

# Doing Business 2008

**Brunei**

COMPARING REGULATION IN 178 ECONOMIES

Doing Business 2008 **Brunei**

A Project Benchmarking the Regulatory Cost of  
Doing Business in 178 Economies

Doing Business Project  
World Bank Group



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Copies of *Doing Business 2008*, *Doing Business 2007: How to Reform*, *Doing Business in 2006: Creating Jobs*, *Doing Business in 2005: Removing Obstacles to Growth* and *Doing Business in 2004: Understanding Regulation* may be purchased at [www.doingbusiness.org](http://www.doingbusiness.org).

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# Introduction

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*Doing Business 2008* is the fifth in a series of annual reports investigating the 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 178 economies—from Afghanistan to Zimbabwe—and over time.

Regulations affecting 10 stages of a business's life are measured: starting a business, dealing with licenses, employing workers, registering property, getting credit, protecting investors, paying taxes, trading across borders, enforcing contracts and closing a business. Data in *Doing Business 2008* are current as of June 1, 2007. 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 a country'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, and the underlying strength of institutions -- are not studied directly by *Doing Business*. To make the data comparable across countries, the indicators refer to a specific type of business -- generally a 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 178 economies: 46 in Sub-Saharan Africa, 31 in Latin America and the Caribbean, 28 in Europe and Central Asia, 24 in East Asia and Pacific, 17 in the Middle East and North Africa and 8 in South Asia—as well as 24 OECD high-income economies as benchmarks. Some of the regions have been divided into subregions to generate a total of 13 regional profiles.

The following pages present the summary *Doing Business* indicators for Brunei along with the comparator economies selected. The data used for this country profile come from the *Doing Business* database and are summarized in graphs and tables. This report allows a comparison of the economies not only with one another but also with the “best practice” economy for each indicator.

The best-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 economies. These best-practice economies do not necessarily rank number 1 in the topic or indicator, but they are in the top 5.

More information is available in the full report. *Doing Business 2008* 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

<http://www.doingbusiness.org>

# Economy Rankings - Ease of Doing Business

Brunei is ranked 78 out of 178 economies. Singapore is the top ranked economy in the Ease of Doing Business.

## Brunei - Compared to Global Best / Selected Economies:

### Brunei's ranking in Doing Business 2008

Rank	Doing Business 2008
Ease of Doing Business	78
Starting a Business	117
Dealing with Licenses	66
Employing Workers	4
Registering Property	178
Getting Credit	97
Protecting Investors	121
Paying Taxes	28
Trading Across Borders	36
Enforcing Contracts	158
Closing a Business	35

## Reforms - Who is reforming?

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This year Egypt tops the list of reformers that are making it easier to do business. Egypt's reforms went deep with reforms in 5 of the 10 areas studied by Doing Business, and it greatly improved its position in the global rankings as a result. Besides Egypt, the other top 10 reformers are, in order, Croatia, Ghana, FYR Macedonia, Georgia, Colombia, Saudi Arabia, Kenya, China, and Bulgaria.

1. **Egypt**, the top reformer in the region and worldwide, greatly improved its position in the global rankings on the ease of doing business. Its reforms went deep. Egypt cut the minimum capital required to start a business, from 50,000 Egyptian pounds to just 1,000 and halved the time and cost of start-up. It reduced fees for registering property from 3 percent of the property value to a low, fixed amount. It eased the bureaucracy that builders face in getting construction permits. It launched new one-stop shops for traders at Egyptian ports, cutting the time to import by seven days and the time to export by five. And it established a new private credit bureau that will soon be making it easier for borrowers to get credit.

2. **Croatia** reformed in four of the 10 areas studied by Doing Business. Two years ago, registering property in Croatia took 956 days. Now it takes 174. Company start-up also became faster, with procedures consolidated at a "one-stop shop" and pension and health services registration now online. Credit became easier to access: a new credit bureau was launched, and a unified registry now records charges against movable property in one place. In its first two months, €1.4 billion in credit was registered. In addition, amendments to the country's insolvency law introduced professional requirements for bankruptcy trustees and shorter timelines.

3. **Ghana**, a top 10 reformer for the second year running, continues to increase the efficiency of its public services. It cut bottlenecks in property registration, reducing delays from six months to one. Greater efficiency at the company registry and the environment agency cut the time for business start-up to 42 days. Changes in the port authority's operations sped up imports. New civil procedure rules and mandatory arbitration and mediation reduced the time it takes to enforce contracts.

4. **FYR Macedonia** eliminated the minimum capital requirement for business start-up, sped up the process for getting construction permits, lowered the corporate income tax rate to 12 percent (with another cut to 10 percent planned for 2008), and simplified tax payment procedures. Its ranking on the ease of doing business rose from 96 to 75.

5. **Georgia** reformed in six areas. It strengthened investor protections, including through amendments to its securities law that eliminate loopholes that had allowed corporate insiders to expropriate minority investors. It adopted a new insolvency law that shortens timelines for reorganization of a distressed company or disposition of a debtor's assets. Georgia sped up approvals for construction permits and simplified procedures for registering property. It made starting a business easier by eliminating the paid-in capital requirement. In addition, the country's private credit bureau added payment information from retailers, utilities, and trade creditors to the data it collects and distributes.

6. **Colombia**, the region's top reformer, has made great strides in easing trade. By extending port operating hours and adopting more selective customs inspections, it reduced the time for port and terminal handling activities by three days. The country strengthened investor protections by increasing disclosure requirements for related-party transactions. It introduced an electronic tax filing system, cutting the average time businesses must spend on tax compliance each year by 188 hours, or 41 percent. And it is progressively reducing the corporate income tax rate, from 35 to 34 percent in 2007 and 33 percent in 2008.

7. **Saudi Arabia**, the runner-up reformer in the region, eliminated the minimum capital requirement of 1,057 percent of income per capita and reduced the days needed for company start-up from 39 to 15. It launched a commercial credit bureau whose reports include the credit exposure of companies. It also sped up trade, reducing the number of documents required for importing and cutting the time needed for handling at ports and terminals by two days for both imports and exports.

8. **Kenya**, the region's other top 10 reformer, launched an ambitious licensing reform program. So far the program has eliminated 110 business licenses and simplified eight others. The changes have streamlined business start-up and cut both the time and cost of getting building permits. The program will eventually eliminate or simplify at least 900 more of the country's 1,300 licenses. Property registration is also faster now, thanks to the introduction of competition among land valuers. And the country's private credit bureau now collects a wider range of data.

9. In **China**, a new property law put private property rights on equal footing with state property rights. The law also expanded the range of assets that can be used as collateral to include inventory and accounts receivable. The new bankruptcy law gives secured creditors priority to the proceeds from their collateral. Construction also became easier, with electronic processing of building permits reducing delays by two weeks.

10. **Bulgaria** eased the tax burden on businesses and made it easier to pay taxes online. Bulgaria also introduced private bailiffs to improve efficiency in enforcing judgments. And it made building inspections less burdensome.



## Number of reforms in Doing Business 2008

Rank	Economy	Starting a Business	Dealing with Licenses	Employing Workers	Registering Property	Getting Credit	Protecting Investors	Paying Taxes	Trading Across Borders	Enforcing Contracts	Closing a Business	Total number of reforms
1	Egypt	✓	✓		✓	✓			✓			5
2	Croatia	✓			✓	✓					✓	4
3	Ghana	✓			✓	✓			✓	✓		5
4	Macedonia, FYR	✓	✓					✓				3
5	Colombia						✓	✓	✓			3
6	Georgia	✓	✓		✓	✓	✓				✓	6
7	Saudi Arabia	✓				✓			✓			3
8	Kenya	✓	✓		✓	✓						4
9	China		✓			✓					✓	3
10	Bulgaria		✓					✓		✓		3
	Brunei											0
	Indonesia	✗	✓			✓	✓					2
	Lao PDR	✓							✓			2
	Malaysia	✓						✓				2
	Thailand								✓			1
	Timor-Leste	✓										1

**Note:** Economies are ranked on the number and impact of reforms, Doing Business selects the economies that reformed in 3 or more of the Doing Business topics. Second, it ranks these economies on the increase in rank in Ease of Doing Business from the previous year. The larger the improvement, the higher the ranking as a reformer.

