without these certificates, the notary may not authenticate the agreement. The notary's fees and authentication taxes could be paid either directly to the notary or through special bank accounts organized for such purposes. If the notary operates for a different area than the one in where the real estate is located, then the interested party should provide the standards of the minimum taxation values applying in the area where the real estate is located. Though not mandatory, a lawyer may conduct due diligence before this procedure, by studying the previous successive transfers of the respective property and identification of the parties. After the due diligence the parties finalize the sales agreement. A lawyer may charge about RON 3,200 and take a couple of days for the due diligence</p> <p>The documentation shall include:</p> <ul style="list-style-type: none"> - property title in original, which will state the way in which the property was obtained - fiscal certificate (obtained in Procedure 2) - cadastre information drafted by an authorized expert, which will include the identification elements of the real estate: the plan of the real estate, its description, the area plans (obtained in Procedure 1) - non-encumbrance certificate (obtained in Procedure 3) - sale purchase agreement <p>Value of the transaction (in RON) | Amount of the fees (in RON) |</p> <p>Below RON 13,696 | 2.5% but no less than RON 150 |</p> <p>From RON 13,696 to RON 27,499 | 2% but no less than RON 342 |</p>	1-2 days	<p>RON 5,080 + 0.44% of the transaction value exceeding RON 600,001. [The notary fees are calculated in connection to the transaction fee (without VAT), as follows:</p> <ul style="list-style-type: none"> (i) If the transaction value without VAT is lower than RON 15,000, the notary fee is 2.2% of the transaction value, but not less than RON 150; (ii) If the transaction value without VAT is between RON 15,001 and RON 30,000, the notary fee is RON 330 + 1.6% of the transaction value exceeding RON 15,001; (iii) If the transaction value

No.	Procedure	Time to complete	Cost to complete
	<p>From RON 27,499 to RON 54,891 | 1.5% but no less than RON 618 |</p> <p>From RON 54,891 to RON 274,562 | 1% but no less than RON 1,029 |</p> <p>From RON 274,562 to RON 549,231 | 0.75% but no less than RON 3,266 |</p> <p>Above RON 549,231 | 0.5% but no less than RON 5,286 |</p> <p>A discount up to 15% might be given by the Notary if the sale and purchase agreement is drafted by a lawyer.</p> <p>Starting with 1st of January 2007 only the notary fee is due. The authentication tax was revoked and replaced with the income tax obtained following the transfer of the real estate properties from the personal patrimony of the Seller as individual.</p> <p>For legal entities a 16 % income tax is to be applied to the profit resulted in the company's balance sheet, including this transaction.</p>		<p>without VAT is between RON 30,001 and RON 60,000, the notary fee is RON 580 + 1.3% of the transaction value exceeding RON 30,001;</p> <p>(iv) If the transaction value without VAT is between RON 60,001 and RON 300,000, the notary fee is RON 970 + 0.9% of the transaction value exceeding RON 60,001;</p> <p>(v) If the transaction value without VAT is between RON 300,001 and RON 600,000, the notary fee is RON 3,130 + 0.65% of the transaction value exceeding RON 300,001;</p> <p>(vi) If the transaction value without VAT is over RON 600,001, the notary fee is RON 5,080 + 0.44% of the transaction value exceeding RON 600,001.</p>

No.	Procedure	Time to complete	Cost to complete
6	<p>Register the title at the Land Registry Office</p> <p>The same public notary applies for registration of the property title at the Land Book Office, by sending the application and the original notary deed, directly or by fax, to the district Land Book Office where the real estate is placed. Therefore, the registration is performed ex officio by the notary, based on the authenticated sale purchase act.</p> <p>An expedited option is available given that an extra fee of 4 times the normal fee will be added. The extra fee can not be more than RON 5,000. Registration fees are 0.5% of property value with a minimum of RON 60 according to Order no 39/06.04.2009, for a procedure that takes 9 days. An expedited procedure is available (3 days) for an additional fee of 2% of property value. According to the article 6 of Order no 39/2009, this additional fee cannot exceed RON 5000. Only when the real estate is registered in the Land Book for the first time a tax of RON 120 should be paid for this registration.</p> <p>In case the owner registers his/her property for the first time (i.e. following the reconstitution of the ownership for which the cadastre is made for the first time) the terms for registration are 21 days (regular procedure) or 7 days (expedited procedure).</p> <p>The documentation shall include: Sale-purchase contract (notarized in Procedure 4) Fiscal certificate (obtained in Procedure 2) Cadastre certificate (obtained in Procedure 1) ID of the buyer A registration application The property title, all the originals, plus a legalized copy from a public notary Proof of total payment.</p>	<p>Regular procedure - 9 business days (9-11 calendar days)</p> <p>Expedited procedure - 3 business days (3-4 calendar days)</p>	<p>0.5% of the property value without VAT (regular Procedure);</p> <p>2% of the property value without VAT (expedited Procedure).</p> <p>Minimum cost RON 60. The extra fee paid for the expedited Procedure cannot exceed RON 5,000.</p>
7	<p>File the fiscal declaration confirming acquisition of a property</p> <p>The fiscal declaration of acquisition of the property should be filled- in by the buyer at the Local Tax Department within a 30 days term since the notarization of the transfer deed. The documentation shall include:</p> <ul style="list-style-type: none"> - tax statement for the respective real estate, - the property title, in original and a copy, - accounting documents (invoice, analytical balance, balance sheet, etc.), - cadastral documents, - copy of the registration certificate of the company. 	<p>1 day</p>	<p>Up to RON 10</p>

No.	Procedure	Time to complete	Cost to complete
8	<p>Registration of the work place with the Trade Register Office</p> <p>The buyer should apply for registration with the Trade Register Office of the work place located at the newly acquired property. If the property is a working unit of the company, it has to be registered, as it is mentioned in the Commercial Registration Law (Law Number 26 1990). The registration includes, among others, environment, sanitary, fire protection, labor approvals from various relevant authorities, all located in a one-stop shop. The registration is not necessary for the transfer of title, but only for making it opposable to third parties and for registration as a place of business. The concrete use of the property as a work place is not required but the evidences necessary for using it as such are needed for obtaining the authorizations within the corporate registration process. Stamp tax and registration fees are lump-sum taxes and do not depend on the property value.</p> <p>The Trade Register tax and fees could be paid either directly to the Trade Register or through special bank accounts organized for such purposes.</p> <p>In summary, the total amount to be paid for the registration of a working place is made up of several taxes. When the application is filed only for the establishment of the working place, the taxes are:</p> <ol style="list-style-type: none"> 1. Ascertaining certificate – 45 RON 2. Registration of secondary business place – 45 RON 3. Registration of the standard-form (regarding the fulfillment of the conditions to perform activities) – 45 RON 4. Liquidation fund (50% of points 1-3) – 67.5 RON 5. Bulletin fund (10% of points 1-3) – 13.5 RON 6. Judicial stamp duty – 39 RON 7. Commission for the judge's mention – 60 RON 8. Transmission of documents to be published in the Official Gazette – 20 RON 9. Official Gazette commission (depends on the number of documents, for this example we have counted 5) – 50 RON 10. Publication in the Official Gazette (depends on the number of rows in the document; only the resolution deciding the establishment of the working place is published) – 140 RON <p>TOTAL – 350-420 RON.</p>	5 days	RON 350 - RON 420

* 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.

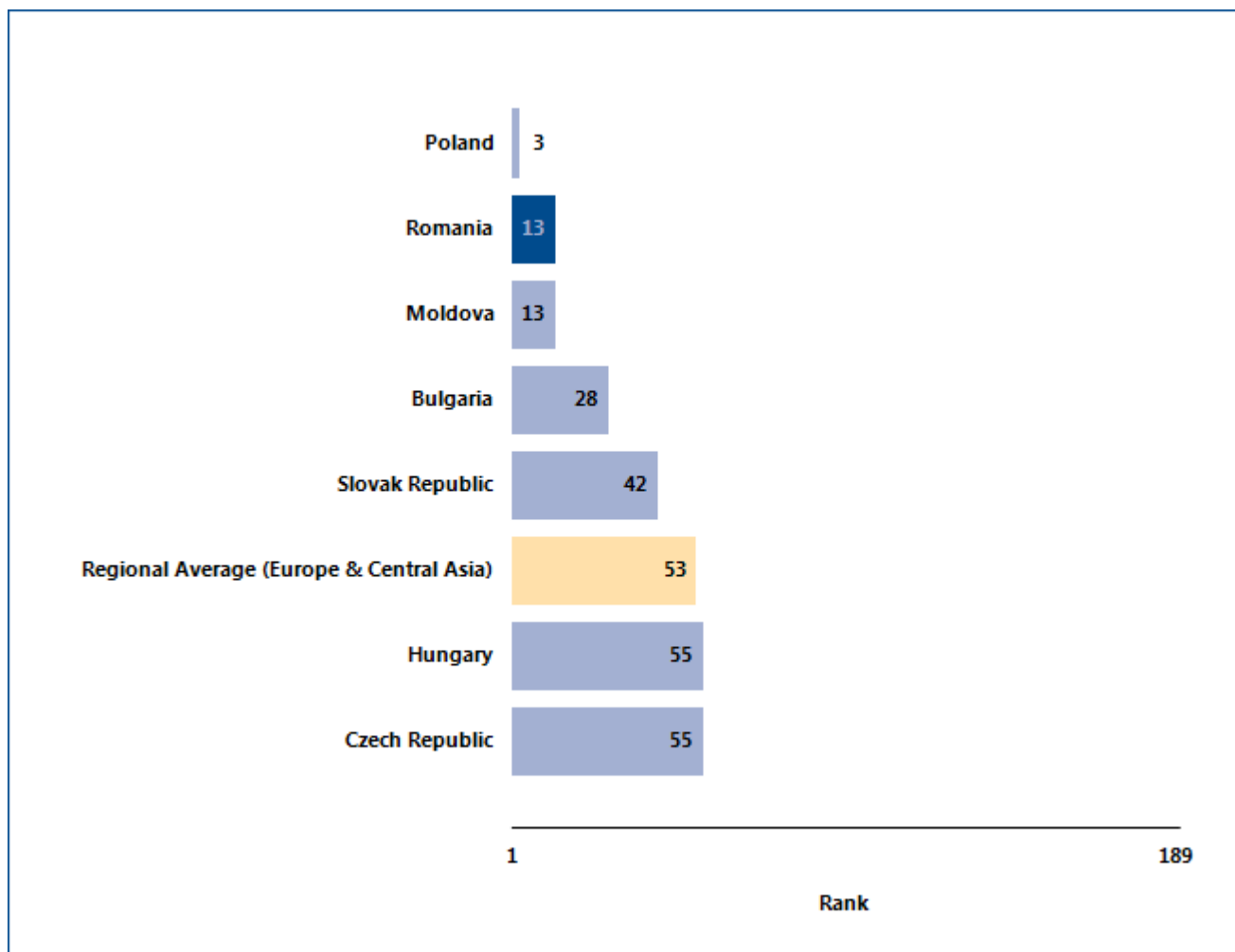
GETTING CREDIT

Where does the economy stand today?

How well do the credit information system and collateral and bankruptcy laws in Romania facilitate access to credit? The economy has a score of 5 on the depth of credit information index and a score of 9 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, Romania stands at 13 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 Romania support lending and borrowing.

