

# Doing Business 2011

New Zealand

**Making  
a Difference for  
Entrepreneurs**

COMPARING BUSINESS REGULATION IN 183 ECONOMIES



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

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

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

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

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

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

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

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

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

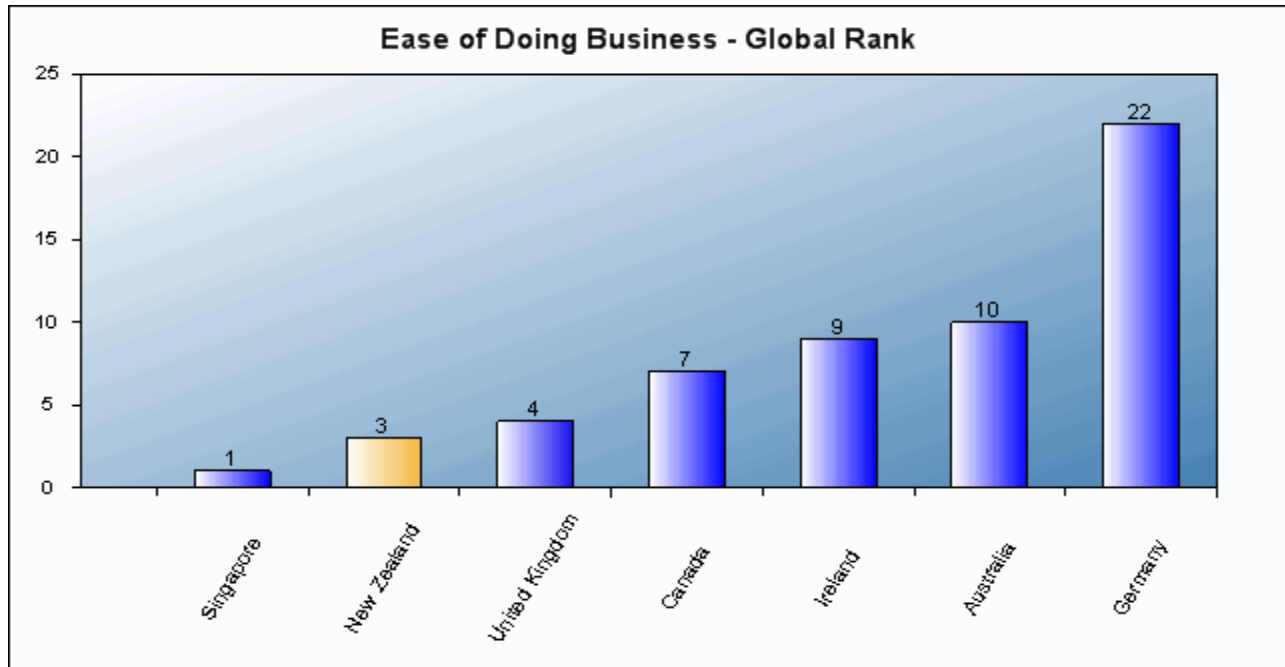
\* Except for the Paying Taxes indicator that refers to the period January to December of 2009.

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

## Economy Rankings - Ease of Doing Business

New Zealand is ranked 3 out of 183 economies. Singapore is the top ranked economy in the Ease of Doing Business.

**New Zealand - Compared to global good practice economy as well as selected economies:**



### New Zealand's ranking in Doing Business 2011

Rank	Doing Business 2011
Ease of Doing Business	3
Starting a Business	1
Dealing with Construction Permits	5
Registering Property	3
Getting Credit	2
Protecting Investors	1
Paying Taxes	26
Trading Across Borders	28
Enforcing Contracts	9
Closing a Business	16

## Summary of Indicators - New Zealand

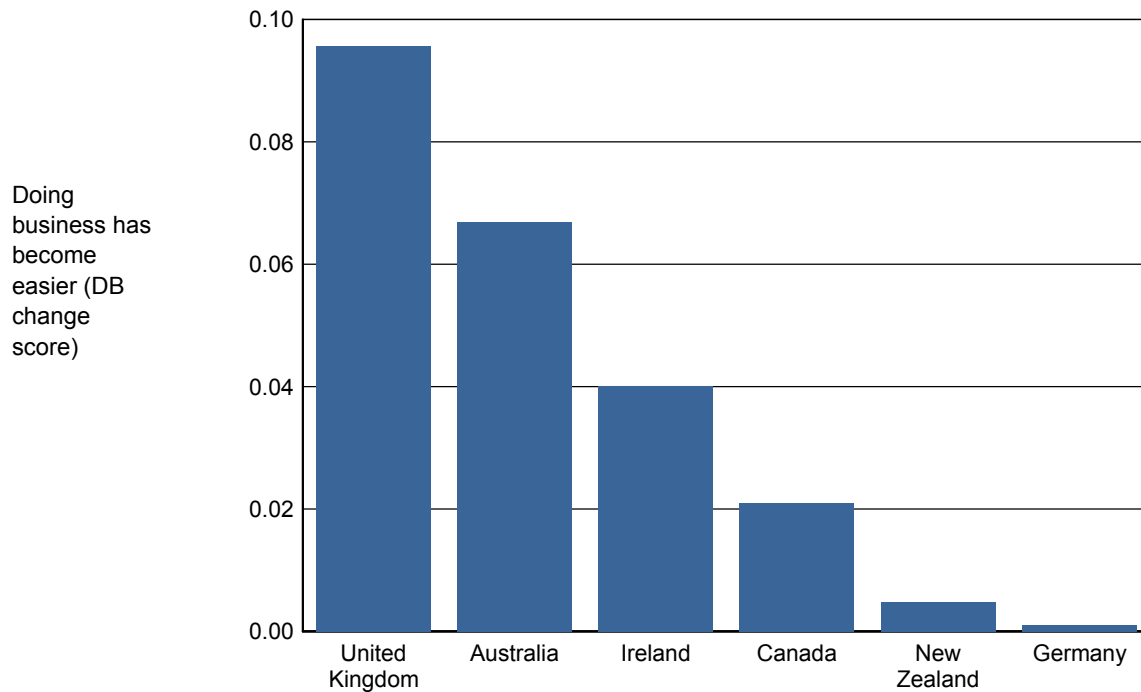
<b>Starting a Business</b>	Procedures (number)	1
	Time (days)	1
	Cost (% of income per capita)	0.4
	Min. capital (% of income per capita)	0.0
<b>Dealing with Construction Permits</b>	Procedures (number)	7
	Time (days)	65
	Cost (% of income per capita)	35.1
<b>Registering Property</b>	Procedures (number)	2
	Time (days)	2
	Cost (% of property value)	0.1
<b>Getting Credit</b>	Strength of legal rights index (0-10)	10
	Depth of credit information index (0-6)	5
	Public registry coverage (% of adults)	0.0
	Private bureau coverage (% of adults)	100.0
<b>Protecting Investors</b>	Extent of disclosure index (0-10)	10
	Extent of director liability index (0-10)	9
	Ease of shareholder suits index (0-10)	10
	Strength of investor protection index (0-10)	9.7
<b>Paying Taxes</b>	Payments (number per year)	8
	Time (hours per year)	192
	Profit tax (%)	30.4
	Labor tax and contributions (%)	3.0
	Other taxes (%)	0.9
	Total tax rate (% profit)	34.3
<b>Trading Across Borders</b>	Documents to export (number)	7
	Time to export (days)	10
	Cost to export (US\$ per container)	855
	Documents to import (number)	5
	Time to import (days)	9
	Cost to import (US\$ per container)	825

<b>Enforcing Contracts</b>	Procedures (number)	30
	Time (days)	216
	Cost (% of claim)	22.4
<b>Closing a Business</b>	Recovery rate (cents on the dollar)	79.1
	Time (years)	1.3
	Cost (% of estate)	4

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

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

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





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

### Some reform outcomes

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

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

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

### What does Starting a Business measure?

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

- Preregistration (for example, name verification or reservation, notarization)
- Registration
- Post registration (for example, social security registration, company seal)

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

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

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

- Official costs only, no bribes
- No professional fees unless services required by law

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

- Deposited in a bank or with a notary prior to registration begins

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



### Case Study Assumptions

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

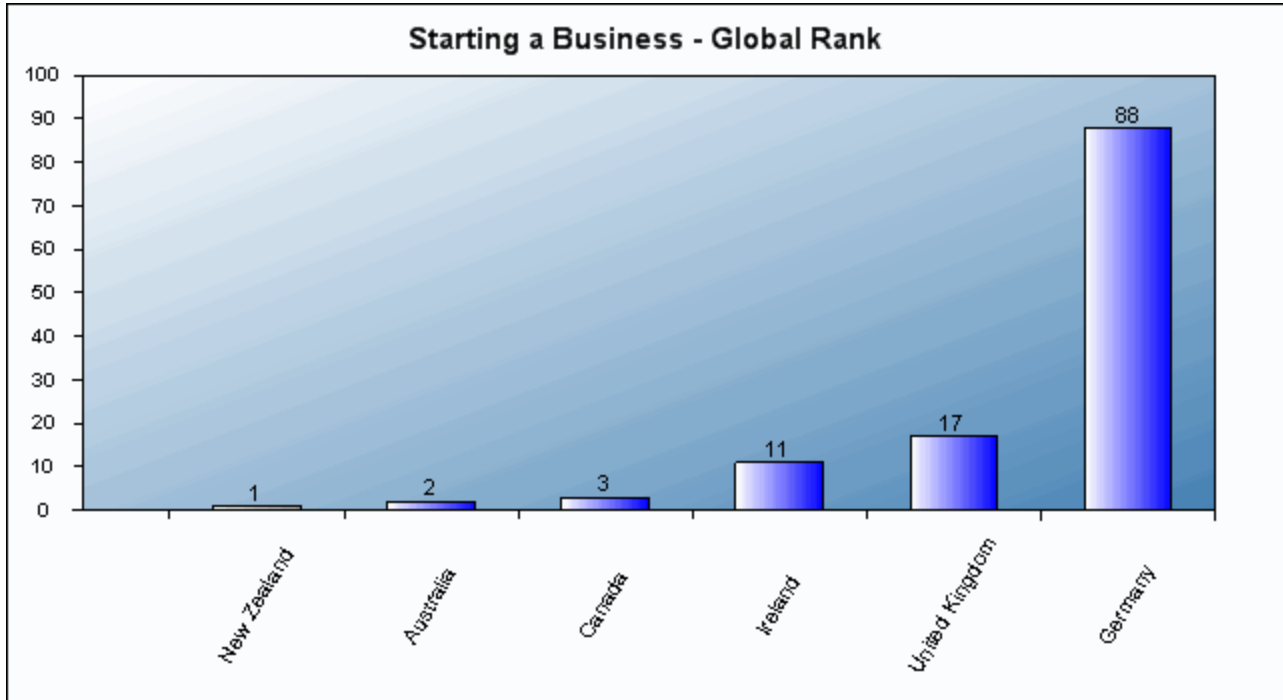
#### The business:

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

## 1. Benchmarking Starting a Business Regulations:

New Zealand is ranked 1 overall for Starting a Business.