## Summary of Indicators - Brunei

<b>Starting a Business</b>	<b>Procedures (number)</b>	18
	<b>Duration (days)</b>	116
	<b>Cost (% GNI per capita)</b>	9.0
	<b>Paid in Min. Capital (% of GNI per capita)</b>	0.0
<b>Dealing with Licenses</b>	<b>Procedures (number)</b>	32
	<b>Duration (days)</b>	167
	<b>Cost (% of income per capita)</b>	5.2
<b>Employing Workers</b>	<b>Difficulty of Hiring Index</b>	0
	<b>Rigidity of Hours Index</b>	20
	<b>Difficulty of Firing Index</b>	0
	<b>Rigidity of Employment Index</b>	7
	<b>Nonwage labor cost (% of salary)</b>	5
	<b>Firing costs (weeks of wages)</b>	4
<b>Registering Property</b>	<b>Procedures (number)</b>	no practice
	<b>Duration (days)</b>	no practice
	<b>Cost (% of property value)</b>	no practice
<b>Getting Credit</b>	<b>Legal Rights Index</b>	6
	<b>Credit Information Index</b>	0
	<b>Public registry coverage (% adults)</b>	0.0
	<b>Private bureau coverage (% adults)</b>	0.0
<b>Protecting Investors</b>	<b>Disclosure Index</b>	3
	<b>Director Liability Index</b>	2
	<b>Shareholder Suits Index</b>	8
	<b>Investor Protection Index</b>	4.3
<b>Paying Taxes</b>	<b>Payments (number)</b>	15
	<b>Time (hours)</b>	144
	<b>Profit tax (%)</b>	31.8
	<b>Labor tax and contributions (%)</b>	5.6
	<b>Other taxes (%)</b>	0.0
	<b>Total tax rate (% profit)</b>	37.4

<b>Trading Across Borders</b>	<b>Documents for export (number)</b>	6
	<b>Time for export (days)</b>	28
	<b>Cost to export (US\$ per container)</b>	515
	<b>Documents for import (number)</b>	6
	<b>Time for import (days)</b>	19
	<b>Cost to import (US\$ per container)</b>	590
<b>Enforcing Contracts</b>	<b>Procedures (number)</b>	58
	<b>Duration (days)</b>	540
	<b>Cost (% of claim)</b>	36.6
<b>Closing a Business</b>	<b>Time (years)</b>	2.5
	<b>Cost (% of estate)</b>	4
	<b>Recovery rate (cents on the dollar)</b>	45.3

## Starting a Business in Brunei: Entry Regulation

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When entrepreneurs draw up a business plan and try to get under way, the first hurdles they face are the procedures required to incorporate and register the new firm before they can legally operate. Economies differ greatly in how they regulate the entry of new businesses. In some the process is straightforward and affordable. In others the procedures are so burdensome that entrepreneurs may have to bribe officials to speed the process—or may decide to run their business informally.

The data on starting a business are based on a survey and research investigating the procedures that a standard small to medium-size company needs to complete to start operations legally. These include obtaining all necessary permits and licenses and completing all required inscriptions, verifications and notifications with authorities to enable the company to formally operate. The time and cost required to complete each procedure under normal circumstances are calculated, as well as the minimum capital that must be paid in. It is assumed that all information is readily available to the entrepreneur, that there has been no prior contact with officials and that all government and nongovernment entities involved in the process function without corruption.

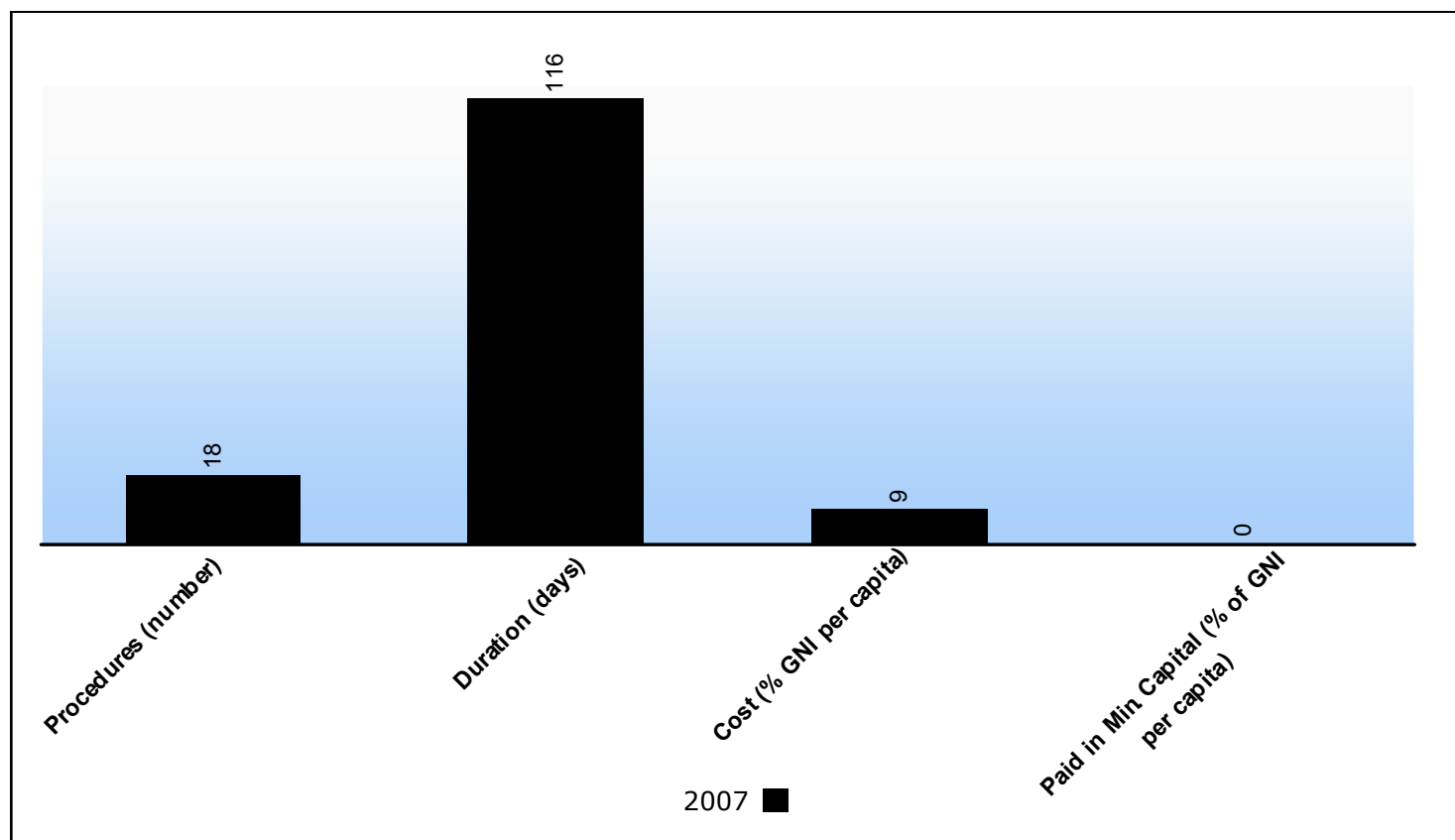
To make the data comparable across economies, detailed assumptions about the type of business are used. Among these assumptions are the following: the business is a limited liability company conducting general commercial activities in the largest business city; it is 100% domestically owned, with start-up capital of 10 times income per capita, turnover of at least 100 times income per capita and between 10 and 50 employees; and it does not qualify for any special benefits, nor does it own real estate. Procedures are recorded only where interaction is required with an external party. It is assumed that the founders complete all procedures themselves unless professional services (such as by a notary or lawyer) are required by law. Voluntary procedures are not counted, nor are industry-specific requirements and utility hook-ups. Lawful shortcuts are counted.

Cumbersome entry procedures are associated with more corruption, particularly in developing countries. Each procedure is a point of contact—an opportunity to extract a bribe. Analysis shows that burdensome entry regulations do not increase the quality of products, make work safer or reduce pollution. Instead, they constrain private investment; push more people into the informal economy; increase consumer prices; and fuel corruption.