Figure 6.1 How Romania 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 Romania 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 Romania over time
By *Doing Business* report year

Indicator	DB2005	DB2006	DB2007	DB2008	DB2009	DB2010	DB2011	DB2012	DB2013	DB2014
Rank	..	..	..	..	..	..	..	..	11	13
Strength of legal rights index (0-10)	8	8	8	9	9	9	9	9	9	9
Depth of credit information index (0-6)	4	5	5	5	5	5	5	5	5	5
Public registry coverage (% of adults)	0.4	1.4	2.6	4.1	4.5	5.7	13.0	15.2	14.0	11.8
Private bureau coverage (% of adults)	0.0	1.0	5.5	10.9	24.7	30.2	33.3	42.0	44.9	46.9

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.

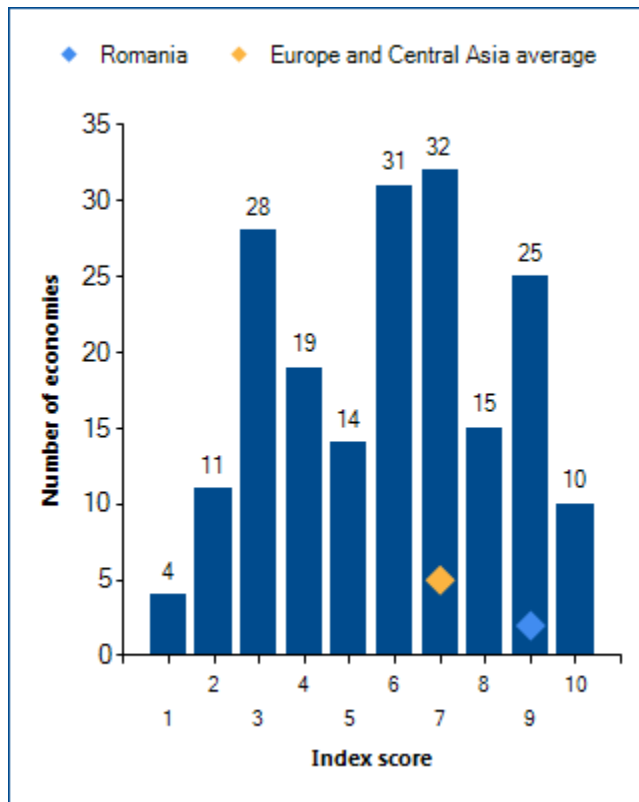
GETTING CREDIT

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 Romania 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

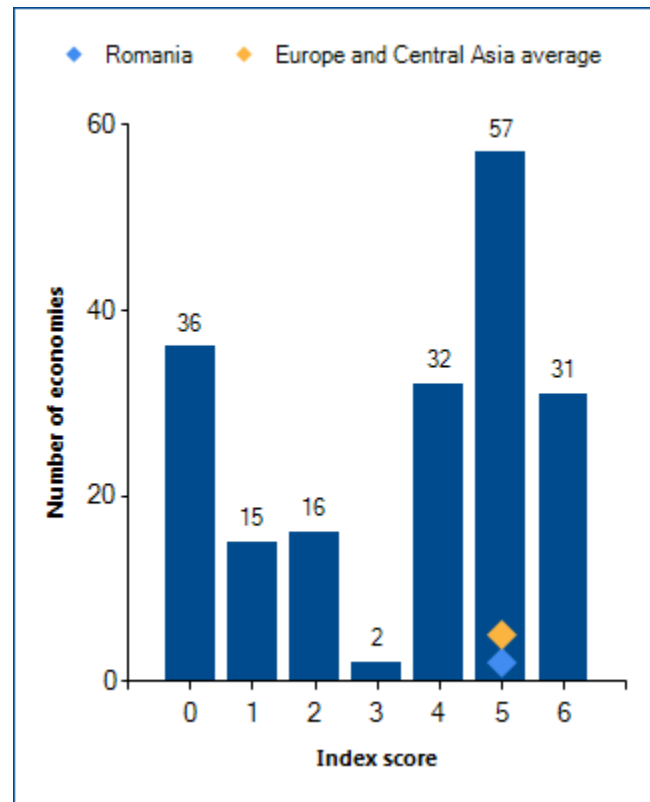


Note: Higher scores indicate that collateral and bankruptcy laws are better designed to facilitate access to credit.

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 Romania (table 6.2)?

Table 6.2 How has Romania made getting credit 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	Romania strengthened its legal framework for secured transactions by allowing the automatic extension of security interests to the products, proceeds and replacement of collateral.
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.

GETTING CREDIT

What are the details?

The getting credit indicators reported here for Romania 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 Romania

Indicator	Romania	Europe & Central Asia average	OECD high income average
Strength of legal rights index (0-10)	9	7	7
Depth of credit information index (0-6)	5	5	5
Public registry coverage (% of adults)	11.8	33.9	42.9
Private bureau coverage (% of adults)	46.9	48.2	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.

Strength of legal rights index (0-10)	Index score: 9
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

Strength of legal rights index (0–10)	Index score: 9
Are secured creditors paid first (i.e. before tax claims and employee claims) when a debtor defaults outside an insolvency procedure?	Yes
Are secured creditors paid first (i.e. before tax claims and employee claims) when a business is liquidated?	Yes
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?	Yes
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?	No

Depth of credit information index (0–6)	Credit bureau	Credit registry	Index score: 5
Are data on both firms and individuals distributed?	No	Yes	1
Are both positive and negative data distributed?	Yes	Yes	1
Does the registry distribute credit information from retailers, trade creditors or utility companies as well as financial institutions?	No	No	0
Are more than 2 years of historical credit information distributed?	Yes	Yes	1
Is data on all loans below 1% of income per capita distributed?	Yes	No	1
Is it guaranteed by law that borrowers can inspect their data in the largest credit registry?	Yes	Yes	1

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

Coverage	Credit bureau (% of adults)	Credit registry (% of adults)
Number of firms	0	237,801
Number of individuals	7,000,000	1,522,072

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

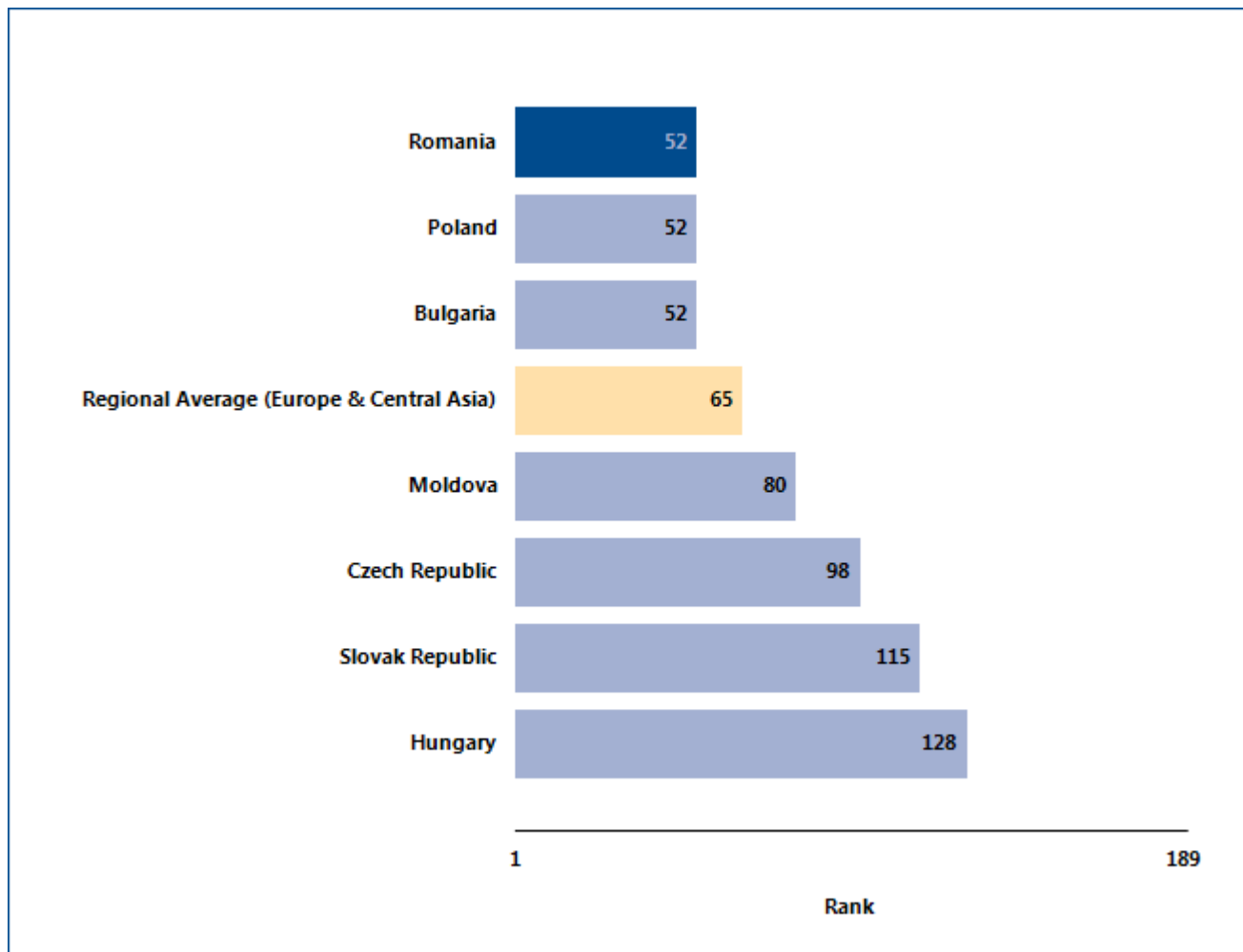
Where does the economy stand today?

How strong are investor protections against self-dealing in Romania? The economy has a score of 6.0 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, Romania stands at 52 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 Romania 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 Romania 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 Romania over time
By *Doing Business* report year

Indicator	DB2006	DB2007	DB2008	DB2009	DB2010	DB2011	DB2012	DB2013	DB2014
Rank	..	..	..	..	..	..	..	51	52
Extent of disclosure index (0-10)	8	9	9	9	9	9	9	9	9
Extent of director liability index (0-10)	5	5	5	5	5	5	5	5	5
Ease of shareholder suits index (0-10)	4	4	4	4	4	4	4	4	4
Strength of investor protection index (0-10)	5.7	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0

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.

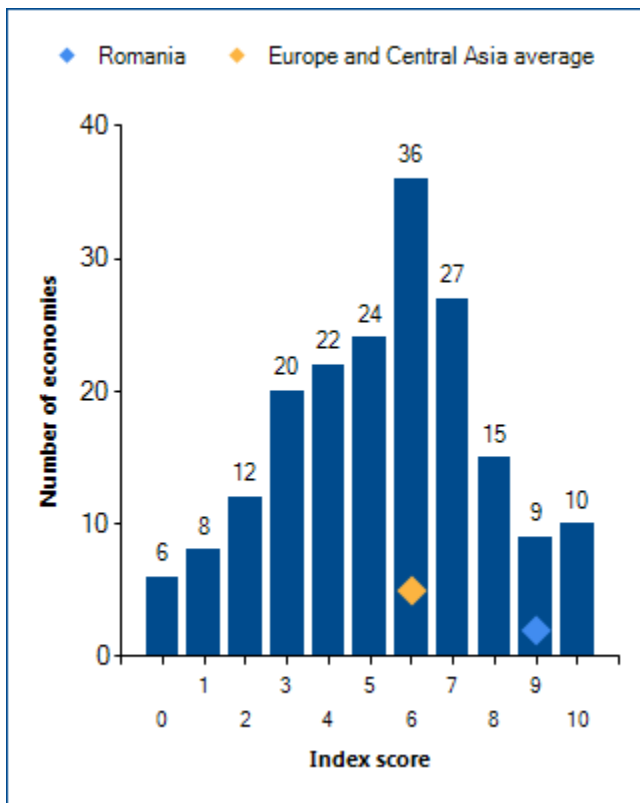
PROTECTING INVESTORS

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 Romania 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?

