

REGISTERING PROPERTY QUESTIONNAIRE - « DB_rp_Survey_Economy1 »

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Dear Contributor,

We would like to thank you for your participation in the *Doing Business* project. Your expertise in the area of Registering Property in «Survey_City» is essential to the success of the *Doing Business* report, one of the flagship publications of the World Bank Group that benchmarks business regulations in 190 economies worldwide. The Registering Property indicator, which measures the quality and efficiency of land administration, is one of the 11 indicator sets published by the *Doing Business* report.

The report attracts much attention around the world. The latest edition, *Doing Business 2019: Training for Reform*, was the 16th in a series of annual reports measuring the regulations that enhance business activity and those that constrain it. It received over 12,000 media citations within just a week of its publication on October 31, 2018. Within that same period the *Doing Business 2019* report was mentioned in online articles or social media posts over 120,000 times. One hundred and twenty-eight economies implemented a total of 314 reforms easing the process of doing business. Europe and Central Asia and Sub-Saharan Africa continue to be the regions with the highest share of economies reforming – i.e. 83%, followed by the Middle East and North Africa.

Governments worldwide read the report with interest every year, and your contribution makes it possible for the *Doing Business* project to disseminate the regulatory best practices that continue to inspire their regulatory reform efforts. In 2017/18, 28 economies implemented reforms such as digitizing land records, integrating electronic platforms, introducing expedited procedures and improving the reliability and transparency of the land administration system.

We are honored to be able to count on your expertise for *Doing Business 2020*. Please do the following in completing the questionnaire:

- Review the assumptions of the case study before updating last year's information in the questionnaire.
- Describe in detail any reform that has affected the process of transferring a property since May 2, 2018.
- Be sure to update your name and address if necessary.
- **Kindly return the questionnaire to dbrregisteringproperty@worldbank.org.**

We thank you again for your invaluable contribution to the work of the World Bank Group.

Sincerely,

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1. CASE STUDY ASSUMPTIONS

The Registering Property indicator records the full sequence of procedures necessary for a business to purchase a property from another business and to transfer the property title to the buyer's name. In addition, it measures the overall quality of the land administration systems. In order to assess the time, cost and number of procedures required to complete the process of transferring a commercial property, a specific set of assumptions is considered.

1.1 Scenario

A limited liability company is purchasing a commercial warehouse that is registered at the «DB_rp_4.1.1 a Name_LR» in «Survey_City» from another limited liability company. **This case is a transfer of property, not a first-time registration of a property.**

Assumptions	
Parties	<ul style="list-style-type: none"> The buyer and seller are local limited liability companies located in «Survey_City». They are owned by private nationals (No foreign or state ownership) and perform general commercial activities. Both companies are formally registered in the company registry and have a Tax ID.
Property	<ul style="list-style-type: none"> The property consists of land measuring 557.4 square meters (6,000 square feet), and a 2-story building (warehouse) with a total surface area of 929 square meters (10,000 square feet). The value of the property is estimated at «Survey_Currency_Code» «DB_rp_PropertyValueLCUDBcurrent» (equivalent to USD «DB_rp_PropertyValueUSDDDBcurrent») equal to 50 times income per capita. The property is registered in the land registry; it is free of title disputes and has no mortgages attached to it. The seller company has owned the property for the past 10 years.
Transaction	<ul style="list-style-type: none"> The seller company has accepted the buyer company's offer to purchase the property. The parties will undertake every procedure that is officially required or needed in practice to transfer the ownership of the property.

1.2 Definitions

The questionnaire divides the process for transferring a property into distinct procedures and collects information on the time and cost of completing each procedure according to the following definitions:

Definitions	
Procedures	<ul style="list-style-type: none"> A procedure is an interaction of the buyer or the seller, their agents (if an agent is legally or in practice required) with external parties, including government agencies, inspectors, notaries and lawyers. Procedures that take place simultaneously are marked with an asterisk (*).
Time	<ul style="list-style-type: none"> Time is measured in calendar days. The minimum time for a procedure is 1 day. For procedures that can be completed online in less than 1 day, the duration is noted as "Less than one day (online procedure)".
Cost	<ul style="list-style-type: none"> Cost reflects only official fees and taxes; brbribes are excluded. Value added tax (VAT) and capital gains should not be included in the cost.