## 1. Historical data: Starting a Business in Brunei

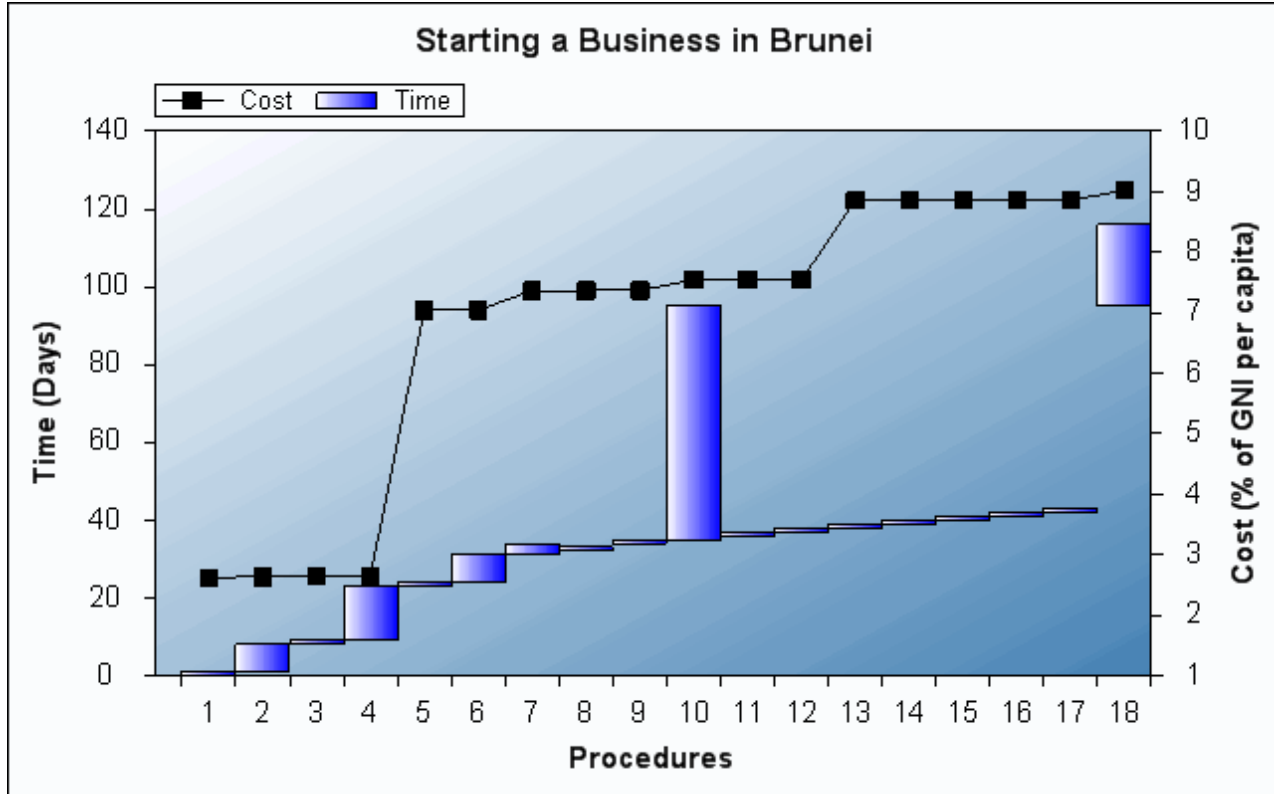
Starting a Business data	Doing Business 2008
Rank	117
Procedures (number)	18
Duration (days)	116
Cost (% GNI per capita)	9.0
Paid in Min. Capital (% of GNI per capita)	0.0

2. The following graph illustrates the Starting a Business indicators in Brunei over the past 3 years:



### 3. Steps to Starting a Business in Brunei

It requires 18 procedures, takes 116 days, and costs 9.03% GNI per capita to start a business in Brunei.



#### List of Procedures:

1. Accountant prepares application form
2. Verify uniqueness of company name
3. Declaration at Magistrate's Court
4. Submit documents at Registry
5. Pay registration fees
6. Register the company at the commercial registry and income tax
7. Make a company seal
8. Register for Employees Provident Fund
9. Buy License application form
10. Apply for municipal license
11. Apply for Fire Service Department approval
12. Apply for Ministry of Health approval

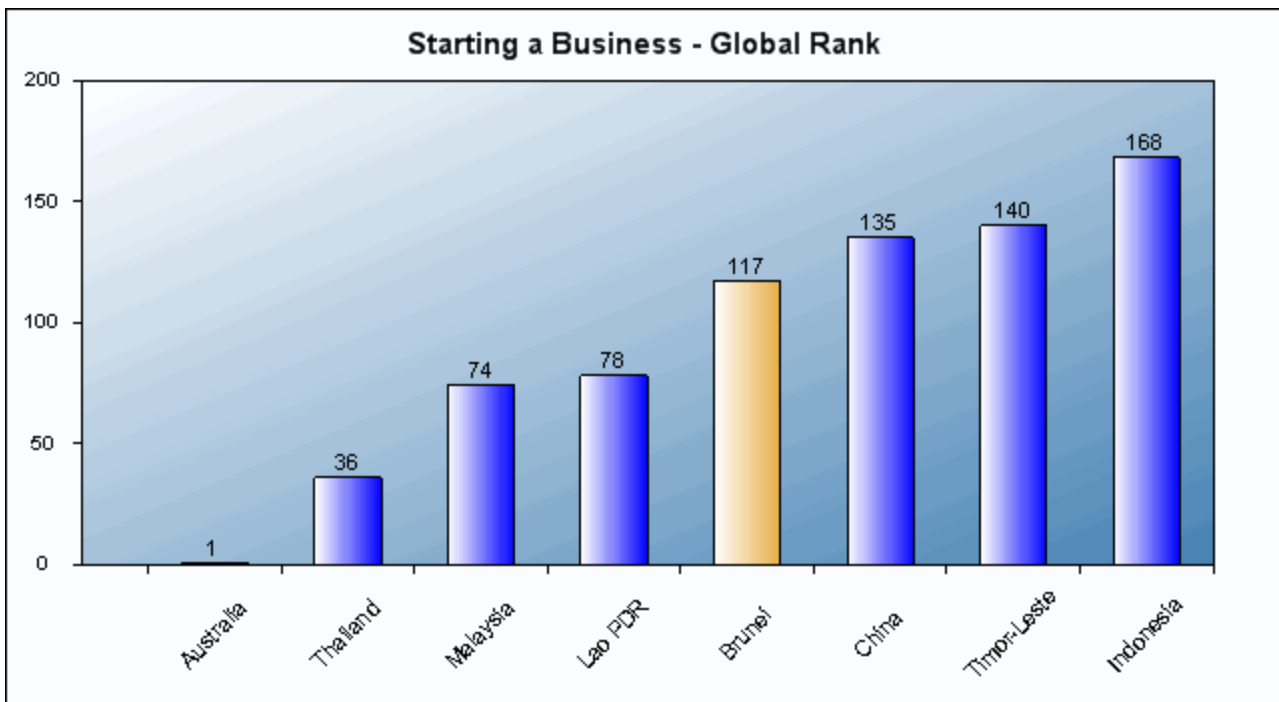
13. Receive inspection from Fire Service Department
14. Receive inspection from Ministry of Health
15. Pick up approval Fire Service Department
16. Pick up approval from Ministry of Health
17. Submit approval letters to licensing authorities
18. Pick up Rampaian license

More details are available in the appendix.

#### 4. Benchmarking Starting a Business Regulations:

Brunei is ranked 117 overall for Starting a Business. Australia is the top ranked economy followed by Canada, New Zealand and United States.

Ranking of Brunei in Starting a Business - Compared to best practice and selected economies:



The following table shows Starting a Business data for Brunei compared to best practice and comparator economies:

<b>Best Practice Economies</b>	<b>Procedures (number)</b>	<b>Duration (days)</b>	<b>Cost (% GNI per capita)</b>	<b>Paid in Min. Capital (% of GNI per</b>
<b>Australia*</b>	2	2		0.0
<b>Denmark</b>			0.0	

<b>Selected Economy</b>				
<b>Brunei</b>	18	116	9.0	0.0

<b>Comparator Economies</b>				
<b>China</b>	13	35	8.4	190.2
<b>Indonesia</b>	12	105	80.0	38.4
<b>Lao PDR</b>	8	103	16.5	0.0
<b>Malaysia</b>	9	24	18.1	0.0
<b>Thailand</b>	8	33	5.6	0.0
<b>Timor-Leste</b>	9	82	11.9	595.2

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

**Procedures (number):** Canada, New Zealand

**Paid in Min. Capital (% of GNI per capita):** Canada, Ireland, Israel, Mauritius, New Zealand, Puerto Rico, Thailand, Trinidad and Tobago, United Kingdom, United States



## Dealing with Licenses in Brunei: Building a Warehouse

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Once entrepreneurs have registered a business, what regulations do they face in operating it? To measure such regulation, Doing Business focuses on the construction sector. Construction companies are under constant pressure—from government to comply with inspections and with licensing and safety regulations and from customers to be quick and cost-effective. These conflicting pressures point to the tradeoff in building regulation—the tradeoff between protecting people (construction workers, tenants, passersby) and keeping the cost of building affordable.