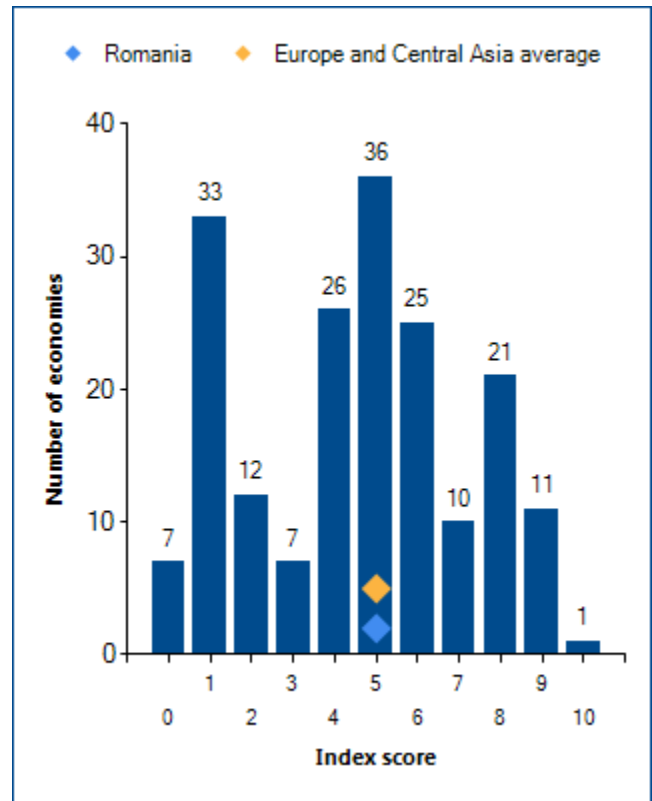
Number of economies with each score on the extent of disclosure index (0–10), 2013



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

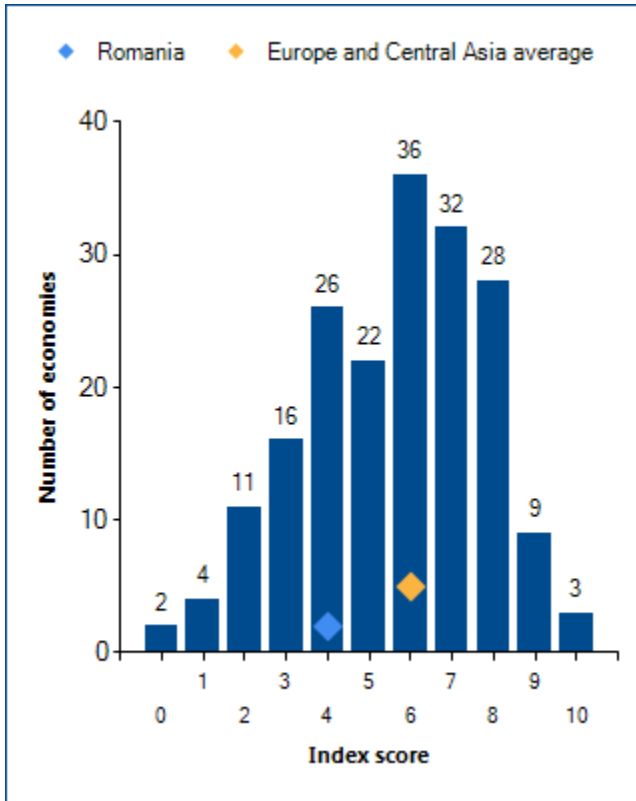


Note: Higher scores indicate greater liability of directors.
Source: Doing Business database.

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.

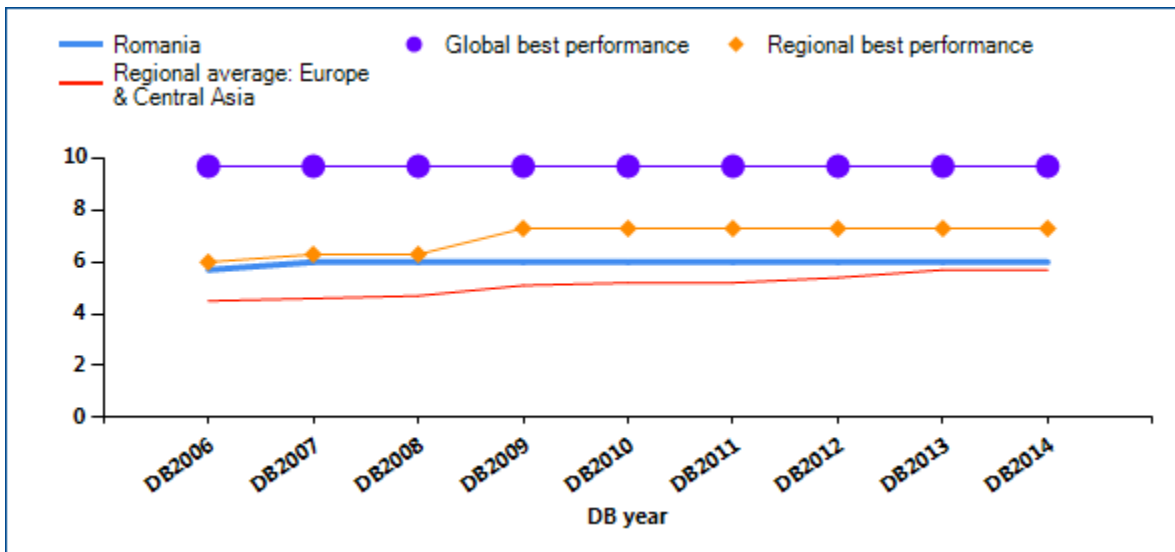
PROTECTING INVESTORS

The scores recorded over time for Romania 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 Romania (table 7.2)?

Table 7.2 How has Romania 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 Romania 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 Romania.

Summary of scoring for the protecting investors indicators in Romania

Indicator	Romania	Europe & Central Asia average	OECD high income average
Extent of disclosure index (0-10)	9	6	7
Extent of director liability index (0-10)	5	5	5
Ease of shareholder suits index (0-10)	4	6	7
Strength of investor protection index (0-10)	6.0	5.7	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
Extent of disclosure index (0-10)	9	
What corporate body provides legally sufficient approval for the transaction?	3	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?	0	No
Extent of director liability index (0-10)	5	
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?	1	Liable for negligence or influencing the approval of the transaction
Whether shareholders can hold members of the approving body liable for the damage that the Buyer-Seller transaction causes to the company?	1	Liable for negligence

	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?	1	Yes
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?	1	Yes
Ease of shareholder suits index (0-10)	4	
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?	0	No
Strength of investor protection index (0-10)	6.0	

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.¹ 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.

¹ 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%.

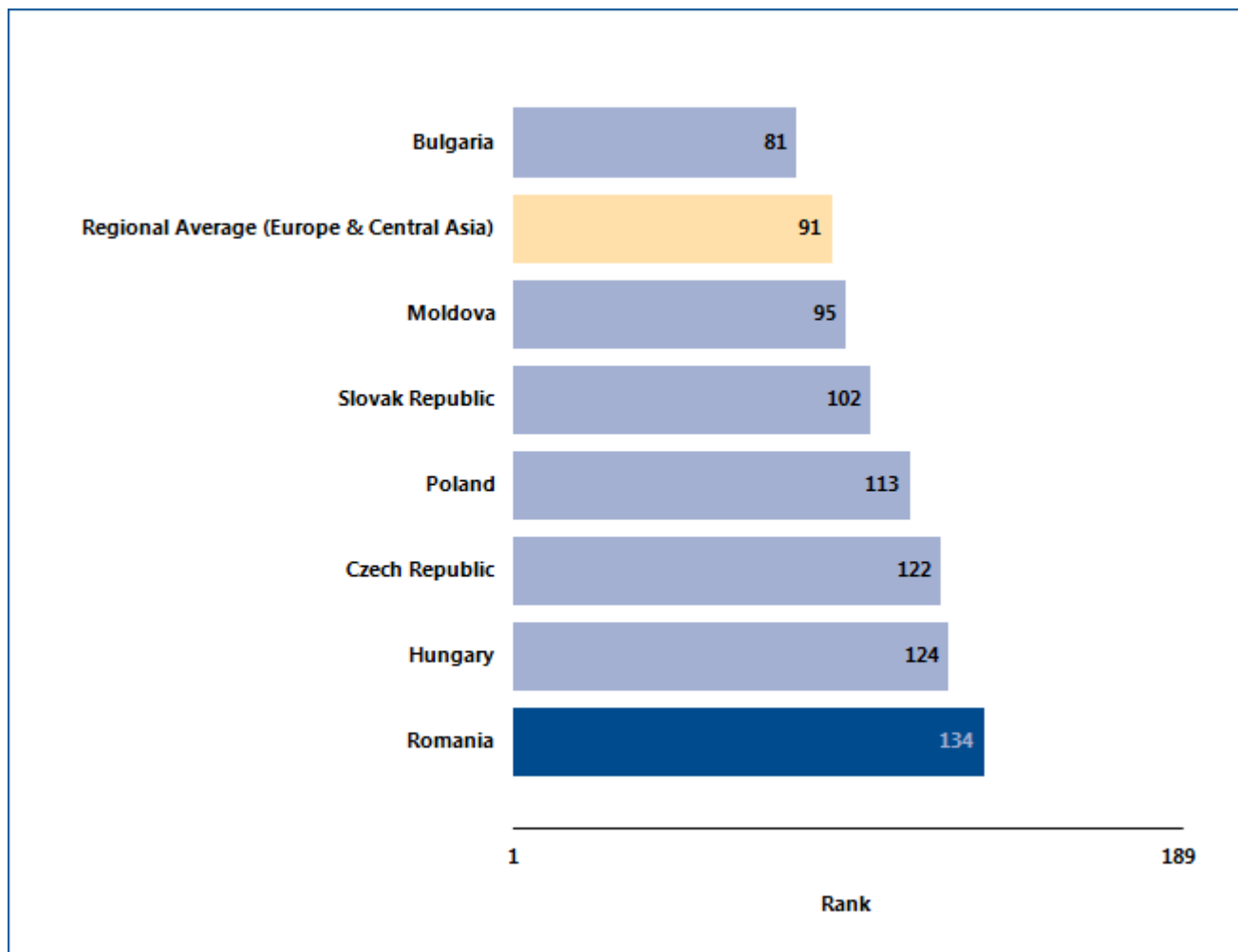
PAYING TAXES

Where does the economy stand today?

What is the administrative burden of complying with taxes in Romania—and how much do firms pay in taxes? On average, firms make 39 tax payments a year, spend 200 hours a year filing, preparing and paying taxes and pay total taxes amounting to 42.9% of profit (see the summary at the end of this chapter for details).

Globally, Romania stands at 134 in the ranking of 189 economies on the ease of paying taxes (figure 8.1). The rankings for comparator economies and the regional average provide other useful information for assessing the tax compliance burden for businesses in Romania.

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



Source: *Doing Business* database.

