

Enforcing Contracts Questionnaire – «DB_ec_Survey_Economy_FullName1» www.doingbusiness.org

Dear Contributor,

We would like to thank you for your participation in the *Doing Business* project. Your expertise in the field of contract enforcement in «DB_ec_Survey_Economy_FullName1» 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 Enforcing Contracts indicator, which measures the time and cost to resolve a standardized commercial dispute as well as a series of good practices for the judiciary, 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 2017: Equal Opportunity for All*, introduced improvements in the paying taxes and protecting minority investors indicators, and included a gender component in 3 of 11 *Doing Business* indicator sets. It received over 7,000 media citations within just a week of its publication on October 25, 2016 and the report was downloaded almost 40,000 times within that same period. A record 137 economies implemented a total of 283 reforms. Low and middle income countries carried out more than 75% of these reforms, with Sub-Saharan Africa accounting for 80 of them.

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. Since 2010, economies worldwide have implemented 93 reforms making it easier to resolve a standardized commercial dispute through the courts. In 2015/16, 18 economies implemented such reforms.

We are honored to be able to count on your expertise for *Doing Business 2018*. 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 enforcing contracts since June 1, 2016.
- Be sure to update your name and address if necessary, so we can mail you a complimentary copy of the report.
- Kindly return the questionnaire to «SurveyAnalystName» at DBEnforcingContracts@worldbank.org.

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

Sincerely,



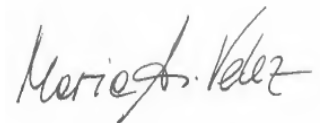
Erica Bosio
Tel.: +1 (202) 458-7046
Fax: +1 (202) 473-5758



Camille Henri Vaillon
Tel.: +1 (202) 458-7857
Fax: +1 (202) 473-5758



Maksym Iavorskyi
Tel.: +1 (202) 458-8342
Fax: +1 (202) 473-5758



María Adelaida Velez
Tel.: +1 (202) 458-7046
Fax: +1 (202) 473-5758

Email: DBEnforcingContracts@worldbank.org

Primary Contributor Information: Please check the box next to information you **do not** want us to **publish**.

| | | Name | | | |
|--|---|------------------------|---|-----------------|---------------|
| Do not publish <input type="checkbox"/> | Title (Mr., Ms., Dr.) | «Title» | [|] | |
| | First Name | «FirstName» | [|] | |
| | Last Name | «LastName» | [|] | |
| Never Published | Position (e.g. manager, associate, partner) | «Position» | [|] | |
| | Profession (e.g. judge, lawyer, architect) | «Profession» | [|] | |
| | | Contact details | | | |
| Do not publish <input type="checkbox"/> | Firm name | «CompanyName» | [|] | |
| | Website | «Website» | [|] | |
| Do not publish <input checked="" type="checkbox"/> | E-mail address | «EmailAddress» | [|] | |
| Never Published | Phone | «PhoneNumber» | [|] | |
| | Fax | «FaxNumber» | [|] | |
| | Mobile phone | «MobileNumber» | [|] | |
| Do not publish <input type="checkbox"/> | Firm Address | | | | |
| Street | «Street» | [|] | P.O. Box | «POBOX» [] |
| City | «City» | [|] | State/ Province | «State» [] |
| Zip/Postal code | «ZipPostalCode» | [|] | Country | «Country» [] |

Additional Contributor(s): If there are more people whom you would like us to acknowledge, kindly send us an e-mail.

| Name | Occupation | Email | Phone | Address |
|--|--------------------------------------|-------|---------------------|--|
| [title] [first name] [last name] | [firm] [position] [profession] | [] | [phone] [mobile] | [street] [state/province] [city/country] |
| [title] [first name] [last name] | [firm] [position] [profession] | [] | [phone] [mobile] | [street] [state/province] [city/country] |
| [title] [first name] [last name] | [firm] [position] [profession] | [] | [phone] [mobile] | [street] [state/province] [city/country] |

Paperless Option for Complimentary Report and Certificate

Last year contributors saved nearly half a million pieces of paper by selecting the paperless report option. We welcome you to join us in conserving resources:

Please e-mail me an electronic copy of the report and my certificate of appreciation, instead of a paper copy.