In many countries, especially poor 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. In other countries compliance is simple, straightforward and inexpensive—yielding better results.

The indicators on dealing with licenses record all procedures officially required for an entrepreneur in the construction industry to build a warehouse. These include submitting project documents (building plans, site maps) to the authorities, obtaining all necessary licenses and permits, completing all required notifications and receiving all necessary inspections. They also include procedures for obtaining utility connections, such as electricity, telephone, water and sewerage. The time and cost to complete each procedure under normal circumstances are calculated. All official fees associated with legally completing the procedures are included. Time is recorded in calendar days. The survey assumes that the entrepreneur is aware of all existing regulations and does not use an intermediary to complete the procedures unless required to do so by law.

To make the data comparable across economies, several assumptions about the business and its operations are used. The business is a small to medium-size limited liability company, located in the most populous city, domestically owned and operated, in the construction business, with 20 qualified employees. The warehouse to be built:

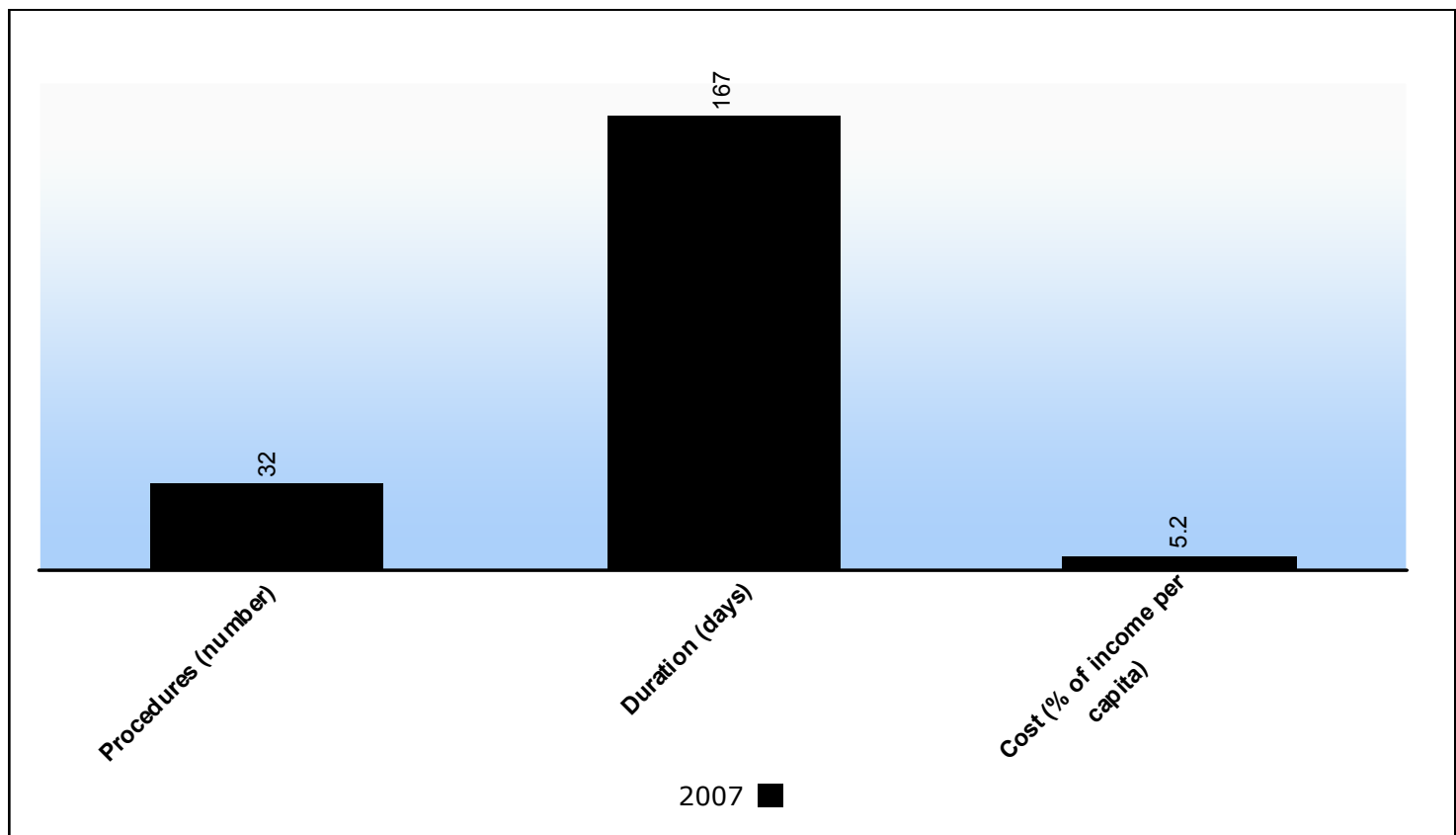
- Is a new construction (there was no previous construction on the land).
- Has complete architectural and technical plans prepared by a licensed architect.
- Will be connected to electricity, water, sewerage (sewage system, septic tank or their equivalent) and one land phone line. The connection to each utility network will be 32 feet, 10 inches (10 meters) long.
- Will be used for general storage, such as of books or stationery. The warehouse will not be used for any goods requiring special conditions, such as food, chemicals or pharmaceuticals.
- Will take 30 weeks to construct (excluding all delays due to administrative and regulatory requirements).

Where the regulatory burden is large, entrepreneurs move their activity into the informal economy. There they operate with less concern for safety, leaving everyone worse off.

## 1. Historical data: Dealing with Licenses in Brunei

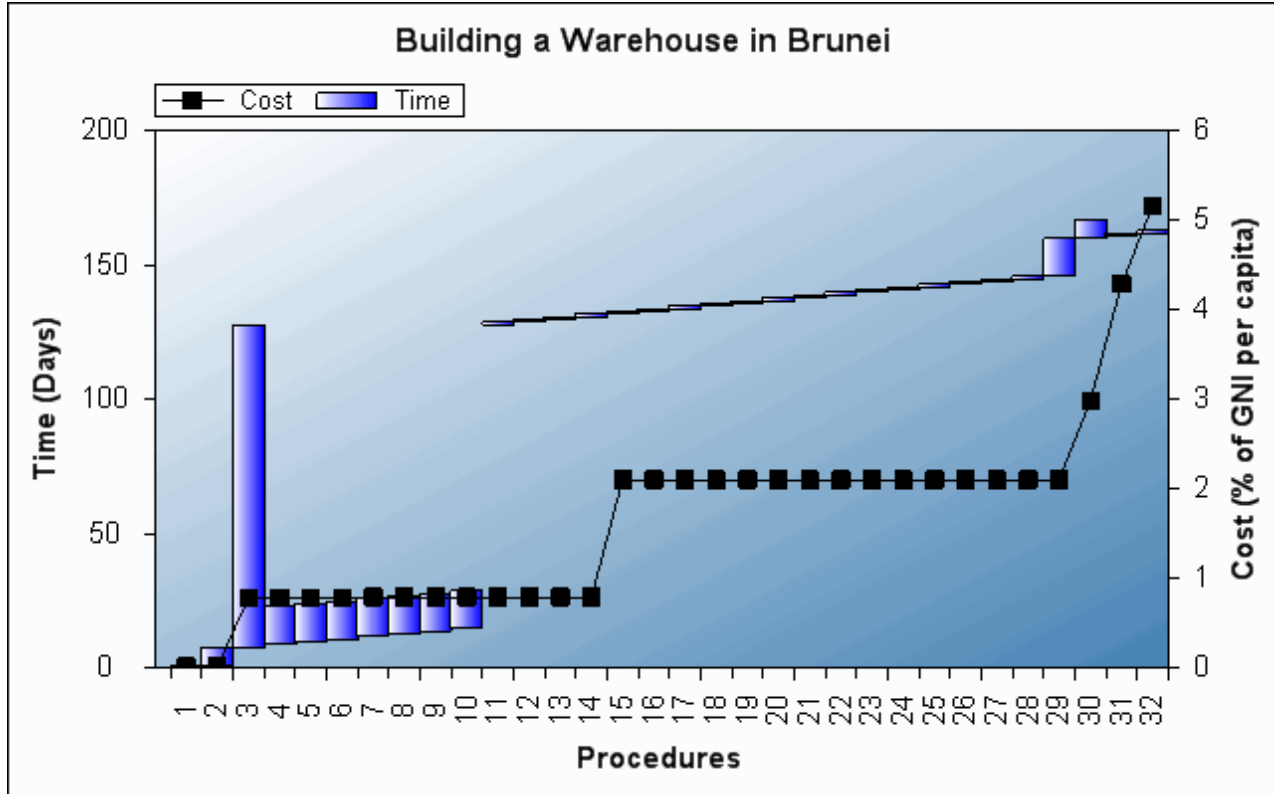
Dealing with Licenses data	Doing Business 2008
Rank	66
Procedures (number)	32
Duration (days)	167
Cost (% of income per capita)	5.2

2. The following graph illustrates the Dealing with Licenses indicators in Brunei over the past 3 years:



### 3. Steps to Building a Warehouse in Brunei

It requires 32 procedures, takes 167 days, and costs 5.17% GNI per capita to build a warehouse in Brunei.