PAYING TAXES

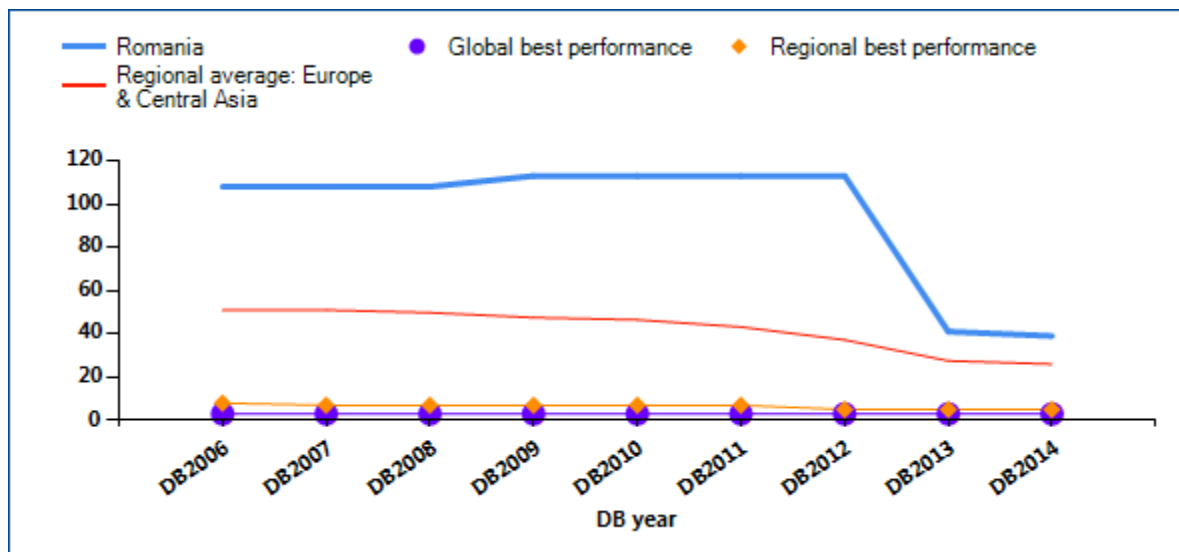
What are the changes over time?

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

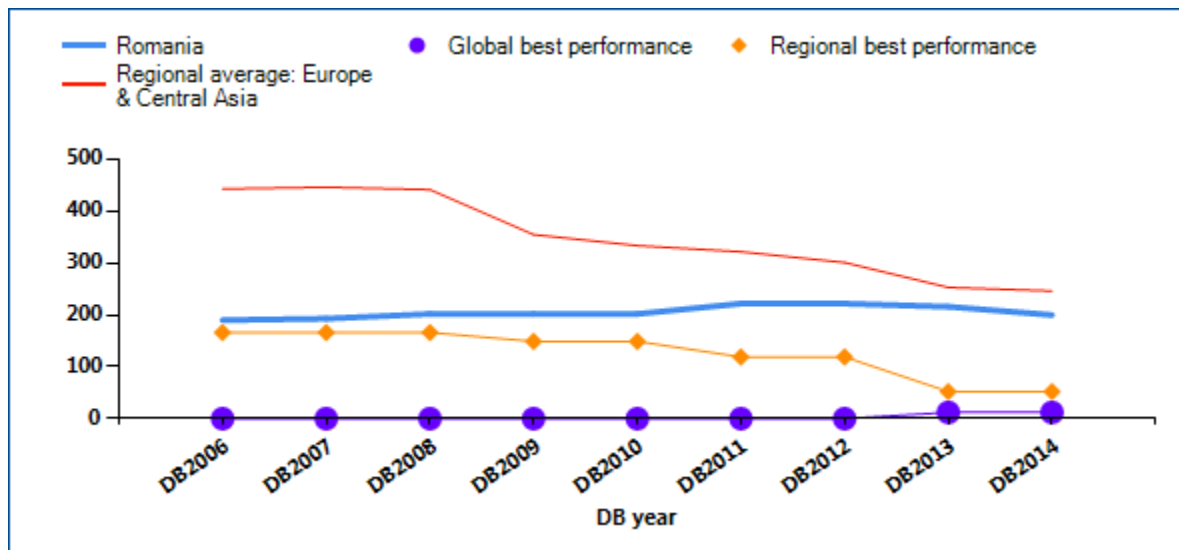
show what is possible in easing the administrative burden of tax compliance. And changes in regional averages can show where Romania is keeping up—and where it is falling behind.

Figure 8.2 Has paying taxes become easier over time?

Payments (number per year)

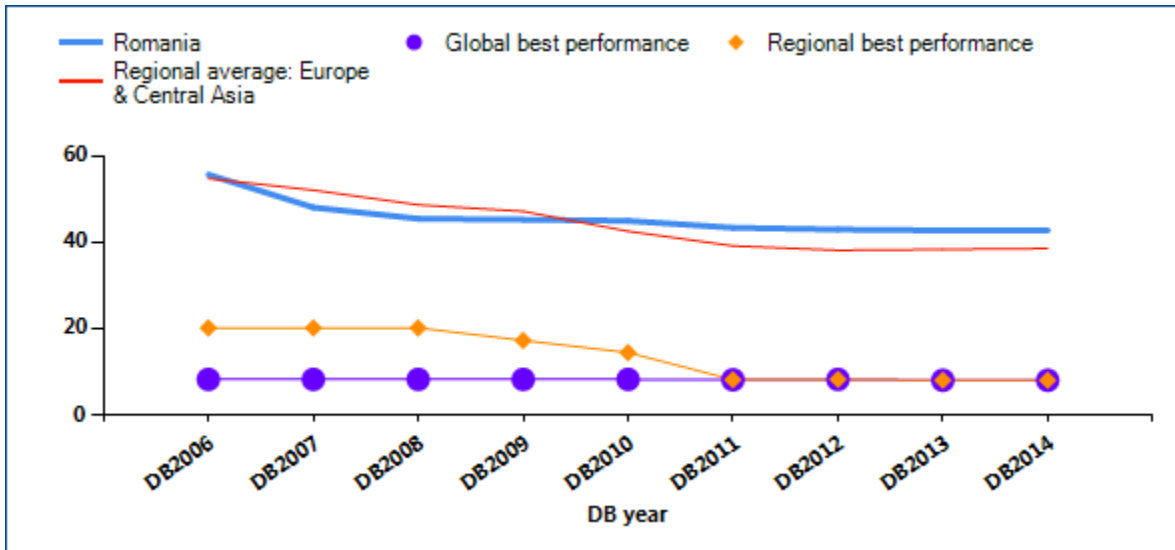


Time (hours per year)



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 Romania (table 8.1)?

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

DB year	Reform
DB2009	No reform as measured by Doing Business.
DB2010	Romania has added to the tax burden on businesses by increasing labor taxes.
DB2011	Romania introduced tax changes, including a new minimum tax on profit, that made paying taxes more costly for companies.
DB2012	Romania made paying taxes easier for companies by introducing an electronic payment system and a unified return for social security contributions. It also abolished the annual minimum tax.
DB2013	No reform as measured by Doing Business.
DB2014	Romania made paying taxes easier and less costly for companies by reducing the payment frequency for the firm tax from quarterly to twice a year and by reducing the vehicle tax rate.

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 Romania 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: Bucharest

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 Romania

Indicator	Romania	Europe & Central Asia average	OECD high income average
Payments (number per year)	39	26	12
Time (hours per year)	200	246	175
Profit tax (%)	10.3	9.0	16.1
Labor tax and contributions (%)	31.5	22.6	23.1
Other taxes (%)	1.1	7.0	2.0
Total tax rate (% profit)	42.9	38.7	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
Social security contributions	12		102	20.8%	gross salaries	23.5	
Corporate income tax	4		40	16%	taxable profit	10.3	
Health insurance contributions	0	paid jointly	0	5.2%	gross salaries	5.9	

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
Medical leave	0	paid jointly	0	0.85%	gross salaries	1	
Building tax	2		0	1%	building value	1	
Unemployment contribution	0	paid jointly	0	0.5%	gross salaries	0.6	
Accident risk fund	0	paid jointly	0	0.15-0.85%	gross salaries	0.4	
Guarantee fund	0	paid jointly	0	0.25%	gross salaries	0.3	
Vehicle tax	2		0	varies	fixed fee depending on type of vehicle	0.1	
Firm tax	2		0	A fixed amount per square meter of lighting panel	The surface of the lighting panel	0	
Urbanism tax	1		0		surface	0	
Land tax	2		0	various rates	land area	0	
Value added tax (VAT)	12		58	24%	value added	0	not included
Environmental taxes	1		0	RON 2 per kilo of packaging	weight of packaging	0	small amount
Fuel tax	1		0		included in fuel price	0	small amount
Stamp duty on contracts	0		0	various rates	type of contract	0	small amount
Totals	39		200			42.9	

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.

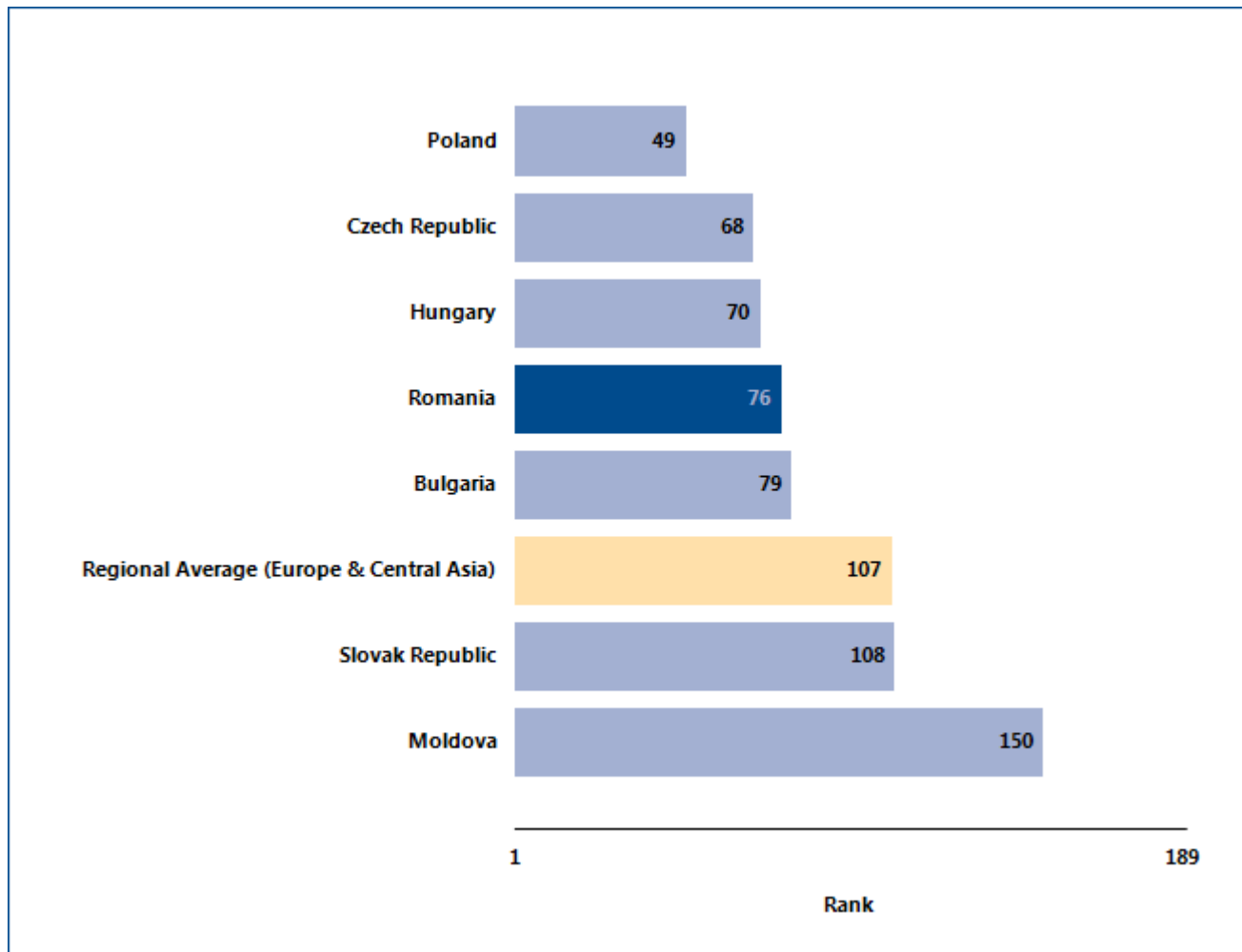
TRADING ACROSS BORDERS

Where does the economy stand today?