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



The following table shows Starting a Business data for New Zealand compared to good practice and comparator economies:

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

<i>Selected Economy</i>				
<b>New Zealand</b>	<b>1</b>	<b>1</b>	<b>0.4</b>	<b>0.0</b>

<i>Comparator Economies</i>				
<b>Australia</b>	2	2	0.7	0.0
<b>Canada</b>	1	5	0.4	0.0
<b>Germany</b>	9	15	4.8	0.0
<b>Ireland</b>	4	13	0.4	0.0
<b>United Kingdom</b>	6	13	0.7	0.0

\* The following economies are also good practice economies for :

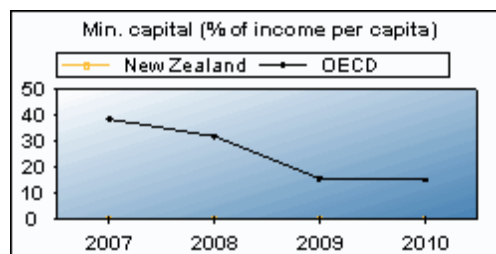
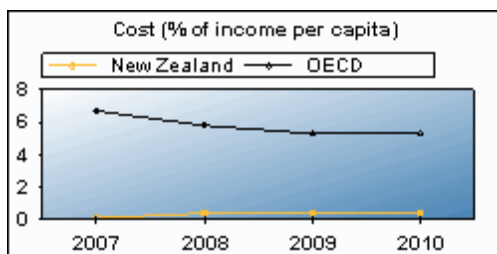
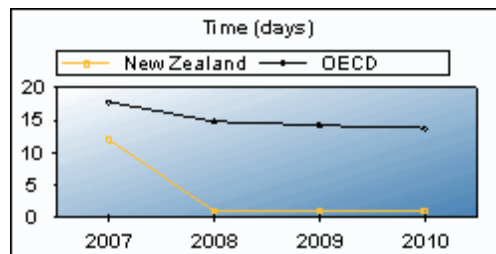
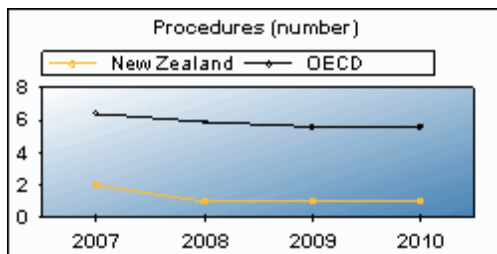
**Procedures (number):** **Canada**

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

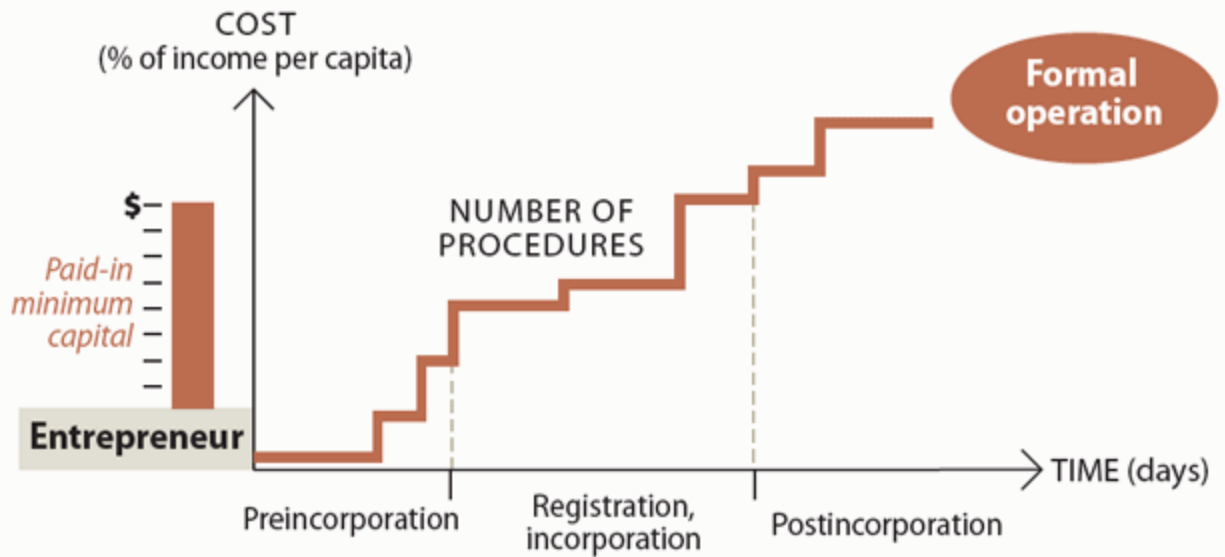
## 2. Historical data: Starting a Business in New Zealand

Starting a Business data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	1	1
Procedures (number)	2	1	1	1
Time (days)	12	1	1	1
Cost (% of income per capita)	0.1	0.4	0.4	0.4
Min. capital (% of income per capita)	0.0	0.0	0.0	0.0

3. The following graphs illustrate the Starting a Business sub indicators in New Zealand over the past 4 years:



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



This table summarizes the procedures and costs associated with setting up a business in New Zealand.

### STANDARDIZED COMPANY

Legal Form: Limited Liability Company

City: Auckland

### Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Apply for registration with the Companies Office online ( including IRD number, and register for GST)	1	NZD 160

## Starting a Business Details - New Zealand

### Procedure 1 Apply for registration with the Companies Office online ( including IRD number, and register for GST)

**Time to complete:** 1

**Cost to complete:** NZD 160

**Comment:** To reserve a company name online, promoters can visit the New Zealand Companies Office Web site ([www.companies.govt.nz](http://www.companies.govt.nz)). The Companies Office responds promptly after the applicant submits the name reservation form. A company cannot reserve a company name with the Companies Office that is identical or almost identical to an existing New Zealand company name. The reserved name is available for registration for 20 working days. The applicant can then go back online and apply for the company to be registered by completing forms on company details (such as names of shareholders and directors and company addresses and address of communication. These can all be the same address) and pay the registration fee using a credit card or an account set up with the Companies Office. When the application is processed, the founder will receive a notification by email along with the appropriate director and shareholder consent forms, which are generated by the Companies Office. The applicant must then fax the signed director and shareholder consent forms within 20 working days, after which the application will expire. The certificate of incorporation will be issued via email in a few minutes when the last consent form is accepted.

To be incorporated under the Companies Act 1993, a company must have a name that has been reserved by the Registrar of Companies, at least one share, at least one shareholder, at least one director, a registered office, and an address for service. A company is not legally required to have a constitution. If the company has a constitution, it is generally filed at the time of incorporation. However, notice of the adoption of the constitution does not have to be filed until 10 working days after the constitution is adopted.

Promoters can apply online for a company IRD ( Inland Revenue Department) number and register for GST ( Good and Service Tax) at the same time as incorporating a company online with the New Zealand Companies Office.

To register for GST using the online service, promoters must also apply for a company IRD number.

The list of the information needed when applying for a company IRD number or registering for GST is as follows:

- IRD number – IRD number of each Director and all shareholders that are NZ resident and are individuals, Main Business Activity, Place of Business and Postal Address, Trading Name of the company (if different to the Business Name), Company Contact details, and whether Fringe Benefit Tax for employees is applicable.
- GST number – GST accounting method, frequency of filing returns, business activity code (visit [www.businessdescription.co.nz](http://www.businessdescription.co.nz) for more information), details of how you would like refunds to be paid, whether the company will be making tax exempt supplies and whether the company will be making imports/exports and ACC uses the business activity code to calculate levies for personal injury cover and residual claims.

Since 1 July 2008 it has been mandatory to file most documents with the Companies Office online. The introduction of this policy has seen the removal of many of the paper based processes that the

Companies Office previously supported.

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

### Some reform outcomes

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

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

### What does the Dealing with Construction Permits indicator measure?

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

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

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

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

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

- Official costs only, no bribes

### Case Study Assumptions

#### The business:

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

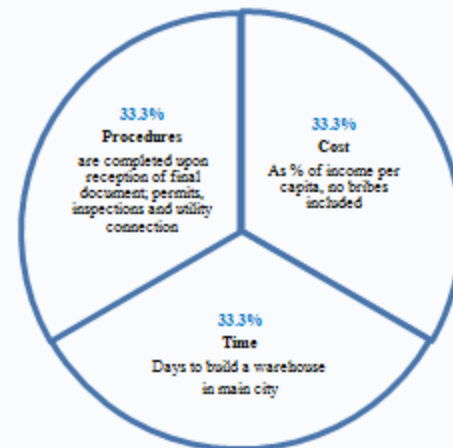
#### The warehouse:

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

### Dealing with Construction Permits:

#### Building a warehouse

Rankings are based on 3 subindicators

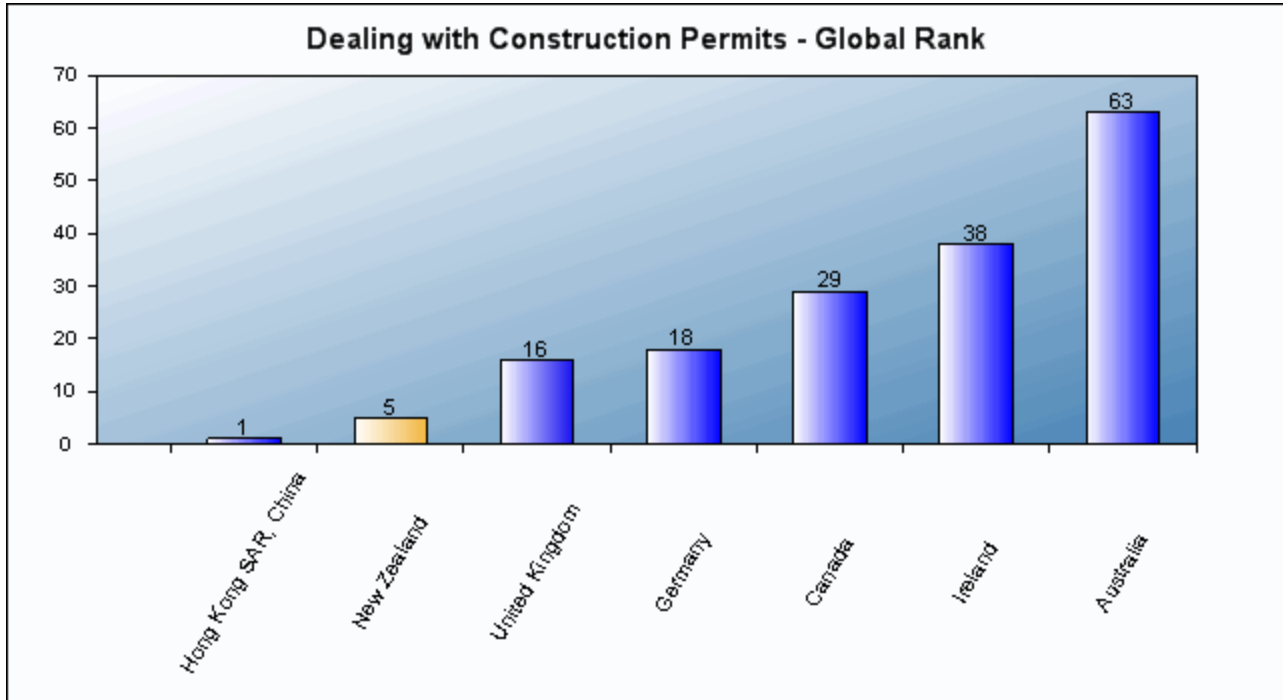




## 1. Benchmarking Dealing with Construction Permits Regulations:

New Zealand is ranked 5 overall for Dealing with Construction Permits.

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



The following table shows Dealing with Construction Permits data for New Zealand compared to good practice and comparator economies:

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

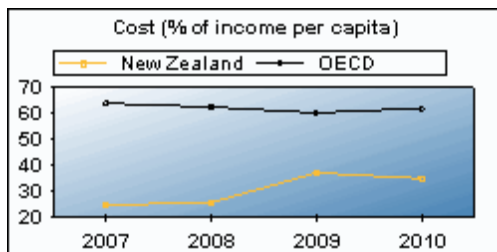
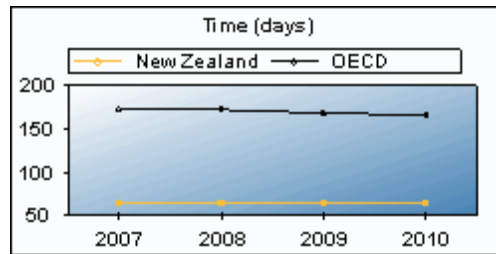
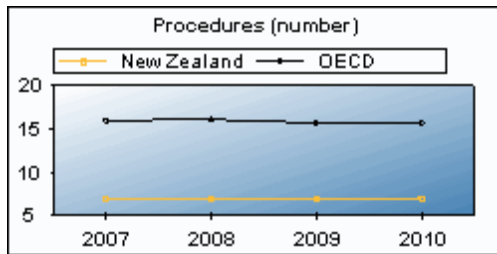
<i>Selected Economy</i>			
<b>New Zealand</b>	7	65	35.1

<i>Comparator Economies</i>			
<b>Australia</b>	16	221	11.7
<b>Canada</b>	14	75	101.0
<b>Germany</b>	12	100	61.8
<b>Ireland</b>	11	192	57.8
<b>United Kingdom</b>	11	95	70.9

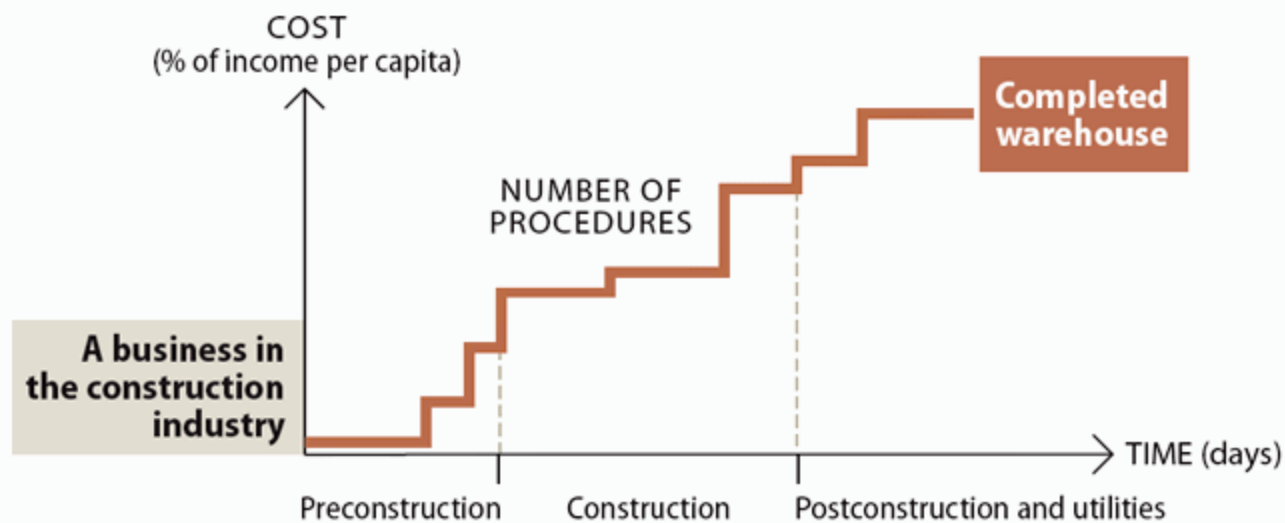
## 2. Historical data: Dealing with Construction Permits in New Zealand

Dealing with Construction Permits data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	5	5
Procedures (number)	7	7	7	7
Time (days)	65	65	65	65
Cost (% of income per capita)	25.0	25.8	37.3	35.1

3. The following graphs illustrate the Dealing with Construction Permits sub indicators in New Zealand over the past 4 years:



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



The table below summarizes the procedures, time, and costs to build a warehouse in New Zealand.