#### List of Procedures:

1. Obtain lot plan from Survey Department or Land Department
2. Obtain preliminary approval from the Brunei Industrial Development Authority
3. Obtain building approval from the Town and Country Planning Department
4. Obtain project clearance from the Land Department
5. Obtain project clearance from the Public Health Department
6. Obtain project clearance from the Public Works Department (JKR)
7. Obtain project clearance from the Fire Services Department
8. Obtain project clearance from the Department of Electrical Services (DES)
9. Obtain project clearance from TelBru (telecommunications)
10. Obtain project clearance from Brunei Mauara District Office
11. Request and receive final inspection from the Town and Country Planning Department
12. Request and receive final inspection from the Land Department

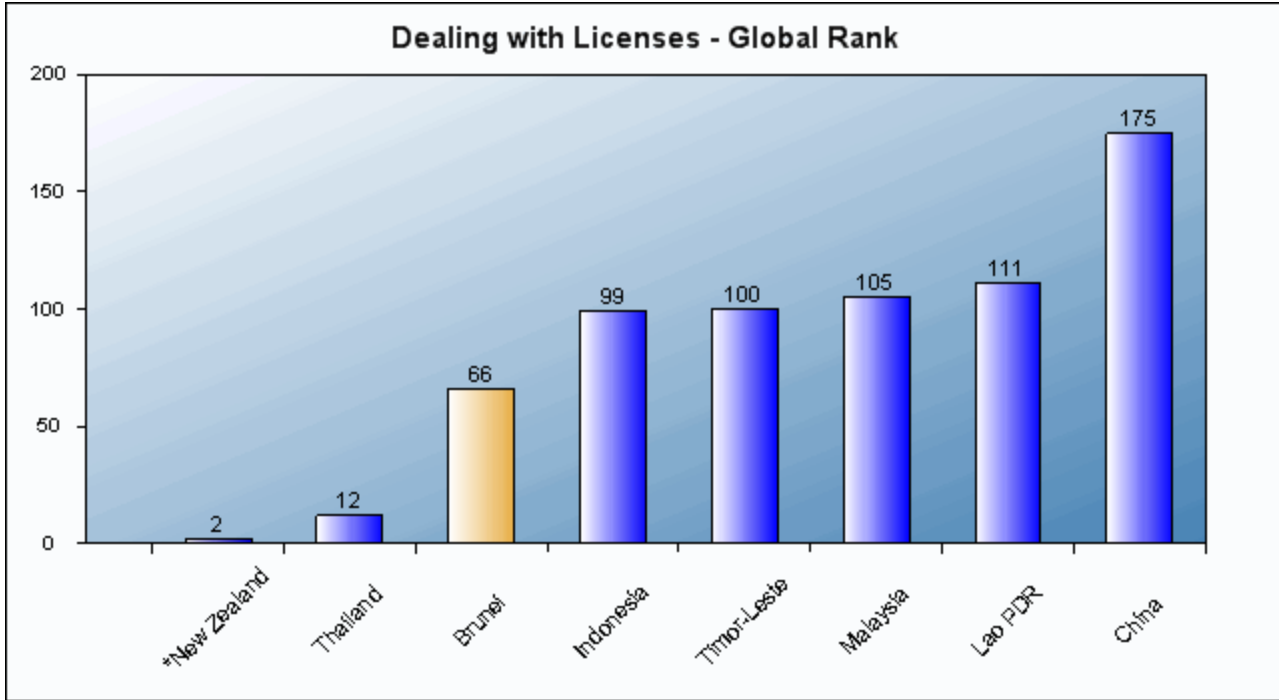
13. Request and receive final inspection from the Public Health Department
14. Request and receive final inspection from the Public Works Department (JKR)
15. Request inspection from the Fire Services Department and pay fees
16. Receive final inspection from the Fire Services Department
17. Request and receive final inspection from the Department of Electrical Services (DES)
18. Request and receive final inspection from TelBru
19. Request and receive final inspection from the Brunei Mauara District Office
20. Obtain approval memorandum from the Town and Country Planning Department
21. Obtain approval memorandum from the Land Department
22. Obtain approval memorandum from the Public Health Department
23. Obtain approval memorandum from the Public Works Department (JKR)
24. Obtain approval memorandum from the Fire Services Department
25. Obtain approval memorandum from the Department of Electrical Services (DES)
26. Obtain approval memorandum from TelBru (telecommunications)
27. Obtain approval memorandum from Brunei Mauara District Office
28. Submit all 8 approval memoranda to the Town and Country Planning Department along with 2 sets of as-built Drawings
29. Obtain occupancy permit
30. Obtain telephone connection from TelBru
31. Obtain electricity connection form DES
32. Obtain water connection from JKR

More details are available in the appendix.

#### 4. Benchmarking Dealing with Licenses Regulations:

Brunei is ranked 66 overall for Dealing with Licenses. St. Vincent and the Grenadines is the top ranked economy followed by New Zealand, Belize and Marshall Islands.

Ranking of Brunei in Dealing with Licenses - Compared to best practice and selected economies:



\* The following economies are also best practice economies for Building a Warehouse: St. Vincent and the Grenadines

The following table shows Dealing with Licenses data for Brunei compared to best practice and comparator economies:

<i>Best Practice Economies</i>	<b>Procedures (number)</b>	<b>Duration (days)</b>	<b>Cost (% of income per capita)</b>
Denmark	6		
Korea		34	
United Arab Emirates			1.5

<i>Selected Economy</i>			
<b>Brunei</b>	<b>32</b>	<b>167</b>	<b>5.2</b>

<i>Comparator Economies</i>			
China	37	336	840.2
Indonesia	19	196	286.8
Lao PDR	24	172	202.4
Malaysia	25	285	10.0
Thailand	11	156	10.7
Timor-Leste	22	208	113.1

## Employing Workers in Brunei: Labor Regulations

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Every economy has established a complex system of laws and institutions intended to protect workers and guarantee a minimum standard of living for its population. This system encompasses four bodies of law: employment, industrial relations, social security and occupational health and safety laws. Doing Business examines government regulation in the area of employment and social security laws.

Three measures are presented: a rigidity of employment index, a nonwage labor cost measure and a firing cost measure. The rigidity of employment index is the average of three subindices: difficulty of hiring, rigidity of hours and difficulty of firing. Each index takes values between 0 and 100, with higher values indicating more rigid regulation. The difficulty of hiring index measures the flexibility of contracts and the ratio of the minimum wage to the value added per worker. The rigidity of hours index covers restrictions on weekend and night work, requirements relating to working time and the workweek, and mandated days of annual leave with pay. The difficulty of firing index covers workers' legal protections against dismissal, including the grounds permitted for dismissal and procedures for dismissal (individual and collective).

The nonwage labor cost covers all social security payments and payroll taxes associated with hiring an employee, expressed as a percentage of the worker's salary. The firing cost indicator measures the cost of advance notice requirements, severance payments and penalties due when terminating a redundant worker, expressed in weeks of salary.

The indicators on employment regulations are based on a detailed study of employment laws. Data are also gathered on the specific constitutional provisions governing the two areas studied. To ensure accuracy, both the actual laws and the applicable collective bargaining agreements are used. Finally, all data are verified and completed by local law firms through a detailed survey of employment regulations.