What does it take to export or import in Romania? According to data collected by *Doing Business*, exporting a standard container of goods requires 5 documents, takes 13 days and costs \$1485. Importing the same container of goods requires 6 documents, takes 13 days and costs \$1495 (see the summary of procedures and documents at the end of this chapter for details).

Globally, Romania stands at 76 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 Romania to export and import goods.

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



Source: *Doing Business* database.

TRADING ACROSS BORDERS

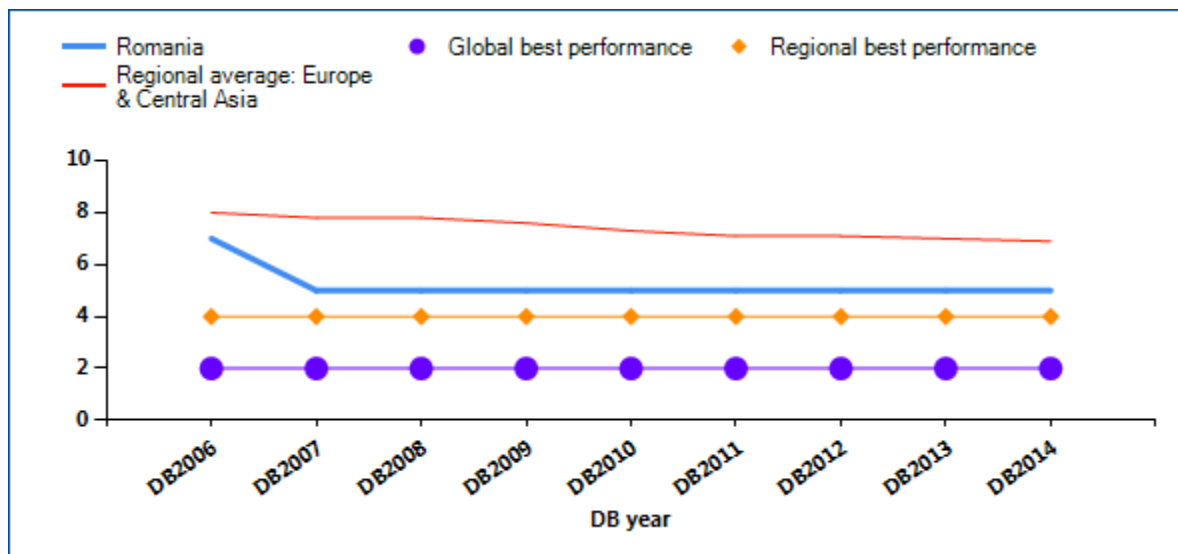
What are the changes over time?

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

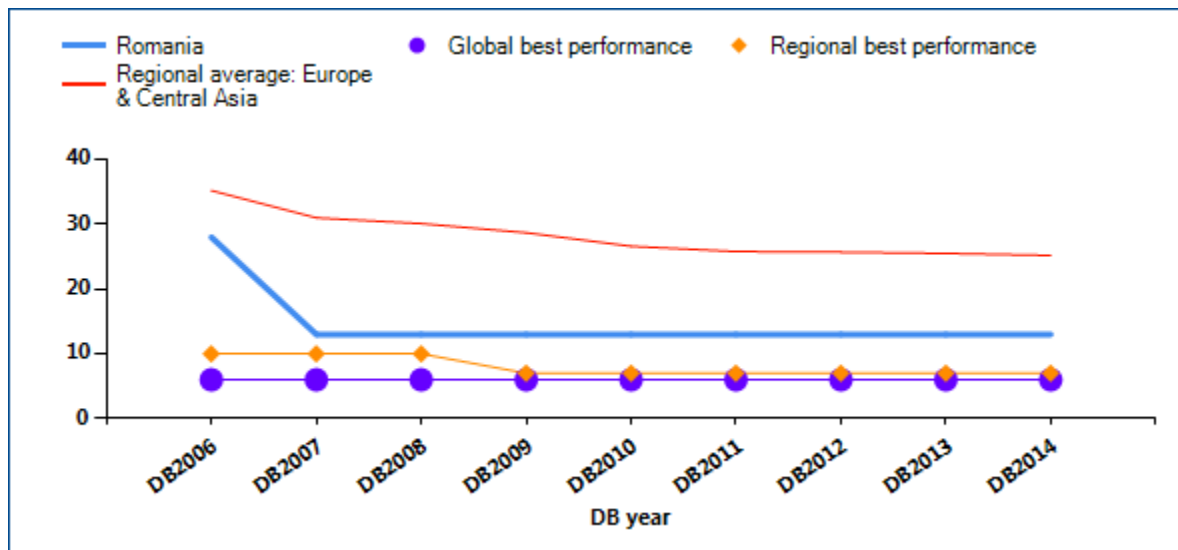
possible in making it easier to trade across borders. And changes in regional averages can show where Romania is keeping up—and where it is falling behind.

Figure 9.2 Has trading across borders become easier over time?

Documents to export (number)

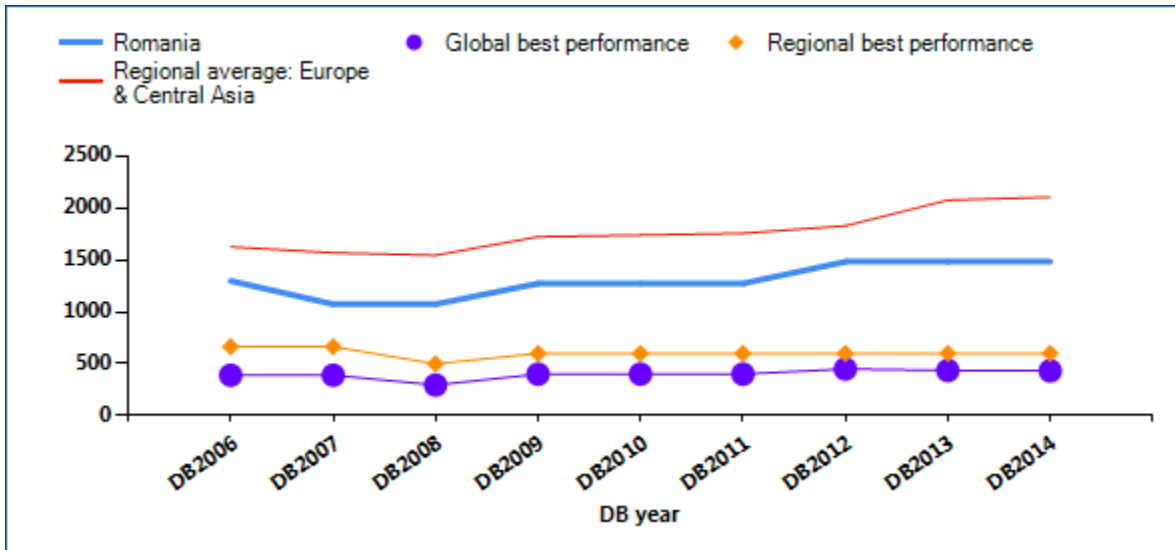


Time to export (days)

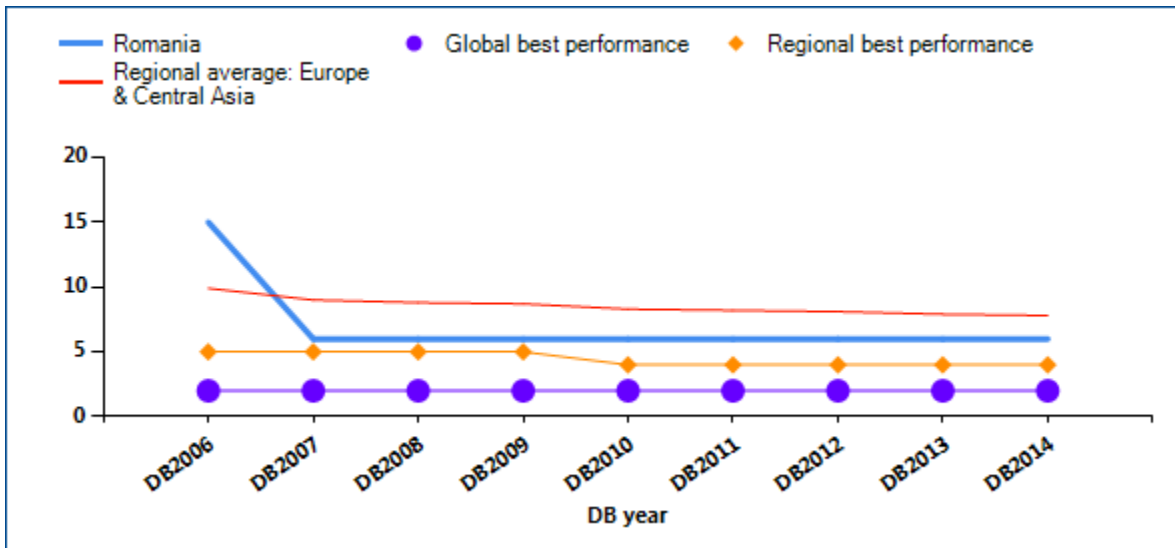


TRADING ACROSS BORDERS

Cost to export (US\$ per container)

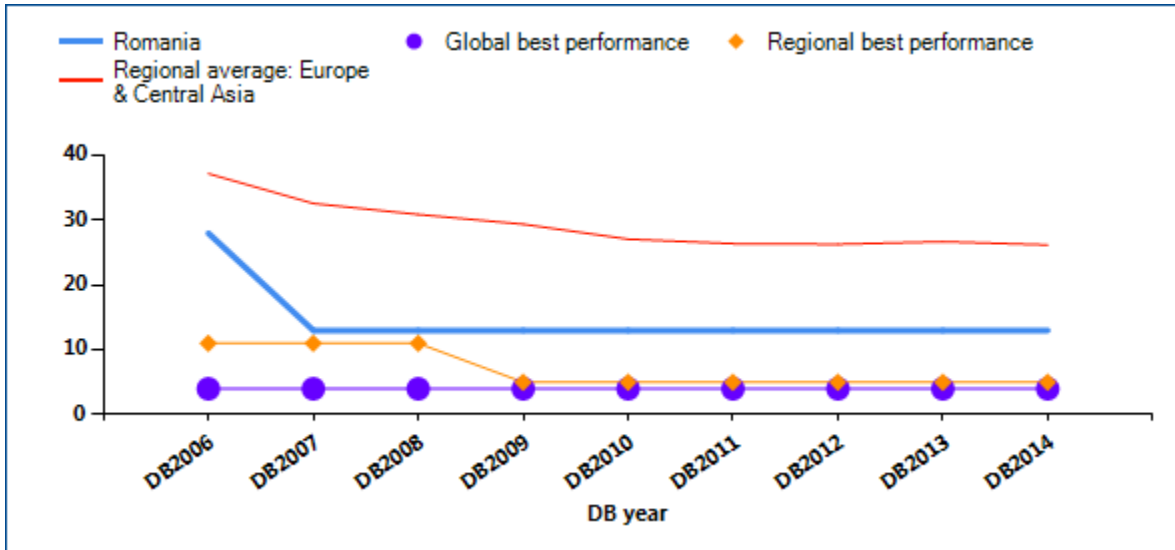


Documents to import (number)