Referrals: Please help us expand our list of contributors by referring us to other experts in the private or public sector (lawyers, notaries, public officials or any expert on this field) who can respond to the questionnaire.

| First name | Last name | Position | Firm | Address | Phone | E-mail |
|------------|-----------|----------|------|---------|-------|--------|
| [] | [] | [] | [] | [] | [] | [] |
| [] | [] | [] | [] | [] | [] | [] |

1. Case Study Assumptions

Two domestic companies – Seller and Buyer – conclude a contract for the sale of some custom-made goods. Further to such contract, Seller agrees to sell to Buyer, and Buyer agrees to buy from Seller, custom-made furniture. Upon delivery of the goods, Buyer alleges that the goods are of inadequate quality, and refuses to pay. Seller insists that the goods are of adequate quality and demands payment of the contract price. Since the goods were custom-made for Buyer, Seller cannot sell them to a third party. Following Buyer's refusal to pay, Seller sues Buyer. The court decides 100% in favor of Seller, and orders Buyer to pay the contract price.

1. Both Seller and Buyer are domestic companies, located in «Survey_City».
2. Seller sues Buyer to recover the amount due under the contract. The value of the claim is: «DB_ec_currency_code» «DB_ec_DB16_EC_Value_Claim_LCU».
3. The court deciding the case is located in «Survey_City» and is the first instance court with jurisdiction over commercial claims of «DB_ec_currency_code» «DB_ec_DB16_EC_Value_Claim_LCU».
4. Seller fears that Buyer may dissipate assets, move assets out of the jurisdiction or become insolvent. Therefore, if such a procedure is allowed before the competent court, Seller requests and obtains attachment of Buyer's movable assets (for example, office equipment) prior to obtaining a judgment.
5. Buyer opposes the claim, which is then disputed on the merits. An opinion on the quality of the goods delivered by Seller is required and is given by an expert during the court proceedings:
 - a. If it is standard practice in your country for Seller and Buyer to call their own expert witnesses, then each party calls one expert witness to provide an opinion on the quality of the goods delivered by Seller.
 - b. If it is standard practice in your country for the judge to appoint an independent expert to provide an opinion on the quality of the goods delivered by Seller, then the judge does so. It is assumed that no opposing expert testimony is provided.
6. Judgment is 100% in favor of Seller. Buyer is required to pay the agreed contract price to Seller.
7. Buyer does not appeal the judgment.
8. Seller starts enforcing the judgment when the period allocated by law for appeal expires. It is assumed that Buyer has no money in his bank accounts. As a result, Buyer's movable assets (for example, office equipment) are attached and stored in preparation for a public sale.
9. A public sale is organized, advertised and held to sell Buyer's movable assets. The assets are sold and the value of the claim is entirely recovered by Seller.

Definitions: for the purpose of this questionnaire, the terms below carry the following meaning:

1. Competent court means the court in «Survey_City» with jurisdiction over commercial disputes similar to the one described in the assumptions of the standardized case. If more than one court is competent, competent court means the court that is most likely to determine the outcome of the standardized case.
2. Expert witness means a witness with the required qualifications or experience to give an opinion on whether the goods delivered are of adequate quality. Expert opinion is required and provided prior to judgment.

Please provide your responses to the following sections taking into account the case study assumptions provided above. For your convenience, last year's answers are included in this questionnaire where available. Please note that they represent a unified answer based on all the answers we received from various contributors.

2. Competent Court

| | Answer | Comment |
|---|-------------------|---------|
| Does the «DB_ec_name_city_competent_court_English» have jurisdiction over the case described in Section 1, given the value of the claim set at «DB_ec_currency_code» «DB_ec_DB16_EC_Value_Claim_LCU»? | -Click to Select- | |

If the competent court has changed, please answer all applicable questions in Sections 4, 5 and 6 assuming that the new court would hear that case.