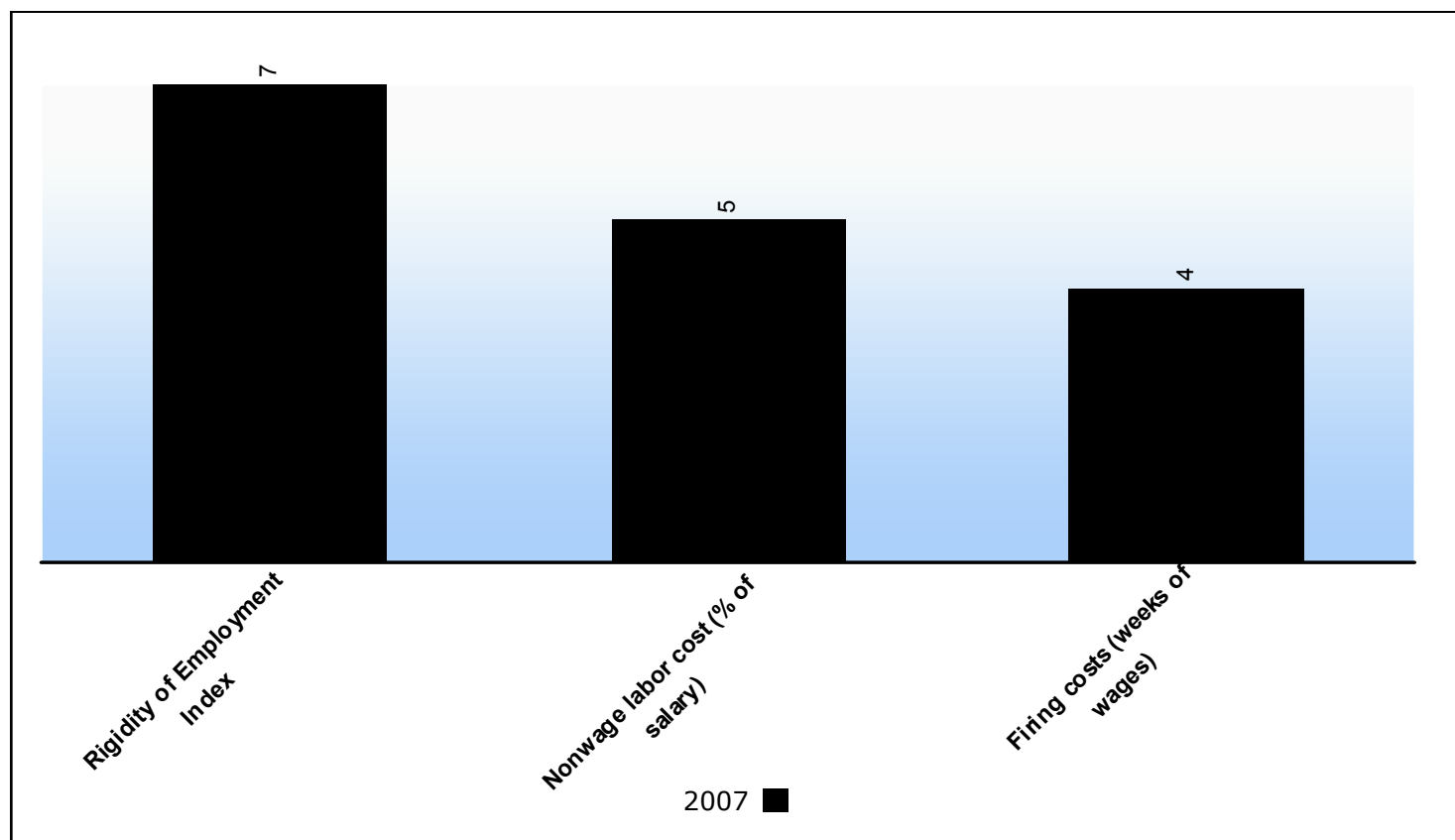
To make the data comparable across economies, a range of assumptions about the worker and the company are used. Assumptions about the worker include that he is a nonexecutive, full-time male employee who has worked in the same company for 20 years and is not a member of the labor union (unless membership is mandatory). The company is assumed to be a limited liability manufacturing corporation that operates in the country's most populous city, is 100% domestically owned and has 201 employees. The company is also assumed to be subject to collective bargaining agreements in countries where such agreements cover more than half the manufacturing sector and apply even to firms not party to them.

Most employment regulations are enacted in response to market failures. But that does not mean that today's regulations are optimal. Analysis across countries shows that while employment regulation generally increases the tenure and wages of incumbent workers, rigid regulations have many undesirable side effects. These include less job creation, smaller company size, less investment in research and development, and longer spells of unemployment and thus the obsolescence of skills—all of which may reduce productivity growth. Many countries err on the side of excessive rigidity, to the detriment of businesses and workers alike.

## 1. Historical data: Employing Workers in Brunei

Employing Workers data	Doing Business 2008
Rank	4
Rigidity of Employment Index	7
Nonwage labor cost (% of salary)	5
Firing costs (weeks of wages)	4

2. The following graph illustrates the Employing Workers indicators in Brunei over the past 3 years:





### 3. Benchmarking Employing Workers Regulations:

Brunei is ranked 4 overall for Employing Workers. Marshall Islands is the top ranked economy followed by Brunei, Georgia and Tonga.

Ranking of Brunei in Employing Workers - Compared to best practice and selected economies:



\* The following economies are also best practice economies for Employing Workers: Marshall Islands, Singapore

The following table shows Employing Workers data for Brunei compared to best practice and comparator economies:

<b>Best Practice Economies</b>	<b>Rigidity of Employment Index</b>	<b>Nonwage labor cost (% of salary)</b>	<b>Firing costs (weeks of wages)</b>
Bangladesh*		0	
Denmark*			0
Hong Kong, China*	0		

<b>Selected Economy</b>			
<b>Brunei</b>	7	5	4

<b>Comparator Economies</b>			
<b>China</b>	24	44	91
<b>Indonesia</b>	44	10	108
<b>Lao PDR</b>	37	5	19
<b>Malaysia</b>	10	15	75
<b>Thailand</b>	18	6	54
<b>Timor-Leste</b>	34	0	17

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

**Rigidity of Employment Index: Singapore, United States**

**Nonwage labor cost (% of salary): Botswana, Ethiopia, Maldives**

**Firing costs (weeks of wages): New Zealand, United States**

## Registering Property in Brunei: Regulation of Property Transfer

---

Property registries were first developed to help raise tax revenue. Defining and publicizing property rights through registries has also proved to be good for entrepreneurs. Land and buildings account for between half and three-quarters of the wealth in most economies. Securing rights to this property strengthens incentives to invest and facilitates commerce. And with formal property titles, entrepreneurs can obtain mortgages on their home or land and start businesses.

Doing Business measures the ease of registering property based on a standard case of an entrepreneur who wants to purchase land and a building in the largest business city. It is assumed that the property is already registered and free of title dispute. The data cover the full sequence of procedures necessary to transfer the property title from the seller to the buyer. Every required procedure is included, whether it is the responsibility of the seller or the buyer or must be completed by a third party on their behalf.

Local property lawyers and officials in property registries provide information on required procedures as well as the time and cost to complete each one. For most countries the data are based on responses from both. Based on the responses, three indicators are constructed:

- Number of procedures to register property.
- Time to register property (in calendar days).
- Official costs to register property (as a percentage of the property value).

A large share of the property in developing countries is not formally registered, limiting financing opportunities for businesses. Recognizing this constraint, some developing country governments have embarked on extensive property titling programs. Yet bringing assets into the formal sector is of little value unless they stay there.