### BUILDING A WAREHOUSE

City: Auckland

#### Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Obtain resource consent (planning) from the District Council	30 days	NZD 3,150
2 *	Obtain water consent (planning) from Regional Council	30 days	NZD 1,000
3	Obtain building consent from the District Council	30 days	NZD 4,137
4	Receive inspection by public inspector from the District Council	1 day	NZD 5,512
5	Obtain water connection	1 day	NZD 1,500
6	Obtain power connection	1 day	no charge
7	Obtain phone connection	1 day	no charge

\* Takes place simultaneously with another procedure.

## Dealing with Construction Permits Details - New Zealand

### Procedure 1 Obtain resource consent (planning) from the District Council

<b>Time to complete:</b>	30 days
<b>Cost to complete:</b>	NZD 3,150
<b>Agency:</b>	District Council
<b>Comment:</b>	If the warehouse in the case considered here does not comply with zoning regulations, this procedure would take 100 days and cost NZD 15,000.

### Procedure 2 Obtain water consent (planning) from Regional Council

<b>Time to complete:</b>	30 days
<b>Cost to complete:</b>	NZD 1,000
<b>Agency:</b>	Regional Council
<b>Comment:</b>	If the warehouse in the case considered here does not comply with zoning regulations, this procedure would take 100 days and cost NZD 15,000. This procedure may not be required, depending on the warehouse location.

### Procedure 3 Obtain building consent from the District Council

<b>Time to complete:</b>	30 days
<b>Cost to complete:</b>	NZD 4,137
<b>Agency:</b>	District Council
<b>Comment:</b>	

### Procedure 4 Receive inspection by public inspector from the District Council

<b>Time to complete:</b>	1 day
<b>Cost to complete:</b>	NZD 5,512
<b>Agency:</b>	District Council
<b>Comment:</b>	Private certified inspectors were abolished in 2006. Because of the current lack of experienced certifiers at the local government's district council level, there may be delays in obtaining Council Inspectors.

### Procedure 5 Obtain water connection

<b>Time to complete:</b>	1 day
<b>Cost to complete:</b>	NZD 1,500
<b>Comment:</b>	All utilities are obtained immediately. The installation is done on schedule when requested.

**Procedure 6 Obtain power connection**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:** All utilities are obtained immediately. The installation is done on schedule when requested.

**Procedure 7 Obtain phone connection**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Agency:** Telecom New Zealand Ltd.

**Comment:** All utilities are obtained immediately. The installation is done on schedule when requested.

Ensuring formal property rights is fundamental. Effective administration of land is part of that. If formal property transfer is too costly or complicated, formal titles might go informal again. *Doing Business* records the full sequence of procedures necessary for a business to purchase a property from another business and transfer the property title to the buyer's name. In the past 6 years 105 economies undertook 146 reforms making it easier to transfer property. Globally, the time to transfer property fell by 38% and the cost by 10% over this time. The most popular feature of property registration reform in these 6 years, implemented in 52 economies, was lowering transfer taxes and government fees.

### Some reform outcomes

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

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

### What does the Registering Property indicator measure?

**Registering Property:** transfer of property between 2 local companies

Rankings are based on 3 subindicators

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

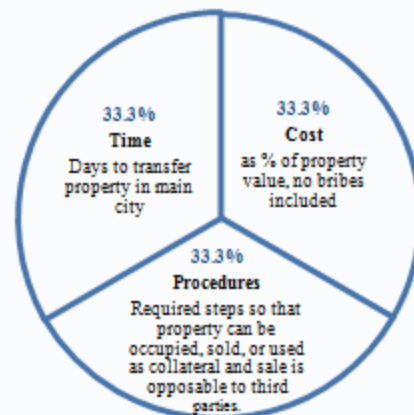
- Preregistration (for example, checking for liens, notarizing sales agreement, paying property transfer taxes)
- Registration in the economy's largest business city
- Post registration (for example, transactions with the local authority, tax authority or cadastre)

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

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

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

- Official costs only, no bribes
- No value added or capital gains taxes included



### Case Study Assumptions

#### The parties (buyer and seller):

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

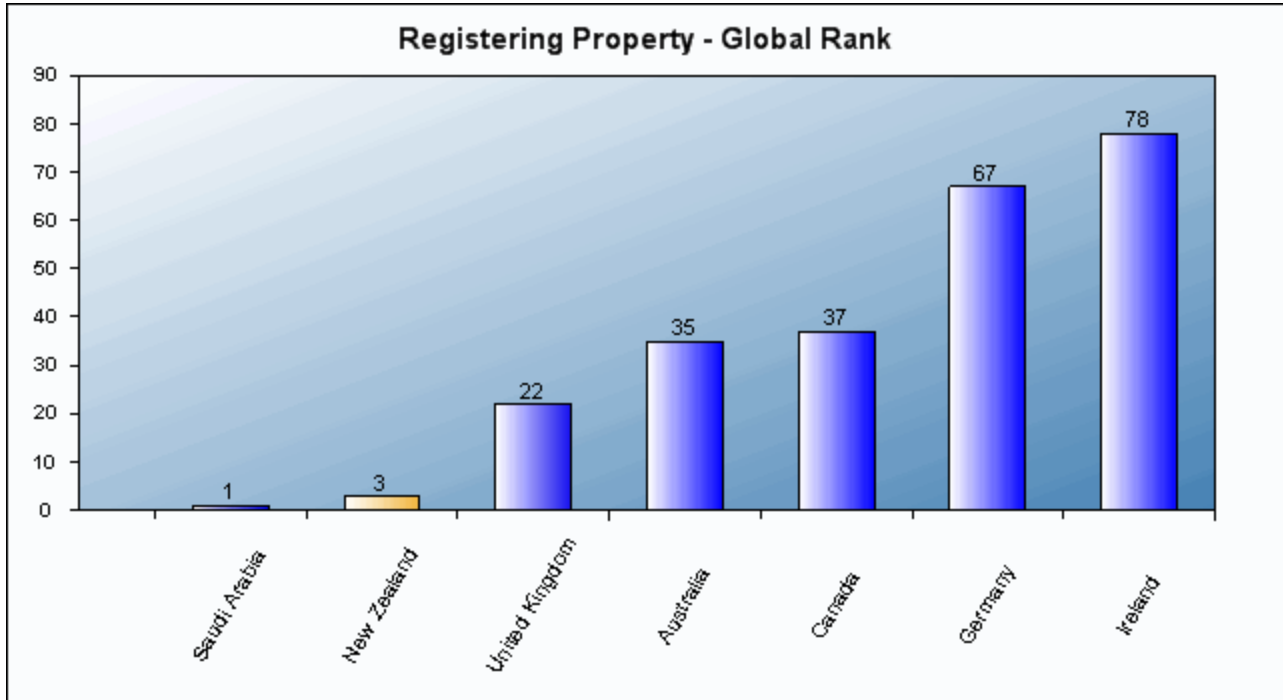
#### The property (fully owned by the seller):

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

## 1. Benchmarking Registering Property Regulations:

New Zealand is ranked 3 overall for Registering Property.

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





The following table shows Registering Property data for New Zealand compared to good practice and comparator economies:

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

<i>Selected Economy</i>			
<b>New Zealand</b>	<b>2</b>	<b>2</b>	<b>0.1</b>

<i>Comparator Economies</i>			
<b>Australia</b>	5	5	5.0
<b>Canada</b>	6	17	1.8
<b>Germany</b>	5	40	5.1
<b>Ireland</b>	5	38	6.3
<b>United Kingdom</b>	2	8	4.1

\* The following economies are also good practice economies for :

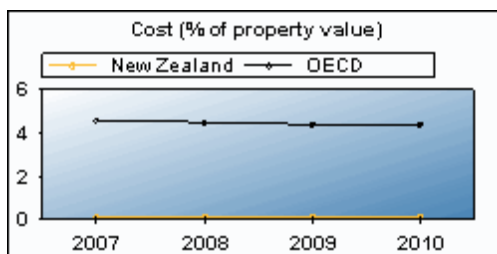
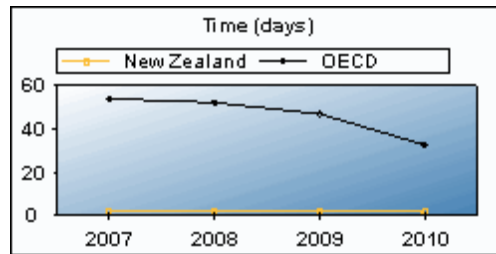
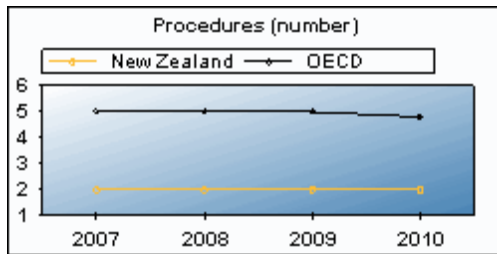
**Procedures (number): United Arab Emirates**

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

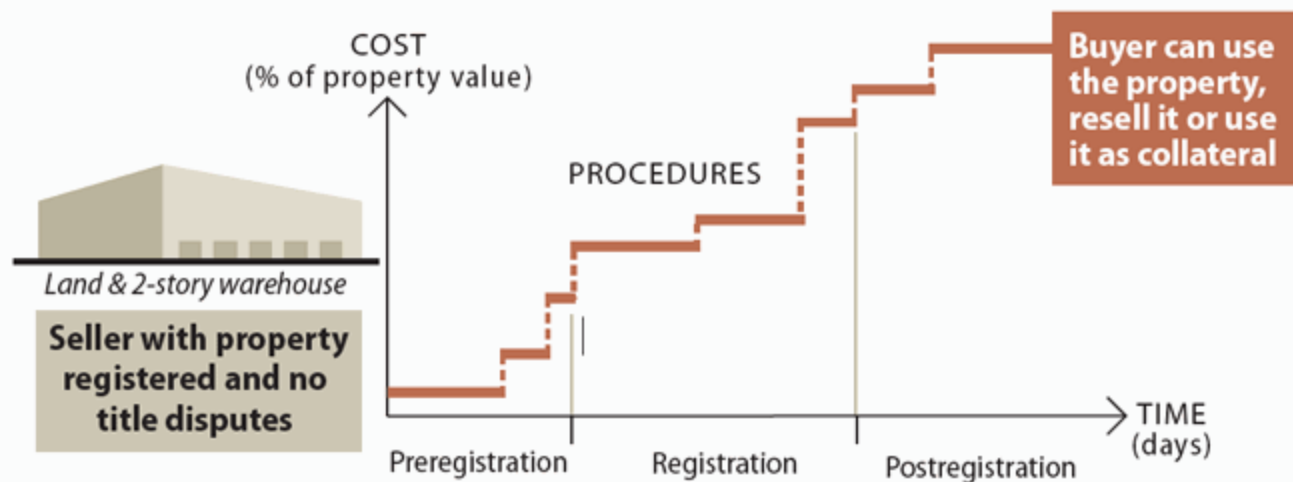
## 2. Historical data: Registering Property in New Zealand

Registering Property data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	3	3
Procedures (number)	2	2	2	2
Time (days)	2	2	2	2
Cost (% of property value)	0.1	0.1	0.1	0.1

3. The following graphs illustrate the Registering Property sub indicators in New Zealand over the past 4 years:



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



This topic examines the steps, time, and cost involved in registering property in New Zealand.