3. Reform Update

| | Answer |
|---|-------------------|
| Have there been any reforms since June 1 st , 2016 in domestic commercial litigation? For example: amendments to the civil procedural laws, enactment and/or implementation of new regulations, changes to the case management system, introduction of automated solutions such as e-filing, e-notifications, etc., implementation of mediation/conciliation, substantial changes in arbitration law, introduction of small claims courts, creation of a new commercial court, or appointment of new judges. | -Click to Select- |
| If relevant, please describe the reform(s). Please include information on the date of adoption, publication and enforcement of the new law(s) or regulation(s). | |
| Are any such reforms expected between now and June 1st, 2017? If so, please describe. | |

4. Quality of Judicial Processes Index

4.1 Court Automation

| Electronic Filing | |
|---|--|
| Can the initial complaint be filed electronically through a dedicated platform within the «DB_ec_name_city_competent_court_English»? Please answer "No" if it can only be filed by e-mail or fax. | <i>Last year:</i> «DB_ec_efiling_yes_no» This Year: -Click to Select- Comment: |
| When the initial complaint is filed electronically, must a hard copy be submitted as well? | Answer: -Click to Select- Comment: |
| Electronic Service of Process | |
| Can the initial complaint filed before the «DB_ec_name_city_competent_court_English» be served on the defendant electronically? If so, please specify how service is carried out (by e-mail, SMS/text, fax, etc.). | <i>Last year:</i> «DB_ec_electronic_service_yes_no» This Year: -Click to Select- Comment: |
| Electronic Payment of Court Fees | |
| Can court fees be paid electronically within the «DB_ec_name_city_competent_court_English»? Please mark "Yes" also if payment can be made through online banking. | <i>Last year:</i> «DB_ec_electronic_fee_payment_yes_no» This Year: -Click to Select- Comment: |
| Publication of Judgments | |
| Are judgments rendered at <u>all levels</u> in commercial cases made available to the general public through publication in official gazettes, in newspapers or on the internet/court website? If judgments are published online, please include a link to the relevant website. | <i>Last year:</i> «DB_ec_publication_judgments_all_yes_no» This Year: -Click to Select- Comment: |
| Are judgments rendered in commercial cases at <u>the appellate and supreme court level</u> made available to the general public through publication in official gazettes, in newspapers or on the internet/court website? If judgments are published online, please include a link to the relevant website. | <i>Last year:</i> «DB_ec_publication_judgments_app&s_up_yes_no» This Year: -Click to Select- Comment: |