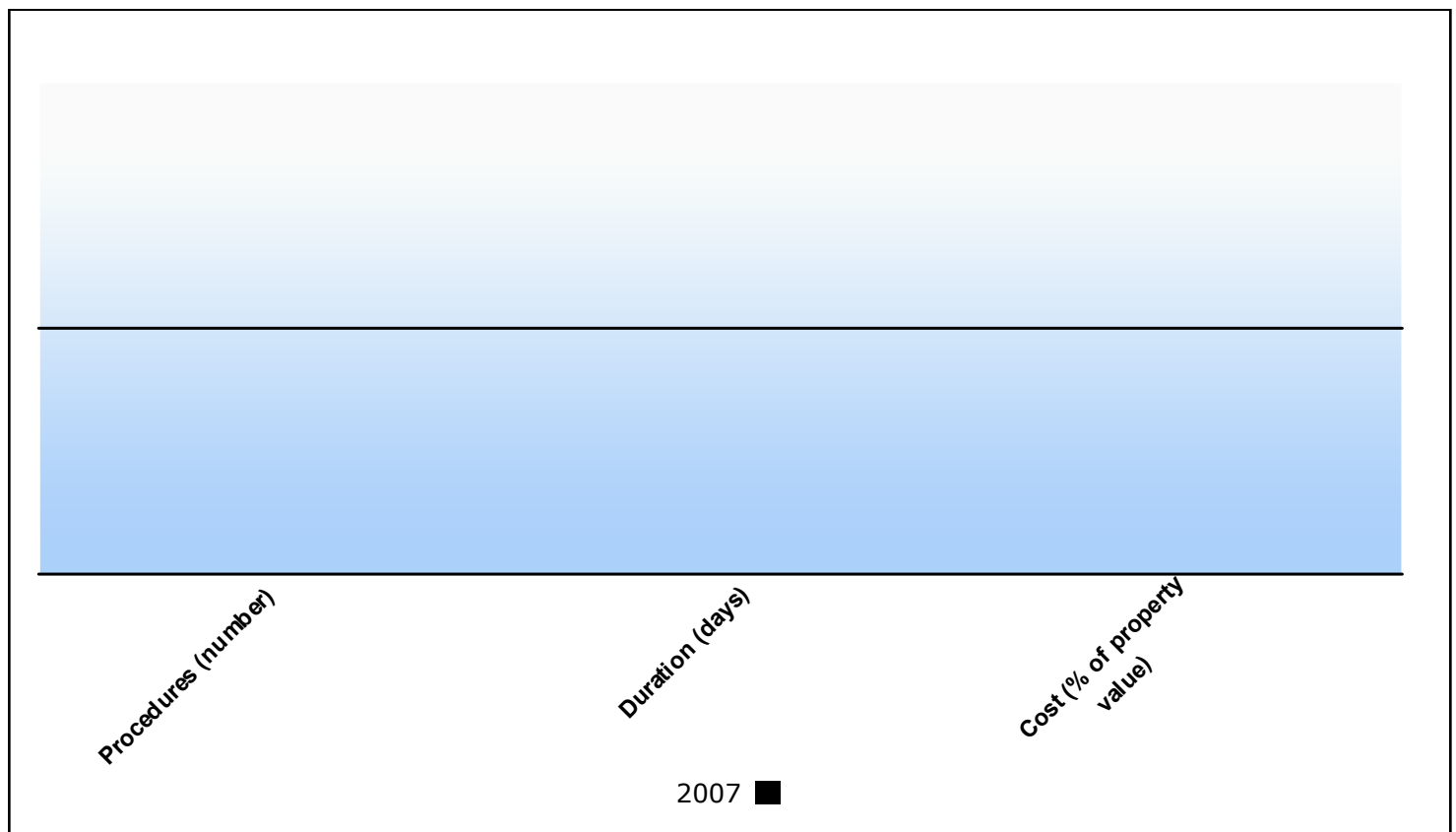
Many titling programs in Africa were futile because people bought and sold property informally—neglecting to update the title records in the property registry. Why? Doing Business shows that completing a simple formal property transfer in the largest business city of an African country costs 12% of the value of the property and takes more than 100 days on average. Worse, the property registries are so poorly organized that they provide little security of ownership. For both reasons, formalized titles quickly go informal again.

Efficient property registration reduces transaction costs and helps keep formal titles from slipping into informal status. Simple procedures to register property are also associated with greater perceived security of property rights and less corruption. That benefits all entrepreneurs, especially women, the young and the poor. The rich have few problems protecting their property rights. They can afford to invest in security systems and other measures to defend their property. But small entrepreneurs cannot. Reform can change this.

## 1. Historical data: Registering Property in Brunei

Registering Property data	Doing Business 2008
Rank	178
Procedures (number)	no practice
Duration (days)	no practice
Cost (% of property value)	no practice

## 2. The following graph illustrates the Registering Property indicators in Brunei over the past 3 years:



### **3. Steps to Registering Property in Brunei**

It requires procedures, takes days, and costs % GNI per capita to register the property in Brunei.

#### **List of Procedures:**

More details are available in the appendix.

**4. Benchmarking Registering Property Regulations:**

Brunei is ranked 178 overall for Registering Property. New Zealand is the top ranked economy followed by Armenia, Saudi Arabia and Lithuania.

Ranking of Brunei in Registering Property - Compared to best practice and selected economies:



The following table shows Registering Property data for Brunei compared to best practice and comparator economies:

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

<b>Selected Economy</b>			
<b>Brunei</b>	no practice	no practice	no practice

<b>Comparator Economies</b>			
<b>China</b>	4	29	3.6
<b>Indonesia</b>	7	42	10.5
<b>Lao PDR</b>	9	135	4.2
<b>Malaysia</b>	5	144	2.4
<b>Thailand</b>	2	2	6.3
<b>Timor-Leste</b>	no practice	no practice	no practice

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

**Procedures (number): Sweden**

**Duration (days): Sweden, Thailand**

**Cost (% of property value): Bhutan**

## Getting Credit in Brunei: Legal Rights and Credit Information

---

Firms consistently rate access to credit as among the greatest barriers to their operation and growth. Doing Business constructs two sets of indicators of how well credit markets function—one on credit registries and the other on legal rights of borrowers and lenders.

Credit registries—institutions that collect and distribute credit information on borrowers—can greatly expand access to credit. By sharing credit information, they help lenders assess risk and allocate credit more efficiently. And they free entrepreneurs from having to rely on personal connections alone when trying to obtain credit. Three indicators are constructed to measure the sharing of credit information:

- Public registry coverage, which reports the number of individuals and firms covered by a public credit registry as a percentage of the adult population.
- Private bureau coverage, which reports the number of individuals and firms covered by a private credit bureau as a percentage of the adult population.
- Depth of credit information index, which measures the extent to which the rules of a credit information system facilitate lending based on the scope of information distributed, the ease of access to information and the quality of information.

The data are from surveys of public registries and the largest private credit bureau in the country.

Effective regulation of secured lending—through collateral and bankruptcy laws—can also ease credit constraints. By giving a lender the right to seize and sell a borrower's secured assets upon default, collateral limits the lender's potential losses and acts as a screening device for borrowers. The strength of legal rights index measures 10 aspects of the rights of borrowers and creditors in collateral and bankruptcy laws, including whether:

- General rather than specific description of assets and debt is permitted in collateral agreements (expanding the scope of assets and debt covered).
- Any legal or natural person may grant or take security in assets.
- A unified registry operates that includes charges over movable property.
- Secured creditors have priority both within bankruptcy and outside it.
- Parties may agree on out-of-court enforcement of collateral by contract.
- Creditors may both seize and sell collateral out of court, no automatic stay or “asset freeze” applies upon bankruptcy, and the bankrupt debtor does not retain control of the firm.

The index ranges from 0 (weak legal rights) to 10 (strong legal rights). The data were obtained by examining collateral and bankruptcy laws and legal summaries and verified through a survey of financial lawyers.