### STANDARDIZED PROPERTY

Property Value: 2,180,729.68

City: Auckland

#### Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Obtain a Land Information Memorandum	1 day	\$ 220 - \$ 250 for personal attendance at local council offices
2	Register title through Land Information New Zealand	1 day (virtually instantaneous for online registration) Note: the LINZ performance standard for paper based registration is within 15 days, though ordinary transfers are usually completed within 5 days while new titles on subdivision may take up to 15 days	NZ\$37 registration fee (for online registration) plus NZ\$1,500 for conveyancer fee.

## Registering Property Details - New Zealand

### Procedure 1 Obtain a Land Information Memorandum

**Time to complete:** 1 day

**Cost to complete:** \$ 220 - \$ 250 for personal attendance at local council offices

**Comment:** The Land Information Memorandum (LIM) is not a legal requirement for registration, but it is an essential contractual requirement in practice. The LIM provides information on the legality of the building, building permits, restrictions on land use, rates, special characteristics of the land, drainage, etc. and is obtained from local authorities. A LIM may be ordered and is sent to the enquirer within 10 days.

### Procedure 2 Register title through Land Information New Zealand

**Time to complete:** 1 day (virtually instantaneous for online registration)  
Note: the LINZ performance standard for paper based registration is within 15 days, though ordinary transfers are usually completed within 5 days while new titles on subdivision may take up to 15 days

**Cost to complete:** NZ\$37 registration fee (for online registration) plus NZ\$1,500 for conveyancer fee.

**Comment:** The LINZ system is an online property registration system operated by licensed conveyancers. Conveyancers are authorized to certify land transfer documents on behalf of their clients and to submit them electronically to LINZ for registration. Confirmation is usually returned online within minutes. LINZ currently operates a dual system:

- An online land title registration system which can only be accessed by lawyers and licensed conveyancers.
- A paper based registration system (via LINZ processing centers)

It is possible to register manually through one of the Land Titles Offices. In this case, it would take 15-20 days and cost NZ\$150 (\$60 per document for paper-based or electronic image-based registration requiring manual validation by registry personnel ). Conveyancers and or lawyer's fees, if used, would be approximately NZ\$2,000. There is a cost to the vendor which involves selling a property through a real estate agent which would cost up to 4% of the agreement. A person could privately advertise the sale of their property. The lawyer/conveyancer is required to certify that documents are correct and in order for registration.

The documentation shall include:

Personal identification

Written authority for the conveyancer to register the property electronically

Signed transfer of property

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

**Some reform outcomes**

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

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

**What do the Getting Credit indicators measure?**

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

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

**Depth of credit information index (0–6)**

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

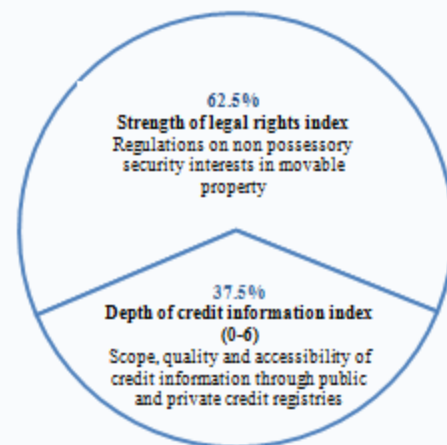
**Public credit registry coverage (% of adults)**

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

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

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

**Getting Credit: collateral rules and credit information**



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

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

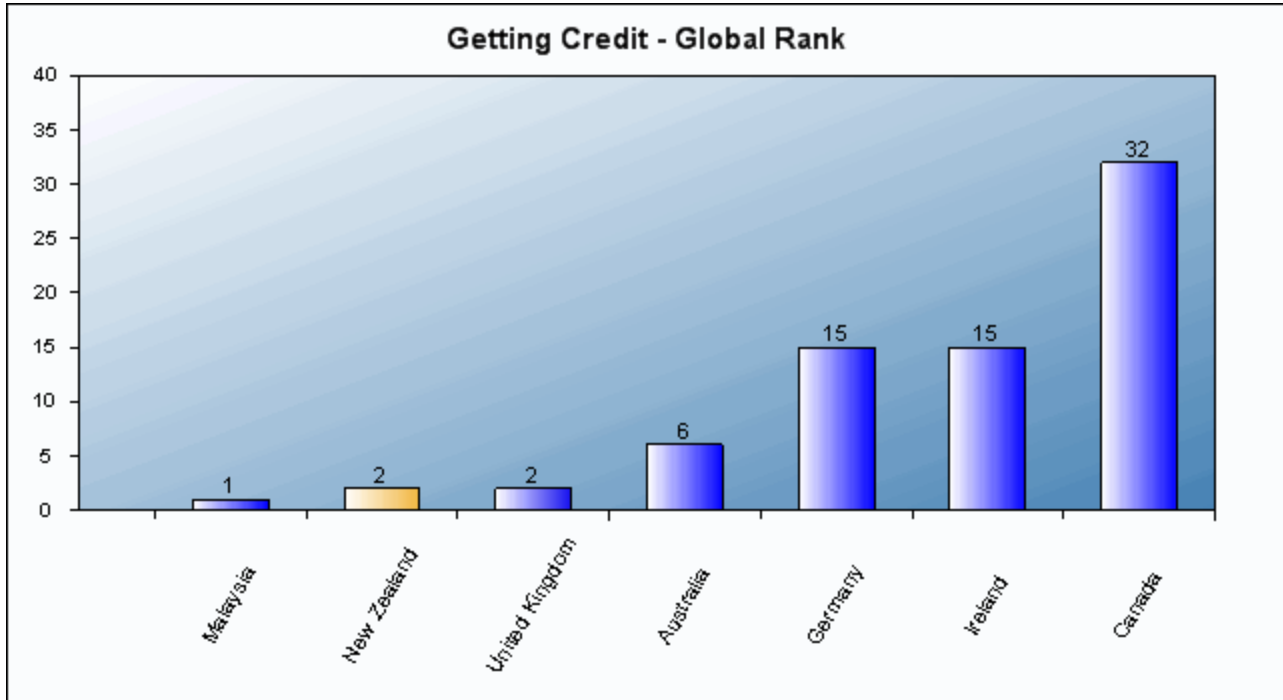
**The Debtor**

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

## 1. Benchmarking Getting Credit Regulations:

New Zealand is ranked 2 overall for Getting Credit.

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



The following table shows Getting Credit data for New Zealand compared to good practice and comparator economies:

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

<i>Selected Economy</i>				
<b>New Zealand</b>	<b>10</b>	<b>5</b>	<b>0.0</b>	<b>100.0</b>

<i>Comparator Economies</i>				
<b>Australia</b>	9	5	0.0	100.0
<b>Canada</b>	6	6	0.0	100.0
<b>Germany</b>	7	6	1.0	98.4
<b>Ireland</b>	8	5	0.0	100.0
<b>United Kingdom</b>	9	6	0.0	100.0

\* The following economies are also good practice economies for :

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

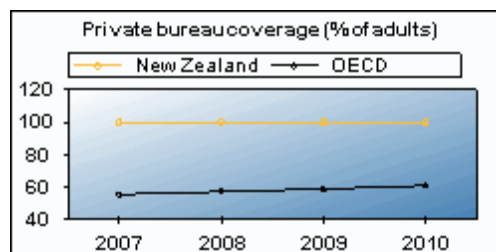
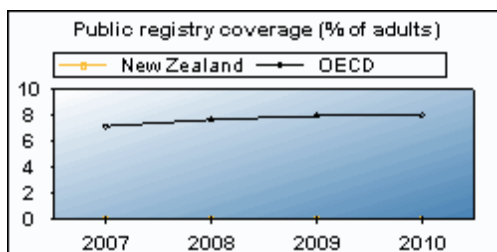
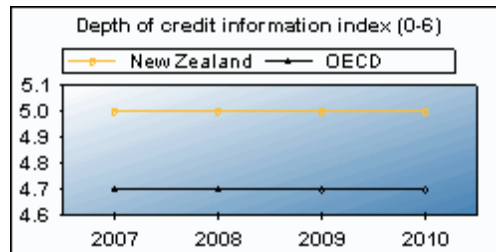
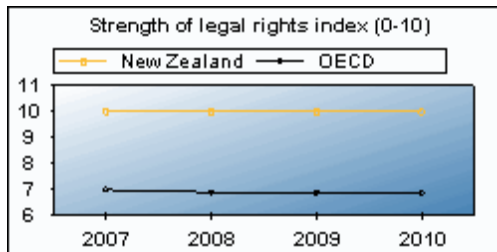
**Private bureau coverage (% of adults): Argentina, Australia, Canada, Iceland, Ireland, Norway, Sweden, United Kingdom, United States**

**27 countries have the highest credit information index.**

## 2. Historical data: Getting Credit in New Zealand

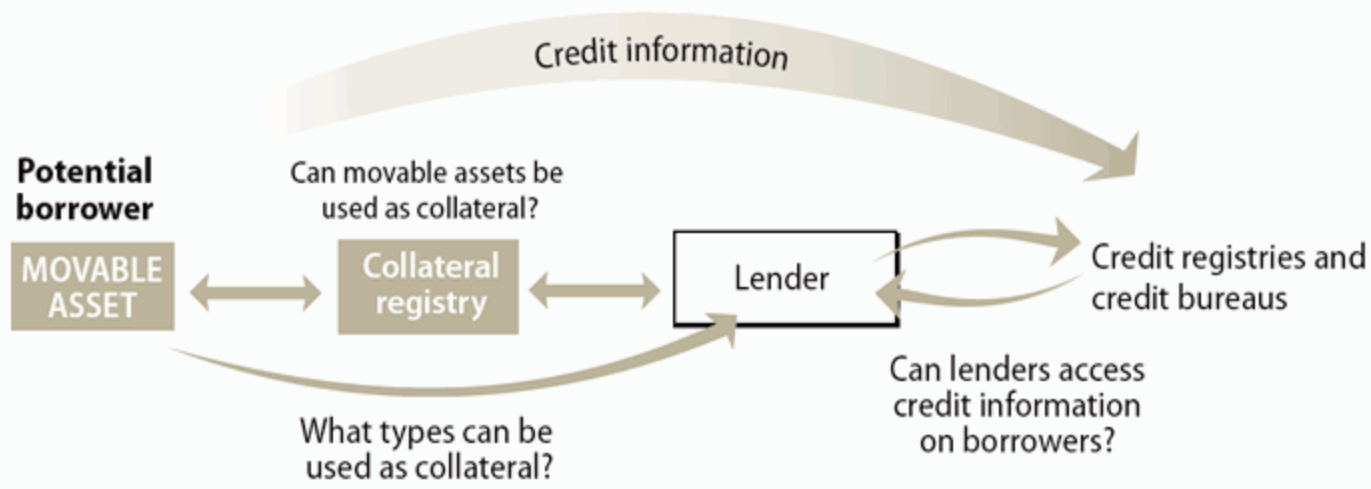
Getting Credit data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	2	2
Strength of legal rights index (0-10)	10	10	10	10
Depth of credit information index (0-6)	5	5	5	5
Private bureau coverage (% of adults)	100.0	100.0	100.0	100.0
Public registry coverage (% of adults)	0.0	0.0	0.0	0.0

3. The following graphs illustrate the Getting Credit sub indicators in New Zealand over the past 4 years:





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



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

Getting Credit Indicators (2010)			Indicator
<b>Private bureau coverage (% of adults)</b>	<b>Private credit bureau</b>	<b>Public credit registry</b>	<b>5</b>
Are data on both firms and individuals distributed?	Yes	No	1
Are both positive and negative data distributed?	No	No	0
Does the registry distribute credit information from retailers, trade creditors or utility companies as well as financial institutions?	Yes	No	1
Are more than 2 years of historical credit information distributed?	Yes	No	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	No	1
<b>Coverage</b>	100.0	0.0	
Number of individuals	2,585,000		0
Number of firms	1,010,000		0

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

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

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Does the law allow businesses to grant a non possessory security right in a single category of movable assets, without requiring a specific description of collateral?

---

Does the law allow businesses to grant a non possessory security right in substantially all of its assets, without requiring a specific description of collateral?

---

May a security right extend to future or after-acquired assets, and may it extend automatically to the products, proceeds or replacements of the original assets ?

---

Is a general description of debts and obligations permitted in collateral agreements, so that all types of obligations and debts can be secured by stating a maximum amount rather than a specific amount between the parties ?

---

Is a collateral registry in operation, that is unified geographically and by asset type, as well as indexed by the grantor's name of a security right ?