4.2 Court Structure & Proceedings

| Specialized Commercial Court | |
|---|--|
| In «Survey_City», is there a court, division or bench of a court dedicated solely to hearing commercial cases? | <i>Last year:</i> «DB_ec_commercial_court_yes_no» <i>This year:</i> -Click to Select- |
| What is the name of this court, division or bench? | |
| What is the jurisdictional threshold (minimum claim value) for cases to be heard by this court, division or bench? | |
| Small Claims Court | |
| In «Survey_City», is there a small claims court/division or a fast-track procedure for small claims? <i>A small claims court is a court with limited jurisdiction to hear cases with a maximum claim value that is relatively small. These courts usually have relaxed rules of civil procedure, relaxed rules of evidence and are characterized by the use of plain language.</i> | <i>Last year:</i> «DB_ec_small_claims_court_yes_no» <i>This year:</i> -Click to Select- |
| What is the name of this court or division? | |
| What is the law/regulation establishing such court/division or fast-track procedure? If possible, please include a link to the law. | |
| What is the maximum monetary amount for cases to be heard by this court/division or through this procedure? | |
| Is self-representation allowed within these proceedings? | |
| If small claims are resolved through a stand-alone court or division, please mention whether simplified rules of civil procedure apply. | |
| Pre-Trial Attachment | |
| Assuming that the plaintiff fears that the defendant may dissipate assets, move assets out of the jurisdiction or become insolvent, would the plaintiff be allowed to request and obtain attachment of the defendant's <u>movable</u> assets (office equipment or vehicles) within the same court? | <i>Last year:</i> «DB_ec_pre-attachment_allowed_yes_no» <i>This year:</i> -Click to Select- Comment: |
| Assignment of Cases | |
| How are new cases assigned to judges within the «DB_ec_name_city_competent_court_English»? <input type="checkbox"/> Randomly, by the president of the court/section <input type="checkbox"/> By the president of the court/section at his own discretion <input type="checkbox"/> Randomly, by the court's registrar/clerk <input type="checkbox"/> By the court's registrar/clerk at his own discretion <input type="checkbox"/> Randomly, on the basis of the subject matter or court's schedule and caseload <input type="checkbox"/> Randomly, through an automated system <input type="checkbox"/> On the basis of some alphabetical criteria or on a rotational basis <input type="checkbox"/> Not randomly <input type="checkbox"/> Other, please explain | |
| Can the parties or their counsels influence the appointment of the judge or predict which judge will be assigned to their case with a high level of certainty? | Answer: -Click to Select- Comment: |
| Gender Equality | |
| According to the applicable civil procedure law, does a woman's testimony carry the same evidentiary weight in court as a man's in all types of court cases? | <i>Last year:</i> «DB_ec_Womens_testimony_valid_just_as_mens» <i>This year:</i> -Click to Select- Comment: |
| If not, in which kind of cases do they not carry the same weight (e.g. commercial, family, etc.)? | Answer: |

4.3 Case Management

| Time Standards for Civil Cases, Adjournments and Continuances | |
|--|--|
| In «DB_ec_Survey_Economy_FullName2», are there laws or other regulations setting overall time standards for key court events in a civil case? | <i>Last year:</i> «DB_ec_time_standards_yes_no» This year: -Click to Select- Legal basis / comment: |
| If "Yes", which of these key events have specific deadlines set by law? Please mention the specific article of the applicable law/regulation and, if possible, <u>include a link to the material</u> . <i>Last year:</i> «DB_ec_time_standards_key_events» <input type="checkbox"/> Service of process – Legal basis: <input type="checkbox"/> First hearing – Legal basis: <input type="checkbox"/> Filing of the statement of defense – Legal basis: <input type="checkbox"/> Completion of the evidence period – Legal basis: <input type="checkbox"/> Time for the expert to deliver his opinion – Legal basis: <input type="checkbox"/> Deadline to submit final judgment – Legal basis: <input type="checkbox"/> Other, please explain | Please mention the specific article of the applicable law/regulation and, if possible, <u>include a link to the material</u> . |
| Are these time standards respected in more than 50% of the cases? | <i>Last year:</i> «DB_ec_time_standards_respected_ys_no» This year: -Click to Select- Comment: |
| Does the law also regulate the maximum number of adjournments or continuances that can be granted? | <i>Last year:</i> «DB_ec_adj_law_yes_no» This year: -Click to Select- Legal basis / comment: |
| Are adjournments limited to unforeseen and exceptional circumstances? Please answer "Yes", if the law lists the common causes for adjournments (e.g. death of party/lawyer, appointment of an expert, attempt to reach settlement) and/or if the law explicitly states that adjournments can only be granted in exceptional circumstances. | <i>Last year:</i> «DB_ec_adj_limitations_yes_no» This year: -Click to Select- Legal basis / comment: |
| If rules on adjournments exist, are they respected in more than 50% of the cases? | <i>Last year:</i> «DB_ec_adj_law_respected_yes_no» This year: -Click to Select- Comment: |
| Performance Measurement Mechanisms | |
| Are there reports that can be generated about the «DB_ec_name_city_competent_court_English» to monitor the court's performance, the progress of cases through the court and ensure compliance with the time standards mentioned above? | <i>Last year:</i> «DB_ec_perf_measurement_yes_no» This year: -Click to Select- Comment: |
| If "Yes", which of the following reports are made available online? These reports could be part of an annual report on the judiciary. <input type="checkbox"/> Time to disposition report (measures the time the court takes to dispose/adjudicate its cases) <input type="checkbox"/> Clearance rate report (measures the number of cases resolved vs. the number of incoming cases) <input type="checkbox"/> Age of pending cases report (provides a snapshot of all pending cases according to case-type, case-age, last action held and next action scheduled) <input type="checkbox"/> Single case progress report (provides a snapshot of the status of one single case) Please provide link, if possible: | These reports could be part of an annual report on the judiciary. |