2. REFORM UPDATE

2.1 Considering the case scenario above, has there been any administrative or legal change since May 2, 2018 affecting the process for transferring a property or the land administration system?

-Click to Select-
If yes:

2.1.1 Please indicate the name and date of the law or regulation:
2.1.2 Please provide the link to the law or regulation if possible:
2.2 Last year <i>Doing Business</i> recorded the following initiative that was expected to have an impact on the property transfer process or the land administration system (if no information is shown below, please go to question 2.3)
«DB_rp_Future reforms»
Has this reform been implemented? -Click to Select- Please explain the impact of this reform
2.3 Are you aware of any reform (change in practice or in laws or regulations) related to the process for transferring a property or the land administration system that is ongoing:
2.3.1. Before May 1, 2019? -Click to Select- Please describe
2.3.2. After May 1, 2019? -Click to Select- Please describe

3. LIST OF PROCEDURES FOR TRANSFERRING PROPERTY

For your convenience, last year's answers are included in this questionnaire. They represent a unified response, based on answers received from various contributors and they may not match the specific answers that you or your colleagues in your firm provided last year.

Please specify whether the changes you make are because of:

- A **reform** — any modification to the property transfer process (in practice or in law) after May 2, 2018;
- A **correction**— meaning that the unified answer was erroneous and did not reflect the reality in your country;
- **Other**—relating to other external factors affecting the property transfer process.

3.1 Data Update

Please **always** refer to the case study assumptions and definitions when describing the property transfer process.

Procedure «DB_rp_DBRPProcList_PROCEDURE_NUMBER_coun»	«DB_rp_DBRPProcList_Procedure_Name_counte»	
Cost	Cost last year: «DB_rp_DBRPProcList_Cost_survey_counter»	
	Cost update:	
	Cost details last year: «DB_rp_DBRPProcList_ProcedureCostFormulaComment_counter»	
	Cost details update:	
Time	Time last year: «DB_rp_DBRPProcList_Duration_web_counter»	
	Time update:	
Agency	Agency last year: «DB_rp_DBRPProcList_ProcedureAgency_count»	
	Agency update:	
Procedure details:	Details: «DB_rp_DBRPProcList_Procedure_Details_cou»	
	Your comments:	
Online procedure	Can it be completed online? «DB_rp_DBRPProcList_Can this procedure be»	Update: -Click to Select-
	If yes, since when? «DB_rp_DBRPProcList_If Yes since when?_co»	Update:
	Website: «DB_rp_DBRPProcList_Link to the procedure»	
	Link update:	

Simultaneity	Can this procedure be initiated with the previous procedure? Last year: «DB_rp_DBRPPProcList_ProcedureSimultaneity_counter» This Year: -Click to Select- Comments:
If you made changes to last year's information, what is it due to? -Click to Select-	
Please explain the change(s) and provide the legal basis when applicable:	

3.2 Additional procedures in the process for transferring property

Please provide details below on any new or existing procedures that are not included in the list above. **In case there is no additional procedure to be added, please proceed to the next section.**

Procedure Name:			
Cost:			
Time:			
Agency:			
Procedure details:			
Online procedure	Can this procedure be done online?-Click to Select-	If Yes, since when?	Please provide the link to the website:
Please explain the changes and provide the legal basis when applicable:			
Please indicate the sequence of this new procedure (for example: between procedures 2 and 3) or describe when it takes place:			
Can this procedure take place simultaneously with another procedure? If so, which one(s)?			

4. QUALITY OF LAND ADMINISTRATION INDEX

This section is dedicated to the **Quality of Land Administration Index**, which evaluates 5 main areas: the overall reliability of infrastructure; transparency of information; geographic coverage; land dispute resolution mechanisms in place and equal access to property rights. When answering the questions below, **please disregard the case study assumptions** (section 1).

If any of your answers are the result of a reform that came into effect **after May 1, 2018**, please clarify using the sections on comments comparing to the last year. Furthermore, when answering the questions below please indicate the name, reference and date of publication of the relevant law, when applicable.