---

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

---

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

---

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

---

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

---

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

### Some reform outcomes

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

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

### What do the Protecting Investors indicators measure?

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

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

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

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

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

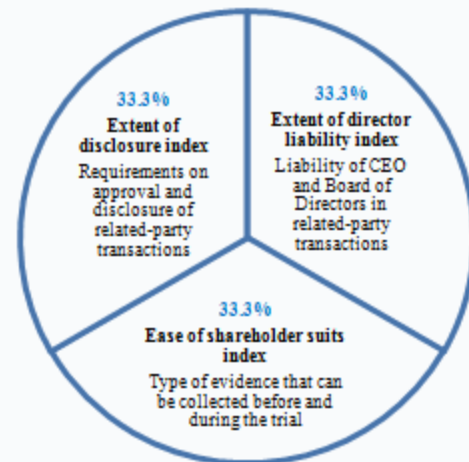
- Documents and information available during trial
- Access to internal corporate documents (directly or through a government inspector)

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

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

**Protecting Investors:** minority shareholder rights in related-party transactions

Rankings are based on 3 subindicators



### Case Study Assumptions

#### The business (Buyer):

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

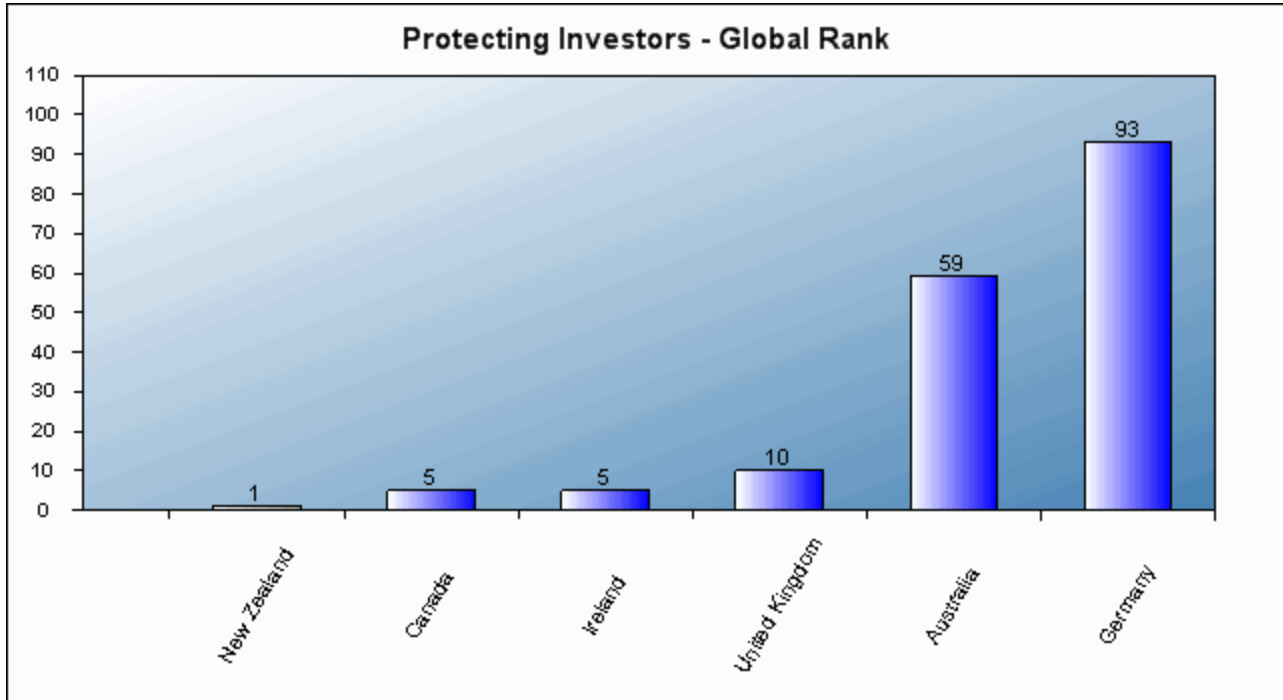
#### The transaction

- Mr. James, a director and the majority shareholder of the company, proposes that the company purchase used trucks from another company he owns.
- The price is higher than the going price for used trucks, but the transaction goes forward.
- All required approvals are obtained, and all required disclosures made, though the transaction is prejudicial to the purchasing company.
- Shareholders sue the interested parties and the members of the board of directors.

## 1. Benchmarking Protecting Investors Regulations:

New Zealand is ranked 1 overall for Protecting Investors.

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



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

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

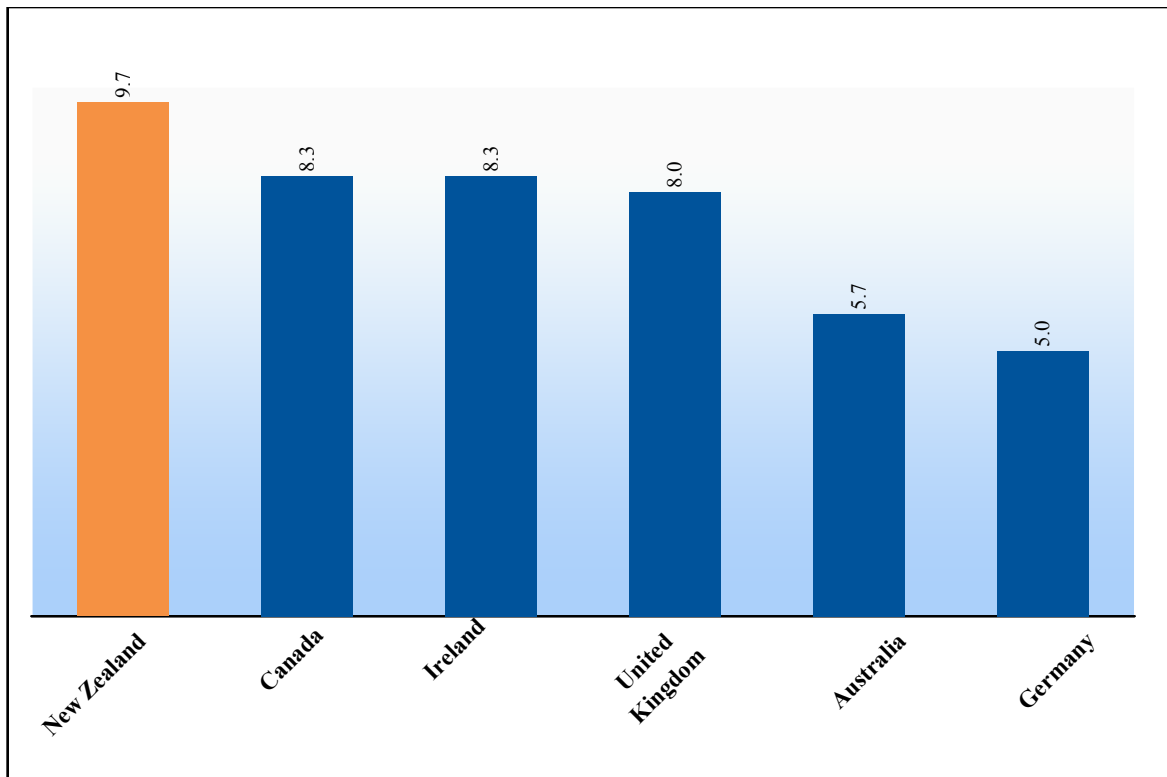
<i>Selected Economy</i>	
<b>New Zealand</b>	<b>9.7</b>

<i>Comparator Economies</i>	
<b>Australia</b>	5.7
<b>Canada</b>	8.3
<b>Germany</b>	5.0
<b>Ireland</b>	8.3
<b>United Kingdom</b>	8.0

## 2. Historical data: Protecting Investors in New Zealand

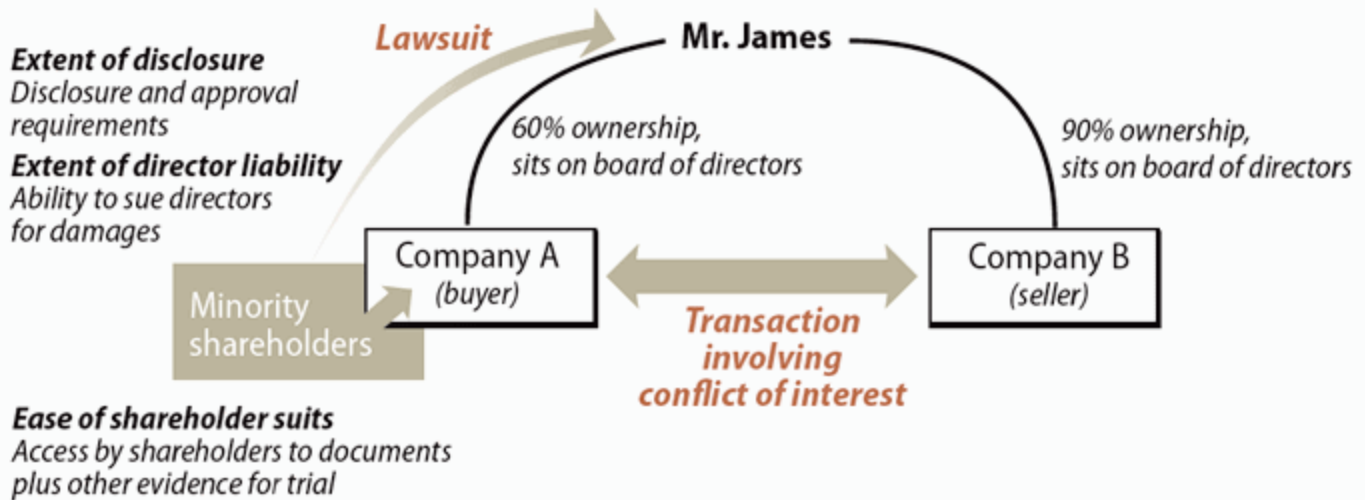
Protecting Investors data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	1	1
Strength of investor protection index (0-10)	9.7	9.7	9.7	9.7

3. The following graph illustrates the Protecting Investors index in New Zealand compared to best practice and selected Economies:



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

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



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

Protecting Investors Data (2010)	Indicator
<b>Extent of disclosure index (0-10)</b>	<b>10</b>
What corporate body provides legally sufficient approval for the transaction?	3
Whether immediate disclosure of the transaction to the public and/or shareholders is required?	2
Whether disclosure of the transaction in published periodic filings (annual reports) is required?	2
Whether disclosure of the conflict of interest by Mr. James to the board of directors is required?	2
Whether an external body must review the terms of the transaction before it takes place?	1
<b>Extent of director liability index (0-10)</b>	<b>9</b>
Whether shareholders can hold Mr. James liable for the damage that the Buyer-Seller transaction causes to the company?	2
Whether shareholders can hold the approving body (the CEO or board of directors) liable for the damage that the Buyer-Seller transaction causes to the company?	2
Whether a court can void the transaction upon a successful claim by a shareholder plaintiff?	2
Whether Mr. James pays damages for the harm caused to the company upon a successful claim by the shareholder plaintiff?	1

Whether Mr. James repays profits made from the transaction upon a successful claim by the shareholder plaintiff?	1
Whether fines and imprisonment can be applied against Mr. James?	0
Whether shareholders can sue directly or derivatively for the damage that the Buyer-Seller transaction causes to the company?	1
<b>Ease of shareholder suits index (0-10)</b>	<b>10</b>
Whether the plaintiff can obtain any documents from the defendant and witnesses during trial?	4
Whether the plaintiff can directly question the defendant and witnesses during trial?	2
Whether the plaintiff can request categories of documents from the defendant without identifying specific ones?	1
Whether shareholders owning 10% or less of Buyer's shares can request an inspector to investigate the transaction?	1
Whether the level of proof required for civil suits is lower than that of criminal cases?	1
Whether shareholders owning 10% or less of Buyer's shares can inspect transaction documents before filing suit?	1
<b>Strength of investor protection index (0-10)</b>	<b>9.7</b>



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

### Some reform outcomes

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

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

### What do the Paying taxes indicators measure?

**Tax payments for a manufacturing company in 2009**  
(number per year adjusted for electronic or joint filing and payment)

- Total number of taxes and contributions paid, including consumption taxes (value added tax, sales tax or goods and service tax)
- Method and frequency of filing and payment

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

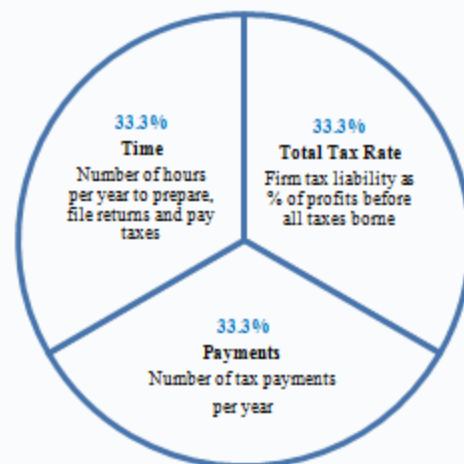
- Collecting information and computing the tax payable
- Completing tax return forms, filing with proper agencies
- Arranging payment or withholding
- Preparing separate tax accounting books, if required