Pre-Trial Conference

Is a pre-trial conference part of the case management techniques used before the «DB_ec_name_city_competent_court_English»?

A *pre-trial conference* is a meeting presided by the judge and designed to narrow down contentious issues and evidentiary questions before the trial. Its purpose is to discuss the possibility of settlement and to expedite the trial process while discouraging unnecessary pretrial motions or other delay tactics.

Last year: «DB_ec_pre-trial_conference_yes_no»
 This year: -Click to Select-
 Legal basis / comment:

If "Yes", which issues would be discussed and which actions would take place in such a pre-trial conference?

- Scheduling, including time frame for filing motions and other documents with the court
- Examination of case complexity and projected length of trial
- Possibility of settlement or ADR
- Exchange of witness list
- Discovery timeline/agreement on evidence
- Jurisdiction and other procedural issues
- Narrowing down contentious issues
- Other, please explain

Electronic Case Management System

If an electronic case management system is in place within the «DB_ec_name_city_competent_court_English», please answer the following two questions.

Which of the following actions can **judges** perform through the electronic system?

- Access laws, regulations and case-law
- Automatic generation of a hearing schedule for all cases on the judge's docket
- Send notifications (e.g. emails) to lawyers
- Track status of a case on the judge's docket
- View and manage case documents (briefs, motions, etc.)
- Assistance with judgment writing
- Semi-automatic generation of court orders
- View court orders and judgments in a particular case
- Additional features, please explain

Which of the following actions can **lawyers** perform through the electronic system?

- Access laws, regulations and case-law
- Access forms to be submitted to the court
- Receive notifications (e.g. emails)
- Track the status of a given case (future hearings, deadlines, etc.)
- View and manage case documents (briefs, motions, etc.)
- File briefs and documents with the court
- Access court orders and decisions on a given case
- Additional features, please explain

4.4 Alternative Dispute Resolution

| Arbitration | |
|---|--|
| In «DB_ec_Survey_Economy_FullName2», is domestic commercial arbitration governed by a consolidated law or consolidated chapter/section of the applicable code of civil procedure encompassing substantially all its aspects? If "Yes", please indicate the name and year of publication of the law. | <i>Last year:</i> «DB_ec_arbitration_law_yes_no» This year: -Click to Select- Comment: |
| Are valid arbitration clauses or agreements usually enforced by the courts in «DB_ec_Survey_Economy_FullName1»? Please answer "No" if courts would adjudicate a case despite the presence of a valid arbitration clause or agreement. | <i>Last year:</i> «DB_ec_arbitration_clause_enforcement_yes_no» This year: -Click to Select- Comment: |
| Are there any commercial disputes – aside from those that deal with public order or public policy – that cannot be arbitrated in «DB_ec_Survey_Economy_FullName2»? | <i>Last year:</i> «DB_ec_arbitration_excluded_disputes_yes_no» This year: -Click to Select- Comment: |
| Please indicate whether any of the following disputes cannot be arbitrated: <ul style="list-style-type: none"> <input type="checkbox"/> Disputes involving immovable property <input type="checkbox"/> Intra-corporate disputes (e.g. disputes over decisions made by the executive bodies of a corporation or disputes involving shareholder arrangements). <input type="checkbox"/> Intellectual property disputes <input type="checkbox"/> Finance and banking activities (including securities transactions) <input type="checkbox"/> Disputes related to insolvency, bankruptcy or liquidation of a company <input type="checkbox"/> Employment disputes <input type="checkbox"/> Other, please explain | |
| Voluntary Mediation / Conciliation | |
| Is voluntary mediation/conciliation available in «DB_ec_Survey_Economy_FullName2»? Please answer "Yes" only if the parties do not have to participate in the process unless they want to. | <i>Last year:</i> «DB_ec_vol_mediation_yes_no» This year: -Click to Select- Comment: |
| In «DB_ec_Survey_Economy_FullName2», is mediation/conciliation governed by a consolidated law or consolidated chapter/section of the applicable code of civil procedure encompassing substantially all aspects of mediation/conciliation? If "Yes", please indicate the name and year of publication of the law. | <i>Last year:</i> «DB_ec_vol_mediation_law_yes_no» This year: -Click to Select- Comment: |
| Are there financial incentives for parties to attempt mediation/conciliation (i.e. refund of court filing fees, income tax credits, etc.). | <i>Last year:</i> «DB_ec_vol_mediation_fees_reimbursement_yes_no» This year: -Click to Select- Comment: |