4.1 RELIABILITY OF INFRASTRUCTURE INDEX

4.1.1 Immovable property registration system			
	Last Year	This Year	Your comments
What is the type of land registration system in your country (Deed, Title – Torrens system, other)?	«DB_rp_Land_regis_System»		
a) What is the name of the immovable property registration agency in «Survey_City»?	«DB_rp_4.1.1 a Name_LR»		
b) How is the majority of titles/deeds records, including both past records and newly issued deeds/titles, stored in «Survey_City»? Note: computerized documents can be either: (i) scanned as an image which is neither searchable nor extractable (micro-film) or (ii) in a fully digital format, whose content are both digitally searchable and extractable.	«DB_rp_4.1.1 b Format_Deeds_Title»	-Click to Select-	
c) Is there an electronic database for checking for encumbrances (liens, mortgages, restrictions, etc.)?	«DB_rp_4.1.1 c Electronic_encumbrances»	-Click to Select-	

4.1.2 Cadastral/Mapping system			
a) What is the name of the institution in charge of the cadastral plans showing legal boundaries in «Survey_City» (cadastre, parcel index, etc.)	«DB_rp_4.1.2 a Name_Cadastre»		
b) How is the majority of cadastral/mapping plans stored in «Survey_City»? Note: computerized documents can be either: (i) scanned as an image which is neither searchable nor extractable (micro-film) or (ii) in a fully digital geographic representation of the plot of land.	«DB_rp_4.1.2 b Format_land_Plots»	-Click to Select-	
c) Is there an electronic database for recording boundaries, checking plans and providing cadastral information (Geographic Information System)?	«DB_rp_4.1.2 c Electronic_Cadastre_info»	-Click to Select-	
4.1.3 Interconnection			
a) Is the information recorded by the immovable property registration agency and the cadastral/mapping agency kept in a (i) single database; (ii) different but linked databases (where information is automatically updated and share between the two institutions) or (iii) separate databases?	«DB_rp_4.1.3 a Databases_Format»	-Click to Select-	
b) Do the immovable property registration agency and cadastral/mapping agency use the same identification number for properties?	«DB_rp_4.1.3 b Unified ID for property»	-Click to Select-	

4.2 TRANSPARENCY OF INFORMATION INDEX

4.2.1 Immovable property registration system			
	Last Year	This Year	Your comments
a) Who can obtain information on land ownership at the immovable property registration agency in «Survey_City»?	«DB_rp_4.2.1 a Consult_LR»	-Click to Select-	
How is the property searched (property number, location, owner's name)?			
b) Is the list of documents that are required to complete all types of property transactions made publicly available?	«DB_rp_4.2.1 b Documents_availability»	-Click to Select-	
Last year's link: «DB_rp_4.2.1 b Document_website_link»			
Updated link (if applicable):			
c) Is the applicable fee schedule for all types of property transactions at the immovable property registration agency in «Survey_City» made publicly available?	«DB_rp_4.2.1 c Fee schedule_availability»	-Click to Select-	
Last year's link: «DB_rp_4.2.2 b Fee_schedule_website»			
Updated link (if applicable):			
d) Does the immovable property registration agency formally commit to deliver a legally binding document (proving property ownership) within a specific timeframe (service standards- e.g. 5 working days to deliver a new title)?	«DB_rp_4.2.1 d LR_Sce_Standard»	-Click to Select-	
If online, please provide the link: «DB_rp_4.2.1 d Sce_Stand_website»			
Updated link (if applicable):			
e) Is there a specific and independent * mechanism for filing complaints about a problem that occurred at the immovable property registration agency? (<i>Definition</i>)	«DB_rp_4.2.1 e LR_Complaints_mechanism»	-Click to Select-	