**Total tax rate** (% of profit)

- Profit or corporate income tax
- Mandatory social contributions and labor taxes paid by the employer
- Property and property transfer taxes
- Dividend, capital gains and financial transactions taxes
- Waste collection, vehicle, road and other taxes

**Paying Taxes:** tax compliance for a local manufacturing company

Rankings are based on 3 subindicators



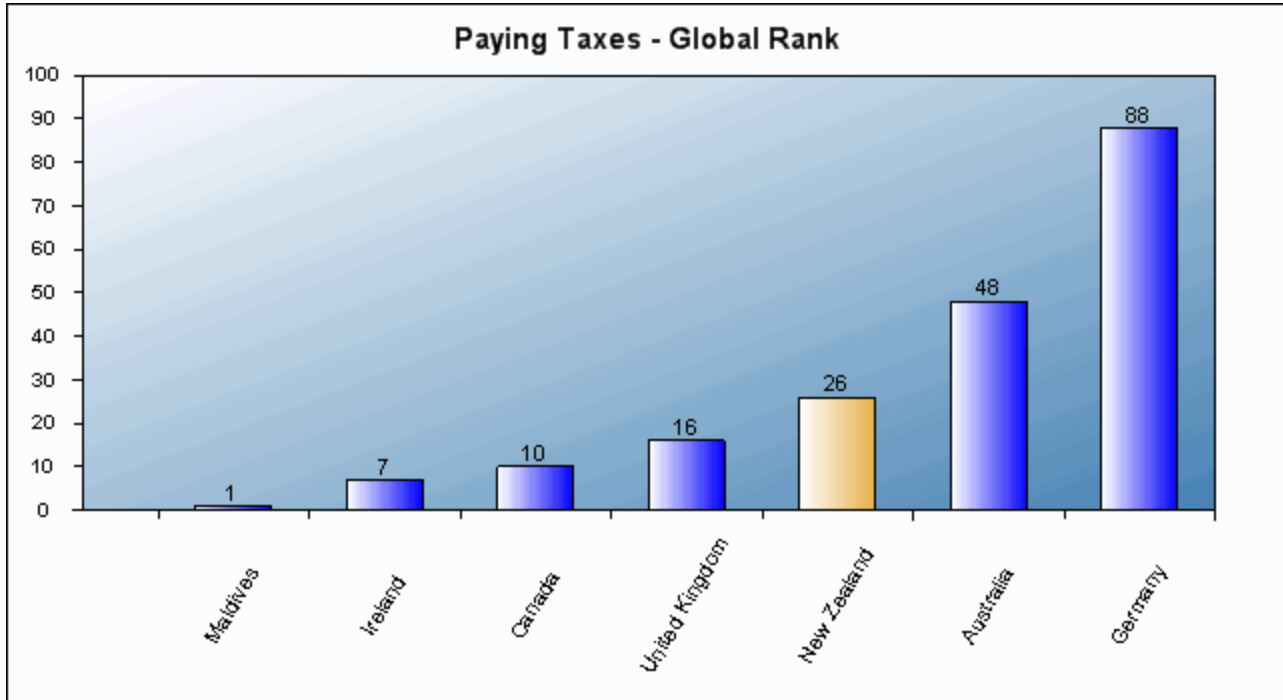
### Case Study Assumptions

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

## 1. Benchmarking Paying Taxes Regulations:

New Zealand is ranked 26 overall for Paying Taxes.

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



The following table shows Paying Taxes data for New Zealand compared to good practice and comparator economies:

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

<i>Selected Economy</i>			
<b>New Zealand</b>	<b>8</b>	<b>192</b>	<b>34.3</b>

<i>Comparator Economies</i>			
<b>Australia</b>	11	109	47.9
<b>Canada</b>	8	131	29.2
<b>Germany</b>	16	215	48.2
<b>Ireland</b>	9	76	26.5
<b>United Kingdom</b>	8	110	37.3

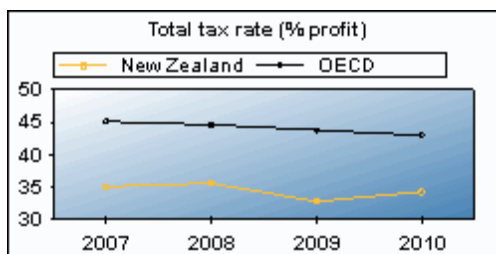
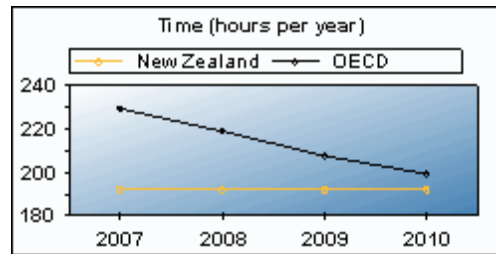
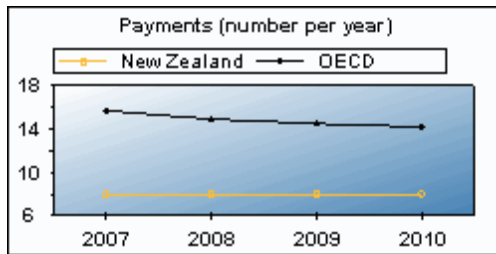
\* The following economies are also good practice economies for :

**Payments (number per year): Qatar**

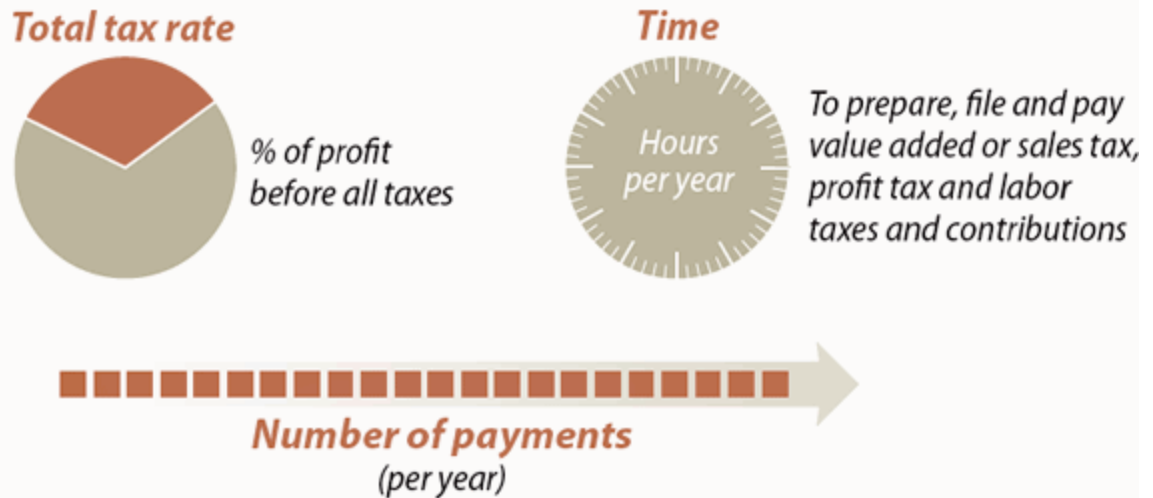
## 2. Historical data: Paying Taxes in New Zealand

Paying Taxes data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	22	26
Total tax rate (% profit)	35.1	35.6	32.8	34.3
Payments (number per year)	8	8	8	8
Time (hours per year)	192	192	192	192

## 3. The following graphs illustrate the Paying Taxes sub indicators in New Zealand over the past 4 years:



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



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

Tax or mandatory contribution	Payments (number)	Notes on Payments	Time (hours)	Statutory tax rate	Tax base	Total tax rate (% profit)	Notes on TTR
GST (VAT)	1	online filing	100	12.5%	value added		
Tax on check transactions	1			\$0.05 per check	number of checks	0.00	
Property tax	1			various rates	land value	0.10	
Fuel tax	1			included in the price of fuel		0.10	
Fringe benefit tax	1			49.0%	fringe benefits to employees	0.60	
Road user charges	1			various rates	vehicle weight	0.70	
Tax on interest	0	withheld		33.0%	interest income	0.80	
Accident compensation	1	online filing	67	(in our case 0.99% +0.05%)	gross salaries	2.30	

Corporate income tax	1	online filing	25	30.0%	taxable profit	30.40
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<b>Totals</b>	<b>8</b>		<b>192</b>			<b>34.3</b>
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Making trade between countries easier is increasingly important for business in today's globalized world. Excessive document requirements, burdensome customs procedures, inefficient port operations and inadequate infrastructure all lead to extra costs and delays for exporters and importers, stifling trade potential. Trade facilitation tools such as electronic data interchange systems, risk-based inspections, and single windows help improve an economy's trading environment and boost firms' international competitiveness. *Doing Business* trade indicators take into account documents, cost and time associated with every procedure for trading a standard shipment of goods by ocean transport. Research indicates that exporters in developing countries have much more to gain by a 10% drop in their trading costs than from a similar decrease of the tariffs applied to their products in global markets.

#### Some reform outcomes

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

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

#### What do the Trading Across Borders indicators measure?

**Trading Across Borders:** exporting and importing by ocean transport

Rankings are based on 3 subindicators

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

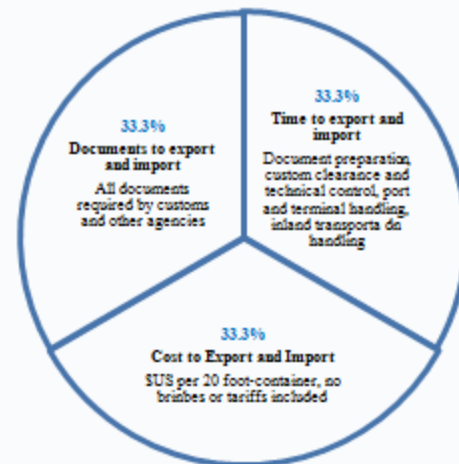
- Bank documents
- Customs clearance documents
- Port and terminal handling documents
- Transport documents

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

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

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

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



#### Case Study Assumptions

##### The Business

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

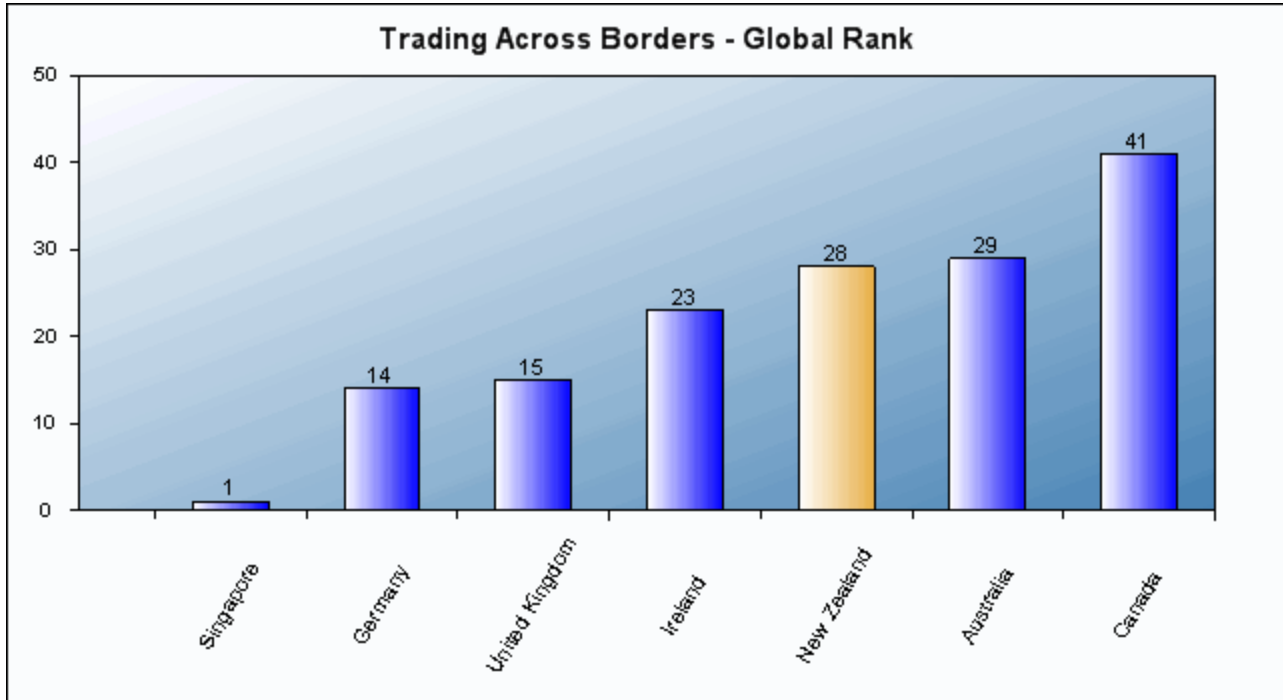
##### The traded product

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

## 1. Benchmarking Trading Across Borders Regulations:

New Zealand is ranked 28 overall for Trading Across Borders.