5. Time estimates

The following section includes questions relating to time estimates for different stages of a commercial case. In light of your experience with cases comparable to the standardized one, please indicate the number of calendar days that would usually be necessary in practice to resolve the standardized case.

If you updated the competent court in Section 2, please provide time estimates for the new court below.

5.1. Filing and service phase

This section measures the time it would take between the moment Seller (the plaintiff) decides to sue and the moment Buyer (the defendant) is served in the «DB_ec_name_city_competent_court_English» (assuming that both parties are domiciled in «Survey_City»).

| | | | Answer |
|---|--|-------------------|----------------|
| Before filing a lawsuit, the Seller tries to obtain payment out of court through a non-litigious demand letter. How long would this process take? In your estimate, please include the time to prepare the letter and the deadline that would be provided to the Buyer to comply. Under the case study described in Section 1, it is assumed that the Buyer will not comply. | | | |
| How long would a lawyer take to write the initial complaint and gather all supporting documents needed for filing (including authenticating them, if required)? | | | |
| How long would it take to file the initial complaint with the court and serve the defendant? In your estimate, please include the processing time at the court's registrar and the waiting periods between unsuccessful attempts to serve the claim on the defendant, if more than one attempt is usually required. | | | |
| What are the main causes of delay during this phase? | | | |
| <input type="checkbox"/> Difficulties in locating the defendant for purposes of service <input type="checkbox"/> Slow service by bailiff, attorney or other <input type="checkbox"/> Unavailability of attorney <input type="checkbox"/> Inefficient postal service <input type="checkbox"/> Obtaining information from registrar's office (date of hearing, pre-assessment of the complaint, etc.) <input type="checkbox"/> Other, please explain | | | |
| | Last year | This year | Comment |
| In light of the above, is last year's estimate for the entire "filing and service" phase still accurate? | «DB_ec_time_filing_days» calendar days | -Click to Select- | |

5.2. Trial and judgment phase

This section measures the time it would take for the judgment to be rendered once the claim has been filed with the court and served on defendant.

| | Answer |
|--|--------|
| How long does it take, in practice, between the moment the case is filed and the moment a pre-trial conference is held? If pre-trial conferences do not take place in your country, please proceed to the next question. | |
| How long does it take, in practice, between the moment the case is filed and the moment the first hearing is held? If a pre-trial conference does take place, only mention the time from the moment the pre-trial conference is held and the moment the first hearing is held. | |
| How many hearings would be required, in practice, to resolve the standardized case study? | |
| When a hearing is postponed, or when more than one hearing would be necessary to resolve the case, how long would the parties have to wait for the next hearing? | |
| How long would an expert usually take in practice to deliver his or her opinion? | |
| How long would the judge take, in practice, to issue a written final judgment once the evidence period has closed? | |
| What is the time limit for appeal in «DB_ec_Survey_Economy_FullName2»? | |

What are the main causes of delay during this phase?