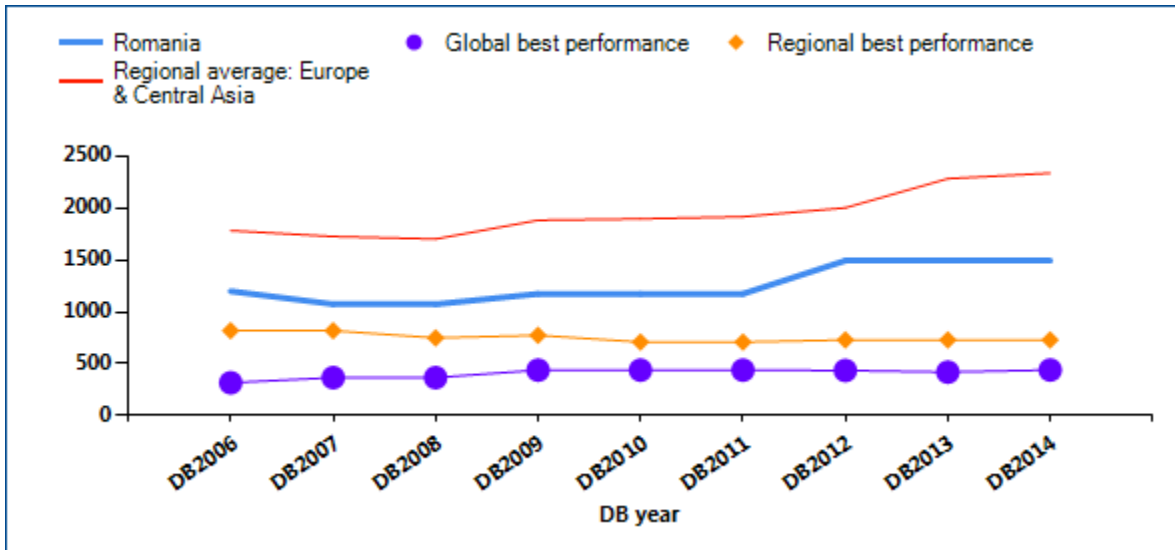


TRADING ACROSS BORDERS

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 Romania (table 9.1)?

Table 9.1 How has Romania made trading across borders 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 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 Romania 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: Bucharest

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 Romania

Indicator	Romania	Europe & Central Asia average	OECD high income average
Documents to export (number)	5	7	4
Time to export (days)	13	25	11
Cost to export (US\$ per container)	1,485	2,109	1,070
Documents to import (number)	6	8	4
Time to import (days)	13	26	10
Cost to import (US\$ per container)	1,495	2,339	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	7	410
Customs clearance and technical control	1	75
Ports and terminal handling	3	300
Inland transportation and handling	2	700
Totals	13	1,485

Procedures to import	Time (days)	Cost (US\$)
Documents preparation	8	420

Procedures to import	Time (days)	Cost (US\$)
Customs clearance and technical control	1	75
Ports and terminal handling	2	300
Inland transportation and handling	2	700
Totals	13	1,495

Documents to export
Bill of lading
Commercial invoice
Convention des Marchandises Routiers - CMR (Transport document)
Customs export declaration
Packing list

Source: Doing Business database.

Documents to import
Bill of lading
Certificate of origin
Commercial invoice
Convention des Marchandises Routiers -- CMR (Transport document)
Customs import declaration
Packing list

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

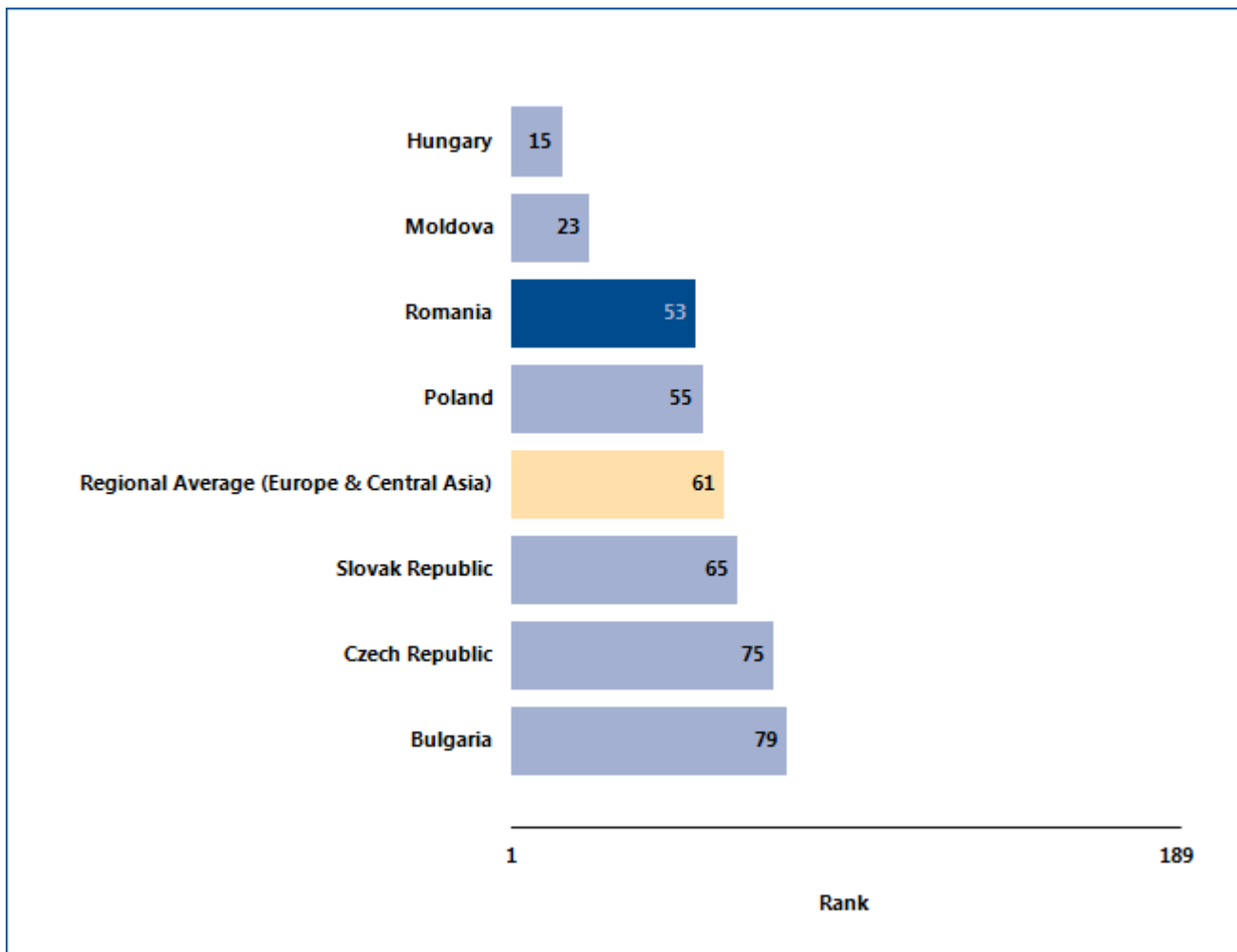
ENFORCING CONTRACTS

Where does the economy stand today?

How efficient is the process of resolving a commercial dispute through the courts in Romania? According to data collected by *Doing Business*, contract enforcement takes 512 days, costs 28.9% of the value of the claim and requires 32 procedures (see the summary at the end of this chapter for details).

Globally, Romania stands at 53 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 Romania.

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



Source: *Doing Business* database.

ENFORCING CONTRACTS

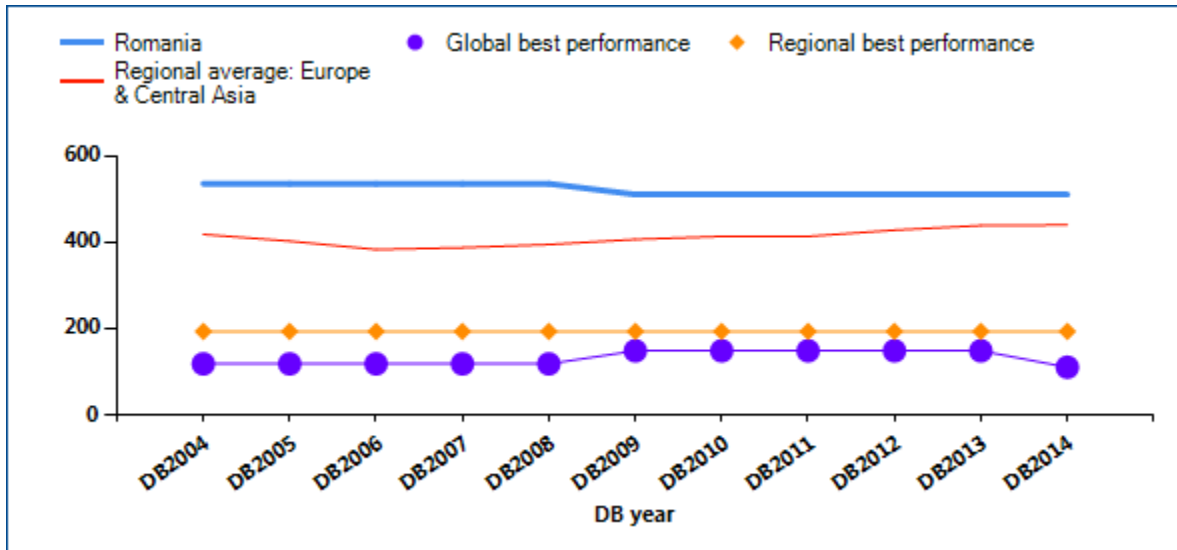
What are the changes over time?

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)

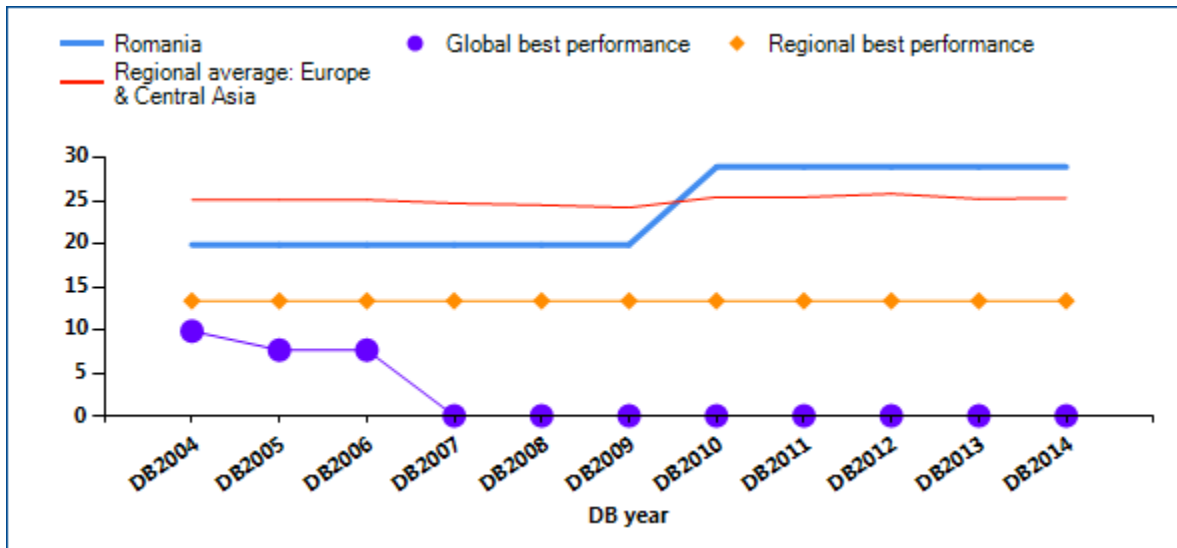
help show what is possible in improving the efficiency of contract enforcement. And changes in regional averages can show where Romania is keeping up—and where it is falling behind.