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





The following table shows Trading Across Borders data for New Zealand compared to good practice and comparator economies:

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

<i>Selected Economy</i>						
<b>New Zealand</b>	<b>7</b>	<b>10</b>	<b>855</b>	<b>5</b>	<b>9</b>	<b>825</b>

<i>Comparator Economies</i>						
<b>Australia</b>	6	9	1060	5	8	1119
<b>Canada</b>	3	7	1610	4	11	1660
<b>Germany</b>	4	7	872	5	7	937
<b>Ireland</b>	4	7	1109	4	12	1121
<b>United Kingdom</b>	4	7	950	4	6	1045

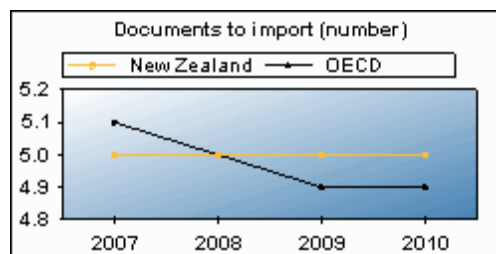
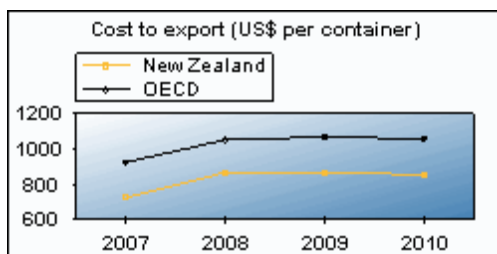
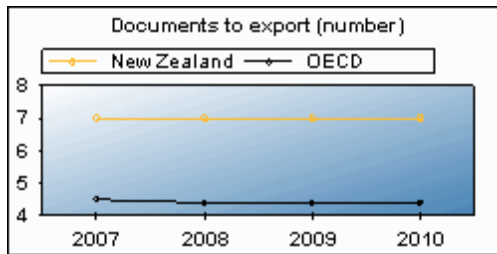
\* The following economies are also good practice economies for :

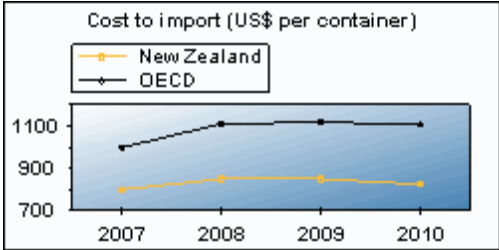
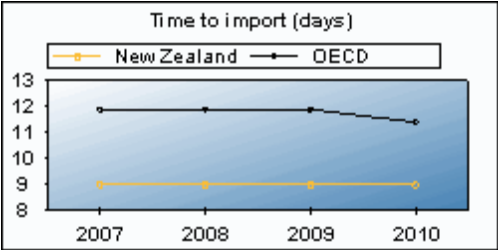
**Time to export (days): Estonia**

## 2. Historical data: Trading Across Borders in New Zealand

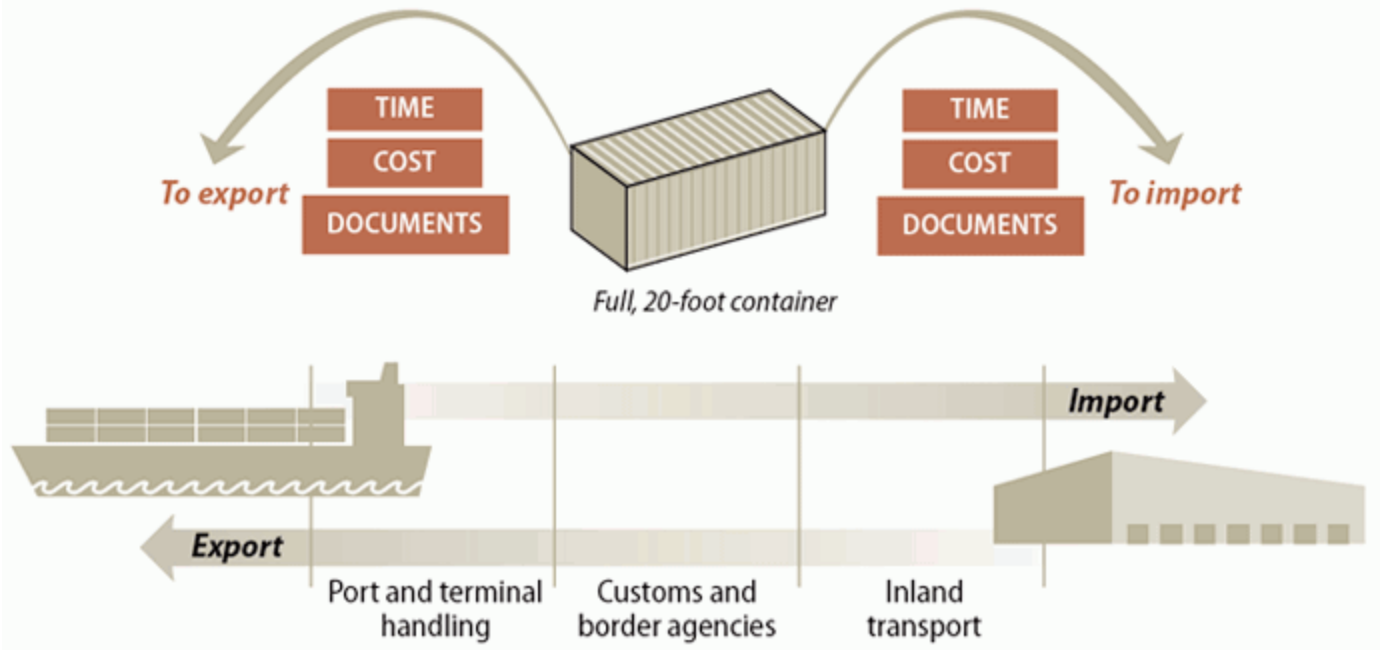
Trading Across Borders data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	27	28
Cost to export (US\$ per container)	725	868	868	855
Cost to import (US\$ per container)	800	850	850	825
Documents to export (number)	7	7	7	7
Documents to import (number)	5	5	5	5
Time to export (days)	10	10	10	10
Time to import (days)	9	9	9	9

3. The following graphs illustrate the Trading Across Borders sub indicators in New Zealand over the past 4 years:





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



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

Nature of Export Procedures (2010)	Duration (days)	US\$ Cost
Documents preparation	5	205
Customs clearance and technical control	1	50
Ports and terminal handling	2	300
Inland transportation and handling	2	300
Totals	10	855

Nature of Import Procedures (2010)	Duration (days)	US\$ Cost
Documents preparation	5	175
Customs clearance and technical control	1	50
Ports and terminal handling	1	300
Inland transportation and handling	2	300
Totals	9	825

**Documents for Export and Import**

**Export**

- Bill of lading
- Certificate of origin
- Commercial invoice
- Customs export declaration
- Delivery order
- Fumigation order
- Packing list

**Import**

- Bill of lading
- Commercial invoice
- Customs import declaration
- Fumigation order
- Packing list

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

#### Some reform outcomes

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

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

#### What do the Enforcing Contracts indicators measure?

**Enforcing Contracts:** resolving a commercial dispute through the courts

Rankings are based on 3 subindicators

#### Procedures to enforce a contract (number)

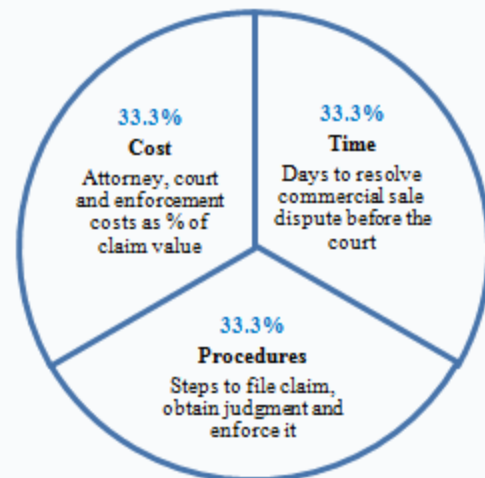
- Any interaction between the parties in a commercial dispute, or between them and the judge or court officer
- Steps to file the case
- Steps for trial and judgment
- Steps to enforce the judgment

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

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

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

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



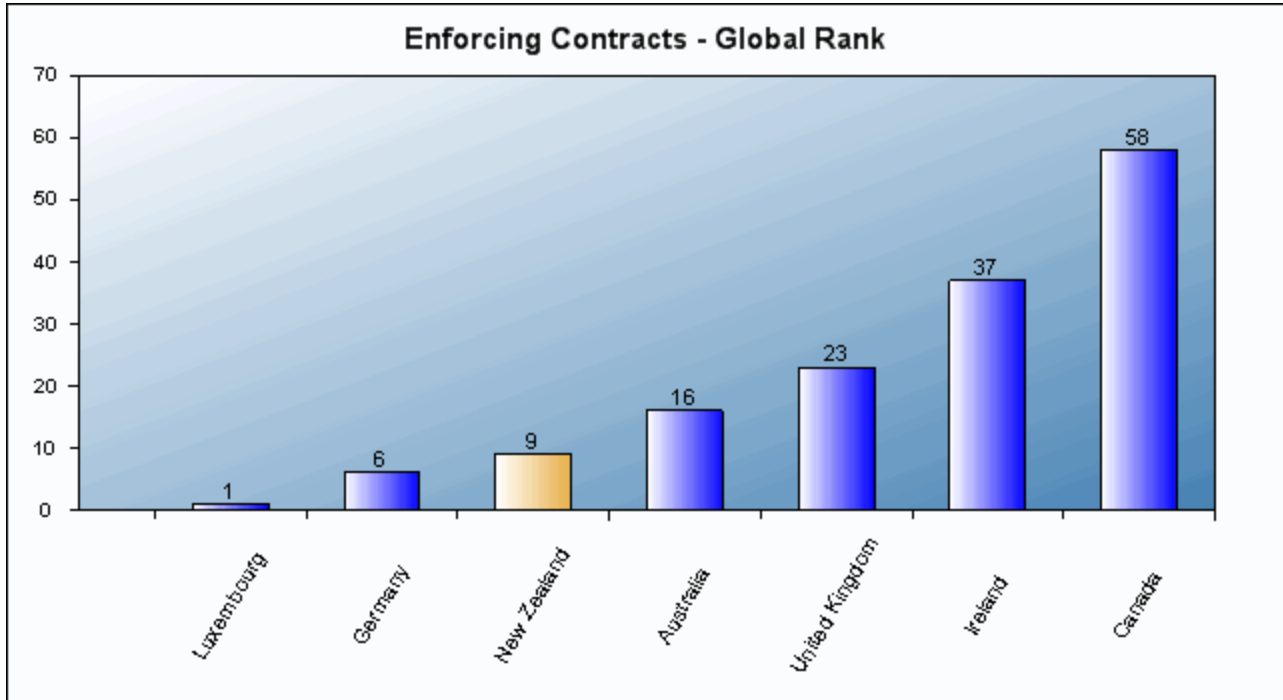
#### Case Study Assumptions

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

## 1. Benchmarking Enforcing Contracts Regulations:

New Zealand is ranked 9 overall for Enforcing Contracts.