Backlog of cases
 Frequent adjournments
 Waiting periods between hearings
 Limited availability of experts and delays caused by the expert's activity
 Other, please explain

| | Last year | This year | Comment |
|---|---------------------------------------|-------------------|---------|
| In light of the above, is last year's estimate for the entire "trial and judgment" phase still accurate? | «DB_ec_time_trial_days» calendar days | -Click to Select- | |
| What can be the fastest estimate in practice for the trial and judgment phase? Please explain the main drivers of the difference with the current estimate. | | | |
| What can be the longest time in practice for the trial and judgment phase? Please explain the main drivers of the difference with the current estimate. | | | |

5.3 Enforcement of judgment phase

This section measures the time it would take the plaintiff, once the appeal period has elapsed, to: (i) start enforcing the judgment; (ii) seize defendant's movable assets; (iii) organize a public sale of the seized assets; and (iv) recover the value of the claim.

| | Answer | | |
|--|---|-------------------|---------|
| How long does it take, in practice, to obtain an enforceable copy of the judgment and contact the relevant enforcement officer? | | | |
| How long does it take, in practice, to locate, identify and seize the losing party's movable assets (including the time necessary to obtain an order from the court to attach and seize the assets)? | | | |
| How long does it take to advertise, organize and hold the auction? | | | |
| If in practice more than one auction would be necessary to recover the value of the claim, how many days would pass between auctions? | | | |
| Once the auction is completed, how long will it take the winning party to recover the value of the claim? | | | |
| What are the main causes of delay during this phase? | | | |
| <input type="checkbox"/> Attaching the movable assets <input type="checkbox"/> Organizing the public auction <input type="checkbox"/> Waiting for the public sale to be held <input type="checkbox"/> Finding buyers for the goods <input type="checkbox"/> Other, please explain | | | |
| | Last year | This year | Comment |
| In light of the above, is last year's estimate for the entire "enforcement" phase still accurate? | «DB_ec_time_enforcement_days» calendar days | -Click to Select- | |
| The Enforcing Contracts case study assumes that enforcement is carried out through a sale of the losing party's movable assets. If this is not the most common type of enforcement for a dispute like the one described in Section 1 and worth «DB_ec_currency_code» «DB_ec_DB16_EC_Value_Claim_LCU», please indicate what would be the most common type. | | | |
| <input type="checkbox"/> Seizure of bank account <input type="checkbox"/> Auction of movable assets AND vehicles <input type="checkbox"/> Auction of real estate property <input type="checkbox"/> Other, please explain | | | |
| What can be the fastest estimate in practice for the enforcement phase? Please explain the main drivers of the difference with the current estimate. | | | |
| What can be the longest time in practice for the enforcement phase? Please explain the main drivers of the difference with the current estimate. | | | |

6. Cost estimates

- Reminder – Value of the claim for *Doing Business 2018*: «DB_ec_currency_code» «DB_ec_DB16_EC_Value_Claim_LCU».
- Indicate all costs and expenses Seller (the plaintiff) must advance, regardless of the costs that Seller can recover at the end, when he wins the case. Please include official costs only.
- **If the competent court in Section 2 has changed, please list the fees that would apply in the new court.**

6.1 Attorney fees

Please provide an estimate of the average attorney fees that would be charged by a local law firm to handle a case like the standardized scenario, taking into account the qualification and experience of the attorney required in your country for this case. Please include the fees to handle the case up to judgment; the fees for enforcement if a lawyer is commonly retained for this purpose; and, if applicable, value added tax or other taxes.

| | Last year | This Year | Comment |
|---|--|-------------------|---------|
| Is last year's estimate still accurate? | «DB_ec_attorney_fee_percent_claim»% of claim value | -Click to Select- | |

6.2 Court fees (up to judgment only)

Please provide the approximate average cost that would be incurred by Seller (the plaintiff), *bearing in mind the competent court for the standardized case*.