Figure 10.2 Has enforcing contracts become easier over time?

Time (days)

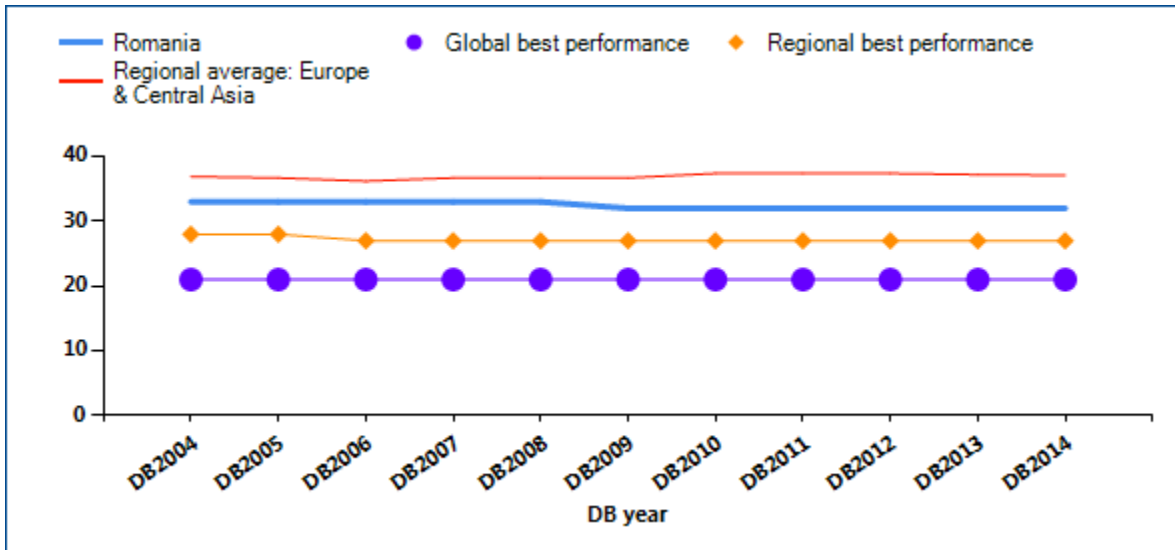


Cost (% of claim)



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 Romania (table 10.1)?

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

By *Doing Business* report year

DB year	Reform
DB2009	Romania simplified the enforcement of judgments by abolishing the need of an enforcement order. It also made the attachment of credit balances and accounts receivable available, diminishing enforcement time by one month.
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	Romania made enforcing contracts easier by adopting a new civil procedure code that streamlines and speeds up all court proceedings.

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 Romania 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: Bucharest

Claim Value LCU: 51178

Court Name: Bucharest Court of First Instance

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 Romania—and the time and cost

Indicator	Romania	Europe & Central Asia average	OECD high income average
Time (days)	512	441	529
Filing and service	52		
Trial and judgment	365		
Enforcement of judgment	95		
Cost (% of claim)	28.9	25.3	21.0
Attorney cost (% of claim)	7.7		
Court cost (% of claim)	11.2		
Enforcement Cost (% of claim)	10.0		
Procedures (number)	32	37	31
Number of procedures (without bonus points)	33		
Specialized commercial courts	-1		
Total number of procedures (including bonus points)	32		

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

ENFORCING CONTRACTS

No.	Procedure
	Filing and service:
1	Plaintiff requests payment: Plaintiff or his lawyer asks Defendant orally or in writing to comply with the contract.
2	Mandatory conciliation or mediation: Plaintiff invites Defendant to settle the dispute. Because conciliation or mediation fails, Plaintiff is required to submit a written document to the judge proving that conciliation or mediation- prior to initiating the lawsuit- has failed.
3	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.
4	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.
5	Court scrutiny of summons and complaint: A judge examines Plaintiff's summons and complaint for formal requirements.
6	Delivery of summons and complaint to person authorized to perform service of process on Defendant: The judge or a court officer delivers the summons to a summoning office, officer, or authorized person (including Plaintiff), for service of process on Defendant.
*	Mailing of summons and complaint: Court or process server, including (private) bailiff, mails summons and complaint to Defendant.
7	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
8	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)
9	Report on pre-judgment attachment: Court enforcement officer or (private) bailiff issues and delivers a report on the attachment of Defendant's property to the judge. (see assumption 5)
	Trial and judgment:

No.	Procedure
*	Defendant's filing of preliminary exemptions: Defendant presents preliminary exemptions to the court. Preliminary exemptions differ from answers on the merits of the claim. Examples of preliminary exemptions are statute of limitations, jurisdictions, etc.
*	Plaintiff's answer to preliminary exemptions: Plaintiff responds to the preliminary exemptions raised by Defendant.
10	Judge's resolution on preliminary exemptions: Judge decides on preliminary exemptions separately from the merits of the case.
11	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 authori
12	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.
*	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)
*	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.
*	List of (expert) witnesses: The parties file a list of (expert) witnesses with the court. (see assumption 6-a)
13	Summoning of (expert) witnesses: The court summons (expert) witnesses to appear in court for the oral hearing or trial. (see assumption 6-a)
14	Adjournments: Court proceedings are delayed because one or both parties request and obtain an adjournment to prepare for the oral hearing or trial.
15	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.
*	Final arguments: The parties present their final factual and legal arguments to the court either by oral presentation or by a written submission.
16	Judgment date: The judge sets a date for delivery of the judgment.
17	Notification of judgment in court: The parties are notified of the judgment at a court hearing.
18	Writing of judgment: The judge produces a written copy of the judgment.
19	Court notification of availability of the written judgment: The court notifies the parties that the written judgment is available at the courthouse.
20	Plaintiff's receipt of a copy of written judgment: Plaintiff receives a copy of the written judgment.
21	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.

No.	Procedure
22	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.
23	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.
Enforcement of judgment:	
*	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.
24	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.
25	Plaintiff's advancement of enforcement fees: Plaintiff pays the fees related to the enforcement of the judgment.
26	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.
27	Plaintiff's identification of Defendant's assets for attachment: Plaintiff identifies Defendant's assets for attachment.
28	Attachment: Defendant's movable goods are attached (physically or by registering, marking or separating assets).
29	Report on execution of attachment: A court enforcement officer or private process server delivers a report on the attachment of Defendant's movable goods to the judge.
30	Enforcement disputes before court: The enforcement of the judgment is delayed because Defendant opposes aspects of the enforcement process before the judge.
31	Sale through public auction: The Defendant's movable property is sold at public auction.
32	Distribution of proceeds: The proceeds of the public auction are distributed to various creditors (including Plaintiff), according to the rules of priority.
33	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

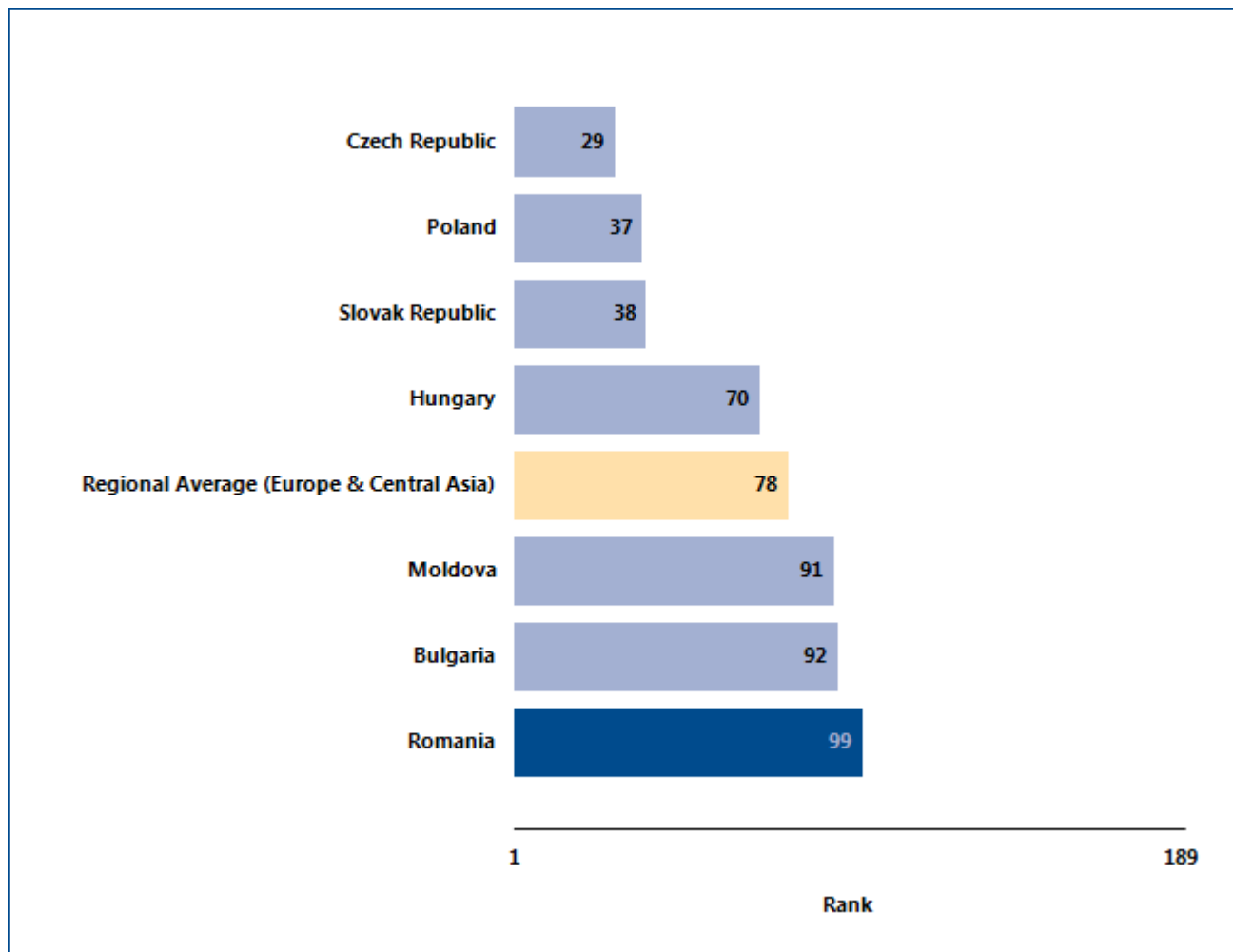
Where does the economy stand today?

Speed, low costs and continuation of viable businesses characterize the top-performing economies. How efficient are insolvency proceedings in Romania? According to data collected by *Doing Business*, resolving insolvency takes 3.3 years on average and costs 11% 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 30.0 cents on the dollar.

Globally, Romania stands at 99 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 Romania.

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



Source: *Doing Business* database.