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



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

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

<i>Selected Economy</i>			
<b>New Zealand</b>	<b>30</b>	<b>216</b>	<b>22.4</b>

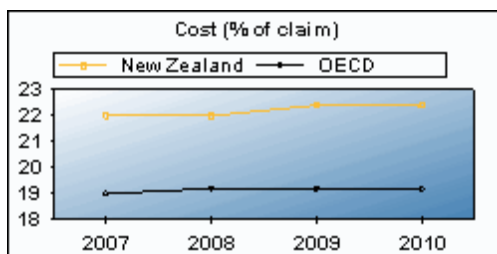
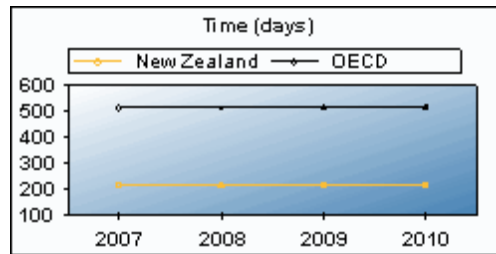
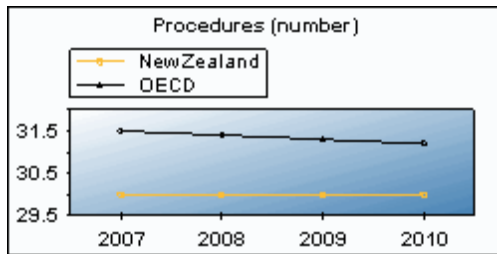
<i>Comparator Economies</i>			
<b>Australia</b>	28	395	20.7
<b>Canada</b>	36	570	22.3
<b>Germany</b>	30	394	14.4
<b>Ireland</b>	20	515	26.9
<b>United Kingdom</b>	28	399	23.4



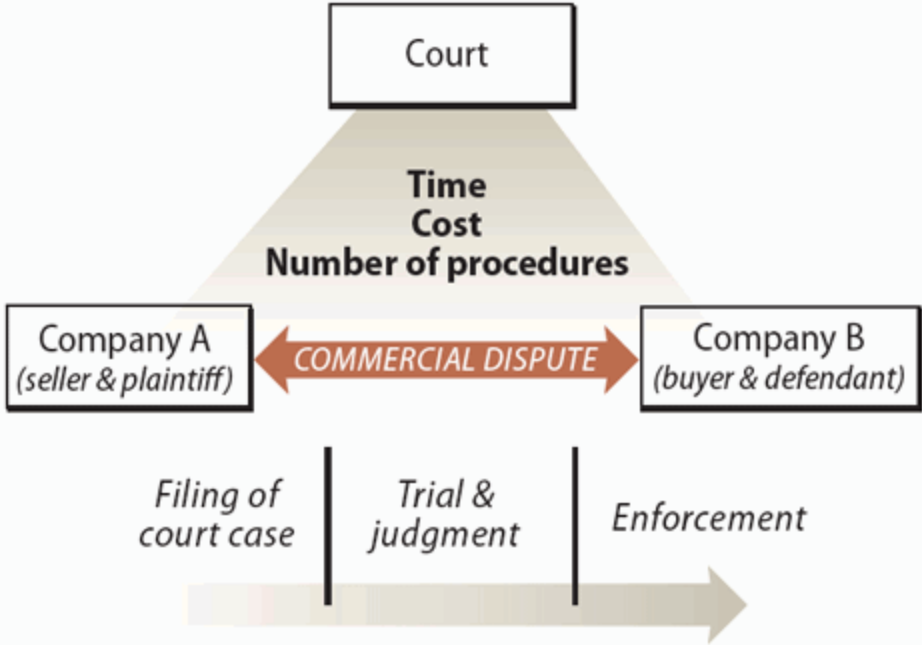
## 2. Historical data: Enforcing Contracts in New Zealand

Enforcing Contracts data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	9	9
Procedures (number)	30	30	30	30
Time (days)	216	216	216	216
Cost (% of claim)	22.0	22.0	22.4	22.4

3. The following graphs illustrate the Enforcing Contracts sub indicators in New Zealand over the past 4 years:



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



This topic looks at the efficiency of contract enforcement in New Zealand.

Nature of Procedure (2010)	Indicator
Procedures (number)	30
Time (days)	216
Filing and service	7.0
Trial and judgment	167.0
Enforcement of judgment	42.0
<b>Cost (% of claim)*</b>	<b>22.40</b>
Attorney cost (% of claim)	16.3
Court cost (% of claim)	2.9
Enforcement Cost (% of claim)	3.2

**Court information:** Auckland District Court

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

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

### Some reform outcomes

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

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

### What does the Closing a Business indicator measure?

**Closing a Business:** insolvency proceedings against local company

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

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

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

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

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

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



### *Case Study Assumptions*

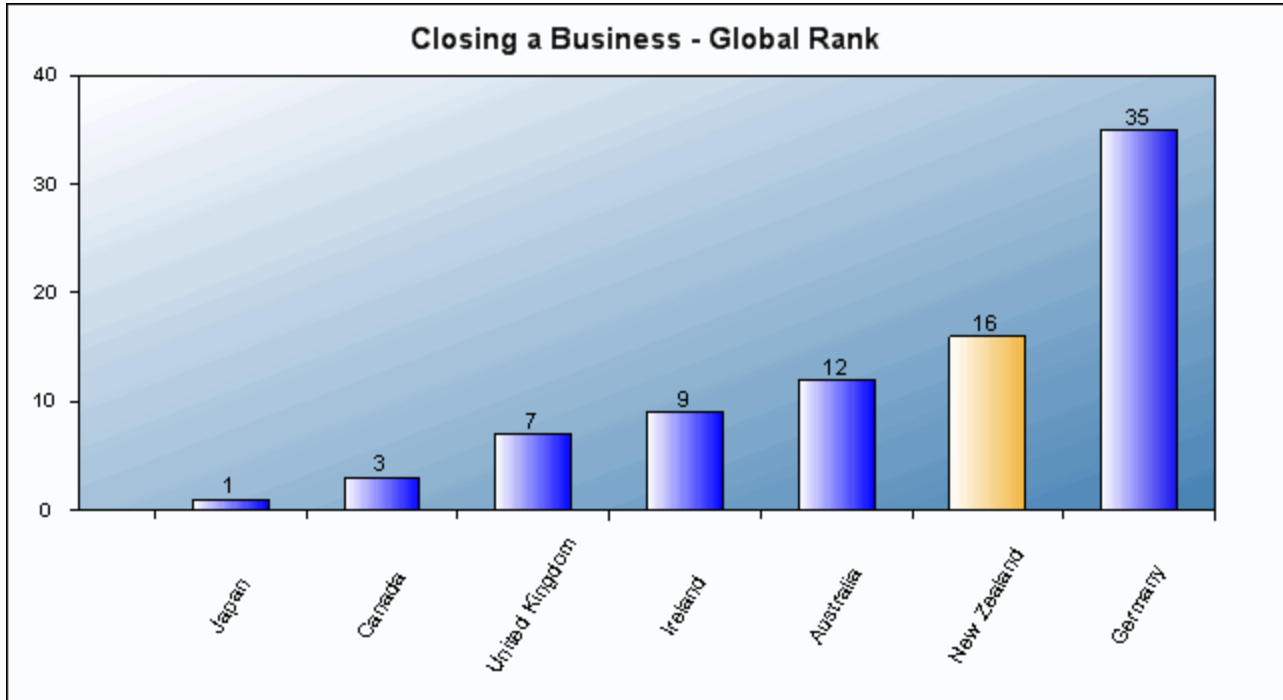
#### The Company

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

## 1. Benchmarking Closing Business Regulations:

New Zealand is ranked 16 overall for Closing a Business.

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



The following table shows Closing Business data for New Zealand compared to good practice and comparator economies:

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

<i>Selected Economy</i>			
<b>New Zealand</b>	<b>79.1</b>	<b>1.3</b>	<b>4</b>

<i>Comparator Economies</i>			
<b>Australia</b>	81.8	1.0	8
<b>Canada</b>	91.2	0.8	4
<b>Germany</b>	53.1	1.2	8
<b>Ireland</b>	87.4	0.4	9
<b>United Kingdom</b>	88.6	1.0	6

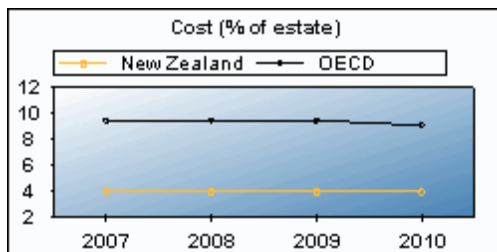
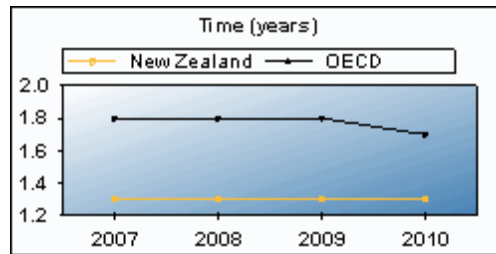
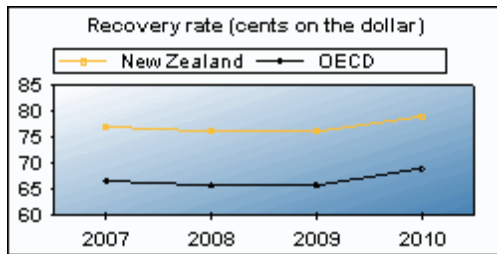
\* The following economies are also good practice economies for :

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

## 2. Historical data: Closing Business in New Zealand

Closing a Business data	Doing Business 2008	Doing Business 2009	Doing Business 2010	Doing Business 2011
Rank	..	..	17	16
Time (years)	1.3	1.3	1.3	1.3
Cost (% of estate)	4	4	4	4
Recovery rate (cents on the dollar)	77.1	76.2	76.2	79.1

3. The following graphs illustrate the Closing Business sub indicators in New Zealand over the past 4 years:



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

## The top 10 most-improved in Doing Business 2011

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

 Positive Change  
 Negative Change

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



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

<b>Brunei Darussalam</b>	Brunei Darussalam made starting a business easier by improving efficiency at the company registrar and implementing an electronic system for name searches. Brunei Darussalam reduced the corporate income tax rate from 23.5% to 22% while also introducing a lower tax rate for small businesses, ranging from 5.5% to 11%. The introduction of an electronic customs system in Brunei Darussalam made trading easier.
<b>Canada</b>	Canada harmonized the Ontario and federal tax returns and reduced the corporate and employee tax rates. Canada increased the efficiency of the courts by expanding electronic document submission and streamlining procedures.
<b>Cape Verde</b>	Cape Verde made start-up easier by eliminating the need for a municipal inspection before a business begins operations and computerizing the system for delivering the municipal license. Cape Verde eased property registration by switching from fees based on a percentage of the property value to lower fixed rates. Cape Verde abolished the stamp duties on sales and checks.
<b>Germany</b>	Germany eased business start-up by increasing the efficiency of communications between the notary and the commercial registry and eliminating the need to publish an announcement in a newspaper.
<b>Grenada</b>	Grenada eased business start-up by transferring responsibility for the commercial registry from the courts to the civil administration. The appointment of a registrar focusing only on property cut the time needed to transfer property in Grenada by almost half. Grenada's customs administration made trading faster by simplifying procedures, reducing inspections, improving staff training and enhancing communication with users.
<b>Hungary</b>	Hungary implemented a time limit for the issuance of building permits. Hungary reduced the property registration fee by 6% of the property value. Hungary simplified taxes and tax bases. Amendments to Hungary's bankruptcy law encourage insolvent companies to consider reaching agreements with creditors out of court so as to avoid bankruptcy.
<b>Kazakhstan</b>	Kazakhstan eased business start-up by reducing the minimum capital requirement to 100 tenge (\$0.70) and eliminating the need to have the memorandum of association and company charter notarized. Kazakhstan made dealing with construction permits easier by implementing a one-stop shop related to technical conditions for utilities. Kazakhstan strengthened investor protections by requiring greater corporate disclosure in company annual reports. Kazakhstan speeded up trade through efforts to modernize customs, including implementation of a risk management system and improvements in customs automation.
<b>New Zealand</b>	New Zealand enacted new district court rules that make the process for enforcing contracts user friendly.
<b>Peru</b>	Peru eased business start-up by simplifying the requirements for operating licenses and creating an online one-stop shop for business registration. Peru streamlined construction permitting by implementing administrative reforms. Peru introduced fast-track procedures at the land registry, cutting by half the time needed to register property. Peru made trading easier by implementing a new web-based electronic data interchange system, risk-based inspections and payment deferrals.
<b>Rwanda</b>	Rwanda made dealing with construction permits easier by passing new building regulations at the end of April 2010 and implementing new time limits for the issuance of various permits. Rwanda enhanced access to credit by allowing borrowers the right to inspect their own credit report and mandating that loans of all sizes be reported to the central bank's public credit registry. Rwanda reduced the number of trade documents required and enhanced its joint border management procedures with Uganda and other neighbors, leading to an improvement in the trade logistics environment.
<b>Tajikistan</b>	Tajikistan made starting a business easier by creating a one-stop shop that consolidates registration with the state and the tax authority. Tajikistan strengthened investor protections by requiring greater corporate disclosure in the annual report and greater access to corporate information for minority investors. Tajikistan lowered its corporate income tax rate.
<b>United Kingdom</b>	The United Kingdom improved the process for enforcing contracts by modernizing civil procedures in the commercial court. Amendments to the United Kingdom's insolvency rules streamline bankruptcy procedures, favor the sale of the firm as a whole and improve the calculation of administrators' fees.

**Vietnam**

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

**Zambia**

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



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