| | Last year | This Year | Comment |
|--|---|-------------------|---------------|
| Is last year's estimate still accurate? | «DB_ec_court_fee_percent_claim»% of claim value | -Click to Select- | |
| | | | Answer |
| In a case similar to the standardized case, what would be the fees to register the case (filing fees only)? | | | |
| What would be the fees for the issuance of the judgment? | | | |
| How much would a local expert charge if he or she had to work for 10 hours? If such fees are regulated by a fee schedule, please include a link. | | | |
| What are other court fees that would need to be advanced by Seller? | | | |

6.3 Enforcement fees

| | Last year | This Year | Comment |
|--|---|-------------------|---------|
| Is last year's estimate still accurate? | «DB_ec_enforcement_fee_percent_claim»% of claim value | -Click to Select- | |
| What are the fees for the registration of judgment? | | | |
| What are the fees for the attachment order? | | | |
| What are the fees for the auction (publicity, tax, enforcement officer, etc.)? | | | |
| Would Seller have to advance the fees for the organization of the public sale? Please answer "No" if the enforcement officer is paid out of the proceeds of the public sale. | | | |
| What are other enforcement fees that would need to be advanced by Seller? | | | |

7. Research Questions

This year, *Doing Business* is collecting data on the structure and functioning of the **enforcement process**. For the purposes of this section, an **enforcement agent** is a person authorized by the state to carry out the enforcement process.

| | Answer |
|---|---------------------------------------|
| In «DB_ec_Survey_Economy_FullName2», enforcement agents have: <input type="checkbox"/> Public status (i.e. they are public officials – judges, enforcement agents, etc. – on the State’s payroll) <input type="checkbox"/> Private status (i.e. they are enforcement agents practicing as private professionals under the supervision of public entities) <input type="checkbox"/> Mixed status (i.e. the two models detailed above coexist) <input type="checkbox"/> Other, please explain | |
| Please list the individuals involved in enforcement proceedings in «DB_ec_Survey_Economy_FullName2» and briefly describe their functions. Examples of individuals include: judge, enforcement officer/bailiff, auctioneer, etc. | |
| What is the minimum level of education required to become an enforcement agent? | -Click to Select- |
| Are individuals required to sit for an examination to become enforcement agents? | Answer: -Click to Select- Comment: |
| Are individuals required to do a practical traineeship to become enforcement agents? | Answer: -Click to Select- Comment: |
| Are enforcement agents required to follow compulsory continuous training or undergo a re-certification process? | Answer: -Click to Select- Comment: |
| Can parties to the enforcement process lodge complaints against enforcement agents? If so, please list the possible grounds of complaint (i.e. excessive length, excessive cost, lack of information, no enforcement at all, breach of ethics, etc.) and briefly describe how this mechanism works. | Answer: -Click to Select- Comment: |
| Are there time standards set by law or regulation on the duration of the various steps of the enforcement process? If so, please provide reference to relevant legislation. | Answer: -Click to Select- Comment: |
| Are there performance measurement reports generated by the courts/Ministry of Justice/body overseeing enforcement agents on the duration of enforcement proceedings? If possible, please provide a link to such resource. | Answer: -Click to Select- Comment: |
| Is there a fee schedule detailing the fees to be paid to enforcement agents? If possible, please provide a link to such resource. | Answer: -Click to Select- Comment: |
| Which party is responsible for paying the enforcement agent? <input type="checkbox"/> Winning party <input type="checkbox"/> Losing party <input type="checkbox"/> Other | |
| What information can enforcement agents access about the debtor’s assets? <input type="checkbox"/> Bank account information <input type="checkbox"/> Real estate property registries <input type="checkbox"/> Collateral registries <input type="checkbox"/> Credit bureaus <input type="checkbox"/> Tax databases <input type="checkbox"/> Other | |
| If any steps during the enforcement process are carried out electronically, please describe the functionalities of the electronic system. Examples of electronic actions include: searching for assets, placing bids, receive notifications, receive payment, etc. | |

Thank you very much for completing the Enforcing Contracts questionnaire.

We sincerely appreciate your contribution to the *Doing Business* project.

The results will appear in the *Doing Business 2018* report and on our website: www.doingbusiness.org.

Your work will be gratefully acknowledged in both, if you wish.