RESOLVING INSOLVENCY

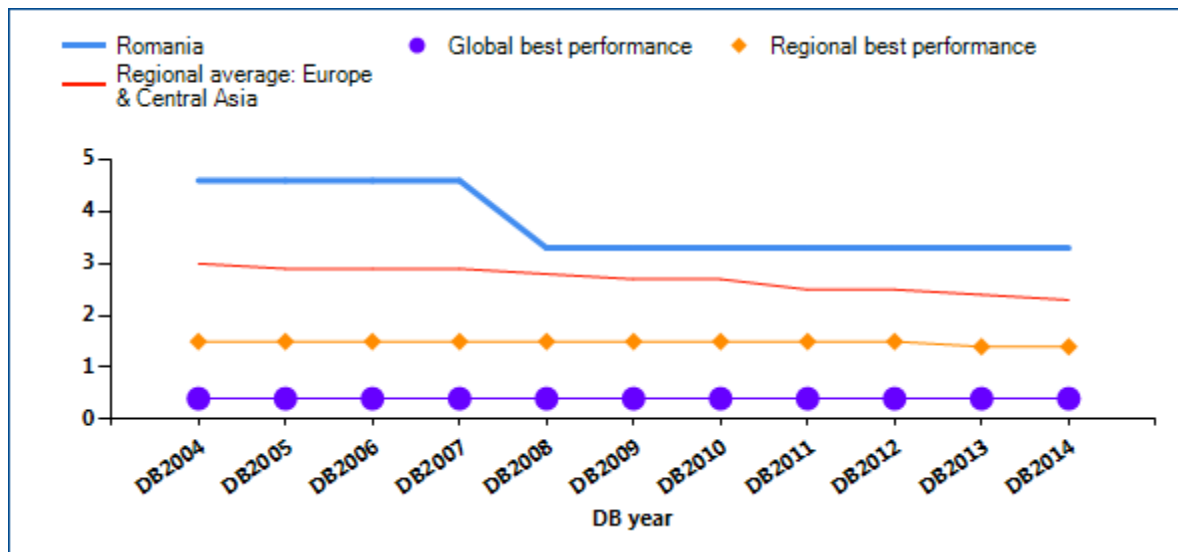
What are the changes over time?

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

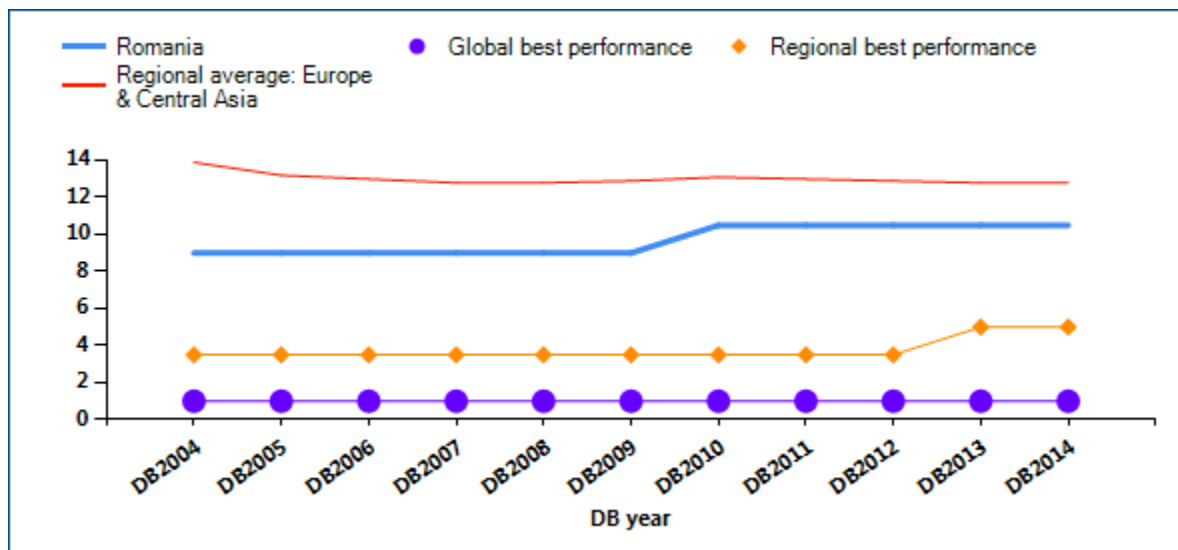
possible in improving the efficiency of insolvency proceedings. And changes in regional averages can show where Romania is keeping up—and where it is falling behind.

Figure 11.2 Has resolving insolvency become easier over time?

Time (years)

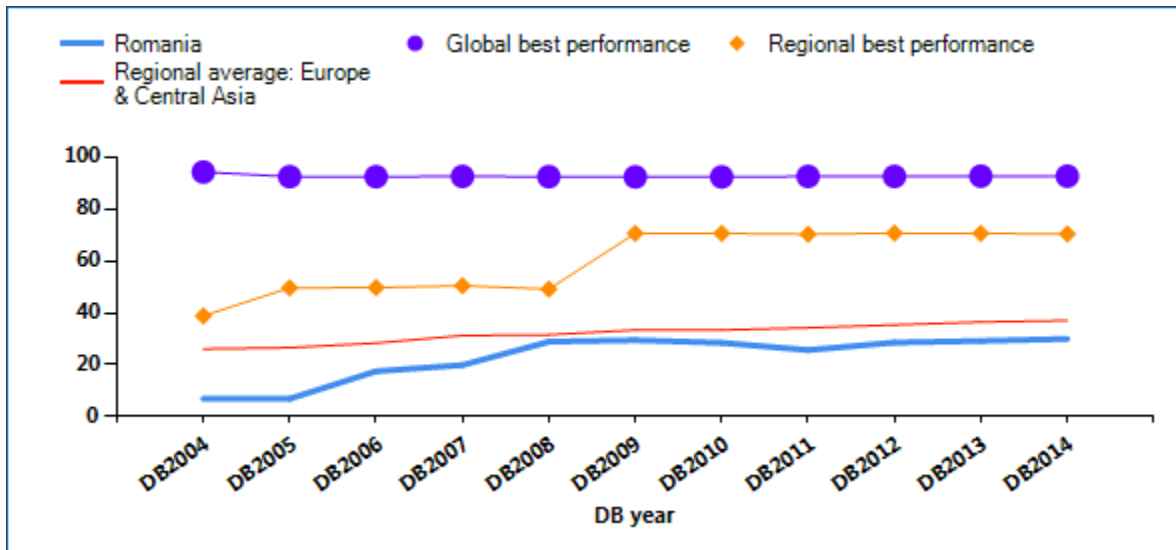


Cost (% of estate)



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 Romania (table 11.1)?

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

By *Doing Business* report year

DB year	Reform
DB2009	No reform as measured by Doing Business.
DB2010	Romania amended its insolvency law with the immediate impact of increasing costs of insolvency procedures by 1.5%, which are to be transferred to a fund that reimburses the expenses of insolvency administrators in cases where the debtor has no assets.
DB2011	Substantial amendments to Romania's bankruptcy laws—introducing, among other things, a procedure for out-of-court workouts—made dealing with insolvency easier.
DB2012	Romania amended its insolvency law to shorten the duration of insolvency proceedings.
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.

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.ⁱ 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

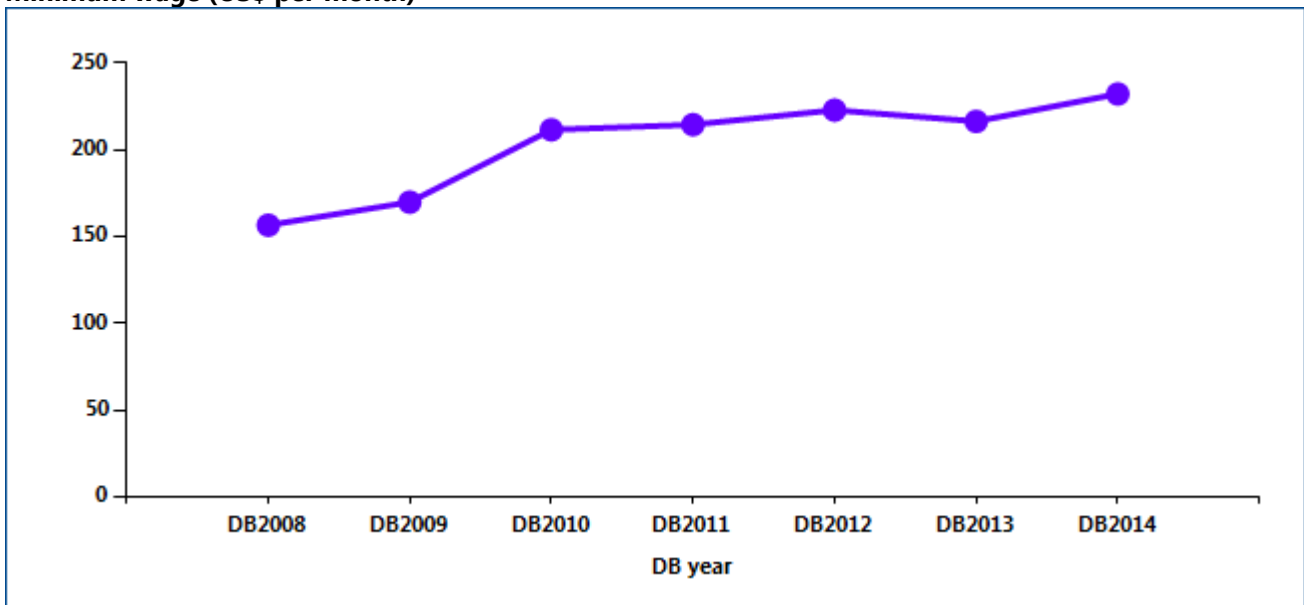
What do some of the data show?

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 Romania (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 Romania adopt that affected the *Doing Business* indicators on employing workers (table 12.1)?

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

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	Romania increased the maximum duration of fixed-term contracts and also decreased the severance pay applicable in case of redundancy dismissal of employees.
DB2013	No reform as measured by Doing Business.
DB2014	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 Romania 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)	36
Maximum length of fixed-term contracts, including renewals (months)	60
Minimum wage for a 19-year old worker or an apprentice (US\$/month)	232.2
Ratio of minimum wage to value added per worker	0.23

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)	8 hours
50-hour workweek allowed for 2 months a year in case of a seasonal increase in production?	Yes
Maximum working days per week	5.0
Premium for night work (% of hourly pay) in case of continuous operations	25%
Premium for work on weekly rest day (% of hourly pay) in case of continuous operations	100%
Major restrictions on night work in case of continuous operations?	No
Major restrictions on weekly holiday in case of continuous operations?	No
Paid annual leave for a worker with 1 year of tenure (in working days)	20.0
Paid annual leave for a worker with 5 years of tenure (in working days)	20.0
Paid annual leave for a worker with 10 years of tenure (in working days)	20.0
Paid annual leave (average for workers with 1, 5 and 10 years of tenure, in working days)	20.0

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?	No
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)	4.0
Notice period for redundancy dismissal (for a worker with 5 years of tenure, in salary weeks)	4.0
Notice period for redundancy dismissal (for a worker with 10 years of tenure, in salary weeks)	4.0
Notice period for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure, in salary weeks)	4.0
Severance pay for redundancy dismissal (for a worker with 1 year of tenure, in salary weeks)	0.0
Severance pay for redundancy dismissal (for a worker with 5 years of tenure, in salary weeks)	0.0
Severance pay for redundancy dismissal (for a worker with 10 years of tenure, in salary weeks)	0.0
Severance pay for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure, in salary weeks)	0.0

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 2013.²

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

² 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.³ 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

³ 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*.⁴ 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

⁴ 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.⁵ For the total tax rate, consistent with the calculation of

⁵ 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 95th 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.⁶ 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.

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

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Historical data

Customized data sets since DB2004
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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>

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