<i>of specific and independent provided below)</i>			
If yes, please provide the contact information:	«DB_rp_4.2.1 e Contact info»		
f) Are there official statistics tracking the number of transactions at the immovable property registration agency for the past five years?	«DB_rp_4.2.1 f LR_Stats_available »	-Click to Select-	
If yes, are they made available to the public?	«DB_rp_4.2.1 g LR_Stat_public»	-Click to Select-	
What is the source of these statistics?	«DB_rp_4.2.1 h Stats_source»		
What is the total number of property transfers in «Survey_City» that took place in 2018?	«DB_rp_4.2.1 i Number_property_t ransfers»		
4.2.2 Cadastral/Mapping system			
a) Who can consult plans of private land plots in «Survey_City»?	«DB_rp_4.2.2 a Consulting cadastral maps»	-Click to Select-	
b) Is the applicable fee schedule to get access to land plot plans made publicly available?	«DB_rp_4.2.2 b Fee_schedule_Cada stre»	-Click to Select-	
Last year's link: «DB_rp_4.2.2 b Fee_schedule_website»			
Updated link:			
c) Does the cadastral/mapping agency formally commit to deliver an updated plan within a specific deadline (service standards- e.g. 5 working days to update the plan)?	«DB_rp_4.2.2 c Sce_standard_cad astre»	-Click to Select-	
Last year's link: «DB_rp_4.2.2 c Sce_stand_website»			
Updated link:			
d) Is there a specific and independent* mechanism for filing complaints about a problem that occurred at the agency in charge of cadastral plans?	«DB_rp_4.2.2 d Complaints_Cadast re»	-Click to Select-	
If yes, please provide the contact information:	«DB_rp_4.2.2 d Contact info»		
<p>*Specific: - the mechanism must be specifically designed to cover issues related to the services provided by the agency in charge of cadastral plans / immovable property registration agency.</p> <p>*Independent: - complaint must be reviewed by personnel from a different agency with no relationship to the agency in charge of cadastral plans / immovable property registration agency.</p>			

4.3 GEOGRAPHIC COVERAGE INDEX

4.3.1 Immovable property registration system			
	Last Year	This Year	If not, what is the percentage that is registered / mapped?
a) Is every privately held land plot in «Survey_City» formally registered at the immovable property registry?	«DB_rp_4.3.1 LR_City»	-Click to Select-	
b) Is every privately held land plot in the economy («DB_rp_Survey_Economy_FullName1») formally registered at the immovable property registry?	«DB_rp_4.3.1 a LR_Country»	-Click to Select-	
4.3.2 Cadastral/mapping system			
a) Is every privately held land plot in «Survey_City» mapped?	«DB_rp_4.3.2 Land mapping_City»	-Click to Select-	
b) Is every privately held land plot in the economy («DB_rp_Survey_Economy_FullName1») formally	«DB_rp_4.3.2 a Land	-Click to Select-	

mapped?	mapping_Country»		
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4.4 LAND DISPUTES RESOLUTION INDEX

4.4.1 Legal background			
	Last Year	This Year	Your comments
a) Does the law require that all property sale transactions be registered at the land registry (<i>to provide notice of ownership transfer to the public</i>) to make them opposable to third parties?	«DB_rp_4.4.1 a Sale_Registered_R required»	-Click to Select-	
Please specify the legal basis: «DB_rp_4.4.1 a Legal basis»			
Updated legal basis (if applicable):			
Comments:			
b) Is the system of immovable property registration subject to a guarantee?	«DB_rp_4.4.1 b Prop_registration_guaranteed»	-Click to Select-	
If yes, what is the type of guarantee?	«DB_rp_4.4.1 b Type of guarantee»	-Click to Select-	
Please specify the legal basis: «DB_rp_4.4.1 b Legal basis»			
Updated legal basis (if applicable):			
Comments:			
c) Is there a mechanism (such as a fund or an insurance) that provides compensation to cover for losses incurred by parties who engaged in good faith in a property transaction based on erroneous information certified by the land registry ?	«DB_rp_4.4.1 c Compensation mechanism»	-Click to Select-	
If yes, what kind of compensation is provided in this case?	«DB_rp_4.4.1 c Type of compensation»		
Please specify the legal basis: «DB_rp_4.4.1 c Legal basis»			
Updated legal basis (if applicable):			
d) Does the legal system require a control of legality of the documents necessary for a property transaction (e.g. checking of contracts compliance with law requirements)?	«DB_rp_4.4.1 d Legality control required»	-Click to Select-	
If yes , who is held responsible for verifying the contract compliance?	«DB_rp_4.4.1 d Responsible_Legal_control»	Please select all that apply: <input type="checkbox"/> Registrar <input type="checkbox"/> Notary <input type="checkbox"/> Lawyer <input type="checkbox"/> Interested parties only <input type="checkbox"/> No one	
Please specify the legal basis: «DB_rp_4.4.1 d Legal basis»			
Updated legal basis (if applicable):			
e) Does the legal system require a verification of the identity of each party engaged in a property transaction?	«DB_rp_4.4.1 e Responsible for ID verification COMBINED»	-Click to Select-	
If yes , who is held responsible for verifying the identity of the parties to a property transfer?	«DB_rp_4.4.1 e Responsible ID_Verif»	Please select all that apply: <input type="checkbox"/> Registrar <input type="checkbox"/> Notary <input type="checkbox"/> Lawyer	

		<input type="checkbox"/> Interested parties only <input type="checkbox"/> No one
Please specify the legal basis: «DB_rp_4.4.1 e Legal basis»		
Updated legal basis (if applicable):		
f) Is there a national database to verify the accuracy of identity documents?	«DB_rp_4.4.1 f National ID database»	-Click to Select-
4.4.2 Formal land dispute resolution mechanisms		
a) What is the Court of first instance in charge of a case involving a standard land dispute between two local businesses over tenure rights of a property worth «Survey_Currency_Code» «DB_rp_PropertyValueLCUDBcurrent» located in «Survey_City»?	«DB_rp_4.4.2 a Type_Court»	
b) How long does it take on average to obtain a decision from the first instance court for such a case (without appeal)?	«DB_rp_4.4.2 b Duration_land_disputes»	-Click to Select-
c) Are there any statistics on the number of land disputes in the first instance for over the past five years?	«DB_rp_4.4.2 c Stats_Dispute_available»	-Click to Select-
d) What was the number of land disputes in 2018?	«DB_rp_4.4.2 c) Number_land_Dispute»	
e) What is the source of these statistics?	«DB_rp_4.4.2 c Stats_dispute_Source»	

5. EQUAL ACCESS TO PROPERTY RIGHTS INDEX

When assessing if the law recognizes equal ownership rights over the property, please consider the **capacity to own, use and administer it**. Assume the individuals are married and under the **default marital property regime or the most commonly used system**.

	Last Year	This Year	comments
a) Do unmarried men and unmarried women have equal ownership rights to property?	«DB_rp_5.a Unmarried women property rights»	-Click to Select-	
Please specify the legal basis: «DB_rp_5.a Legal basis»			
Updated legal basis (if applicable):			
b) Do married men and married women have equal ownership rights to property?	«DB_rp_5.b Married women property rights»	-Click to Select-	
Please specify the legal basis: «DB_rp_5.b Legal basis»			
Updated legal basis (if applicable):			

6. RESEARCH QUESTIONS

I. Payment to the seller	Response	Please specify
1. Does the buyer of the property pay the seller directly or through a third party (for ex. a notary)?	-Click to Select-	
2. Must the buyer (by law or in practice) provide proof of sufficient funds to a third party to purchase the property?	-Click to Select-	
If yes, (i) what type of proof (e.g. certified check, personal check, proof of wire transfer, other)		
(ii) at what stage of the process, must this proof be provided?		

II. Due diligence

1. During a property transfer is a check of outstanding utility bills required by law ?	-Click to Select-	
2. If not , is it done in practice? If in practice, who does this check?	-Click to Select-	
3. Once the property transfer is completed, must the new owner notify the municipality of this change of ownership (for example: for property taxes purposes), or is it done automatically?	-Click to Select-	
4. Is there a time limit for reporting this change? If yes, what is it?	-Click to Select-	
5. Are there any penalties or fees that must be paid if not done on time?	-Click to Select-	
Please use the field below if you would like to provide more comments on property transfer in your country:		

III. Blockchain technology

This section of the questionnaire should be completed **only by public agencies/relevant civil servants**. When responding to the questions, please consider the following definition:

- **Blockchain** – a distributed ledger technology managed by a peer-to-peer network of users that collectively adhere to a specific protocol for transactions and communication.

1. Is your agency using any form of Blockchain technology?

- Yes
 No
 Other. Please explain:

1a. If yes, please select an appropriate answer:

- Public blockchain – everyone has access to send and validate transactions (no permission needed)
 Private blockchain – participant and validator access are restricted (permission required)
 Consortium blockchain – the administration of the blockchain grants reading rights and allows limited number of transactions
 Other. Please explain:

2. Is your agency planning to introduce any form of Blockchain technology?

Response: -Click to Select-

If yes, please explain:

3. Are there any laws or other binding legal instruments (regulations, agency-specific guidelines, etc.) regulating Blockchain technology?

Response: -Click to Select-

If yes, please explain:

Thank you very much for completing the Registering Property questionnaire!

We sincerely appreciate your contribution to the *Doing Business* project.
 The results will appear in the *Doing Business 2020* report and on our website: www.doingbusiness.org.
 Your work will be gratefully acknowledged.