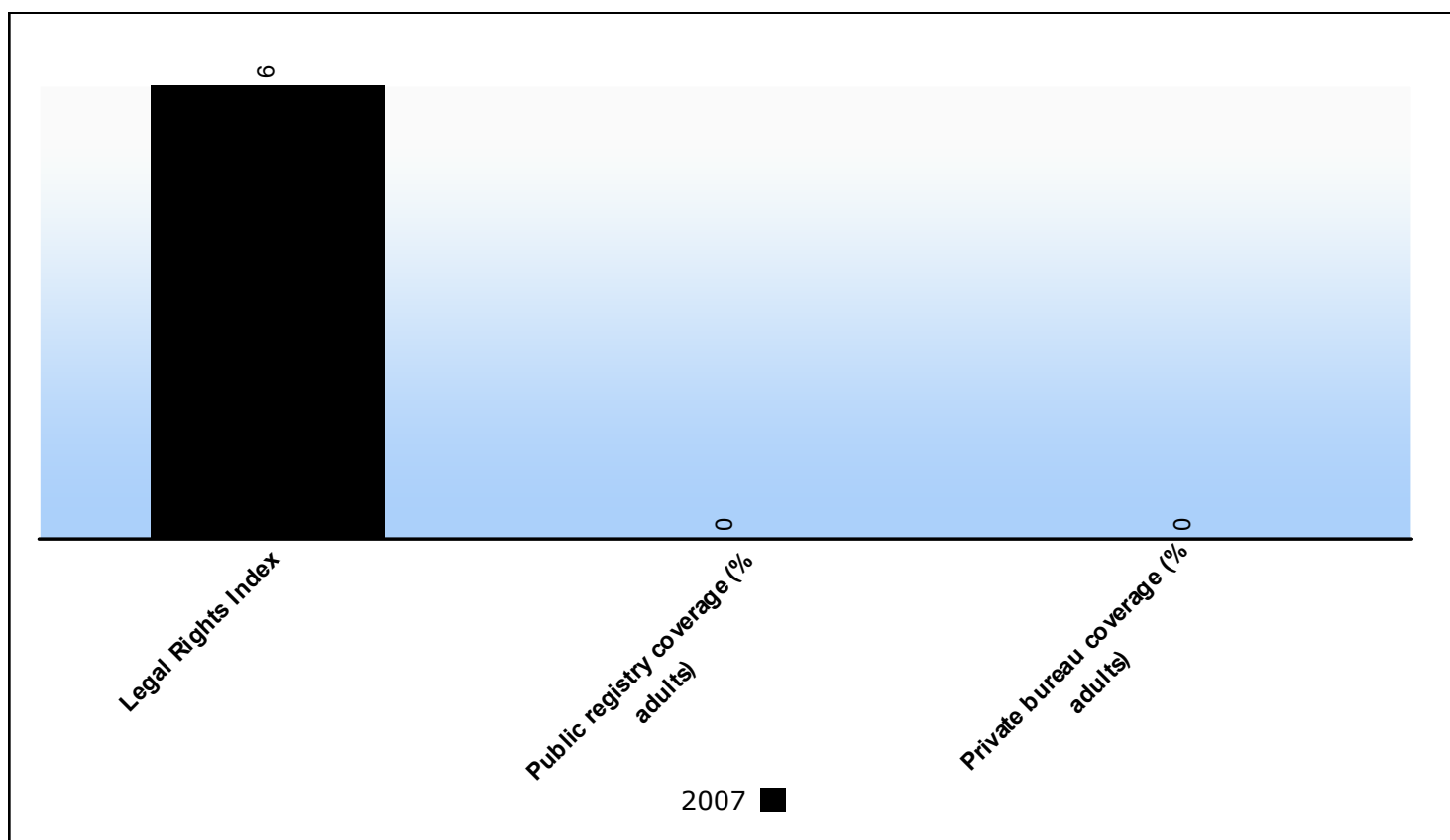
Where good-quality credit information is available and legal rights are stronger, more credit is extended. Benefits flow beyond those gaining access to credit. With better-functioning credit markets, unemployment is lower, and women and low-income people benefit the most.



## 1. Historical data: Getting Credit in Brunei

Getting Credit data	Doing Business 2008
Rank	97
Legal Rights Index	6
Public registry coverage (% adults)	0.0
Private bureau coverage (% adults)	0.0

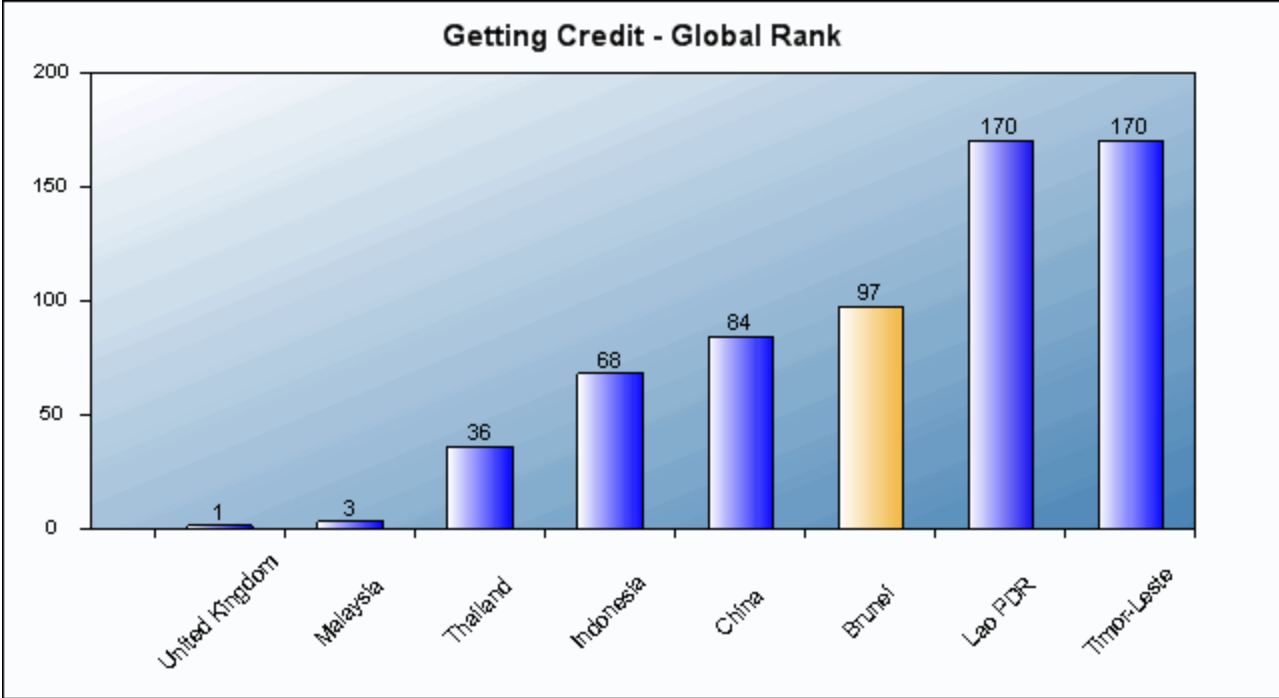
## 2. The following graph illustrates the Getting Credit indicators in Brunei over the past 3 years:



**3. Benchmarking Getting Credit Regulations:**

Brunei is ranked 97 overall for Getting Credit. United Kingdom is the top ranked economy followed by Hong Kong, China, Germany and Australia.

Ranking of Brunei in Getting Credit - Compared to best practice and selected economies:



The following table shows Getting Credit data for Brunei compared to best practice and comparator economies:

<b>Best Practice Economies</b>	<b>Legal Rights Index</b>	<b>Public registry coverage (%)</b>	<b>Private bureau coverage (%)</b>
Argentina*			100.0
Hong Kong, China*	10		
Portugal		67.1	

<b>Selected Economy</b>			
Brunei	6	0.0	0.0

<b>Comparator Economies</b>			
China	3	49.2	0.0
Indonesia	5	20.5	0.2
Lao PDR	2	0.0	0.0
Malaysia	8	44.5	not available
Thailand	5	0.0	27.9
Timor-Leste	2	0.0	0.0

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

**Legal Rights Index: United Kingdom**

**Private bureau coverage (% adults): Australia, Canada, Iceland, Ireland, New Zealand, Nicaragua, Norway, Sweden, United States**

## Protecting Investors in Brunei

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Officials at Elf Aquitaine, France's largest oil company, awarded business deals in return for large side payments. Along with the extra cash, they got seven years in jail and a €2 million fine for abuse of power. Russian oil firm Gazprom purchased materials for new pipelines through intermediaries owned by company officers. The high cost raised eyebrows, but not court battles.

Big cases make headlines. But looting by corporate insiders occurs every day on a smaller scale, and often goes unnoticed. To document the protections investors have, Doing Business measures how countries regulate a standard case of self-dealing—use of corporate assets for personal gain.

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

Several questions arise. Who approves the transaction? What information must be disclosed? What company documents can investors access? What do minority shareholders have to prove to get the transaction stopped or to receive compensation from Mr. James? Three indices of investor protection are constructed based on the answers to these and other questions. All indices range from 0 to 10, with higher values indicating more protections or greater disclosure.

The extent of disclosure index covers approval procedures, requirements for immediate disclosure to the public and shareholders of proposed transactions, requirements for disclosure in periodic filings and reports and the availability of external review of transactions before they take place.

The extent of director liability index covers the ability of investors to hold Mr. James and the board of directors liable for damages, the ability to rescind the transaction, the availability of fines and jail time associated with self-dealing, the availability of direct or derivative suits and the ability to require Mr. James to pay back his personal profits from the transaction.

The ease of shareholder suits index covers the availability of documents that can be used during trial, the ability of the investor to examine the defendant and other witnesses, shareholders' access to internal documents of the company, the appointment of an inspector to investigate the transaction and the standard of proof applicable to a civil suit against the directors.

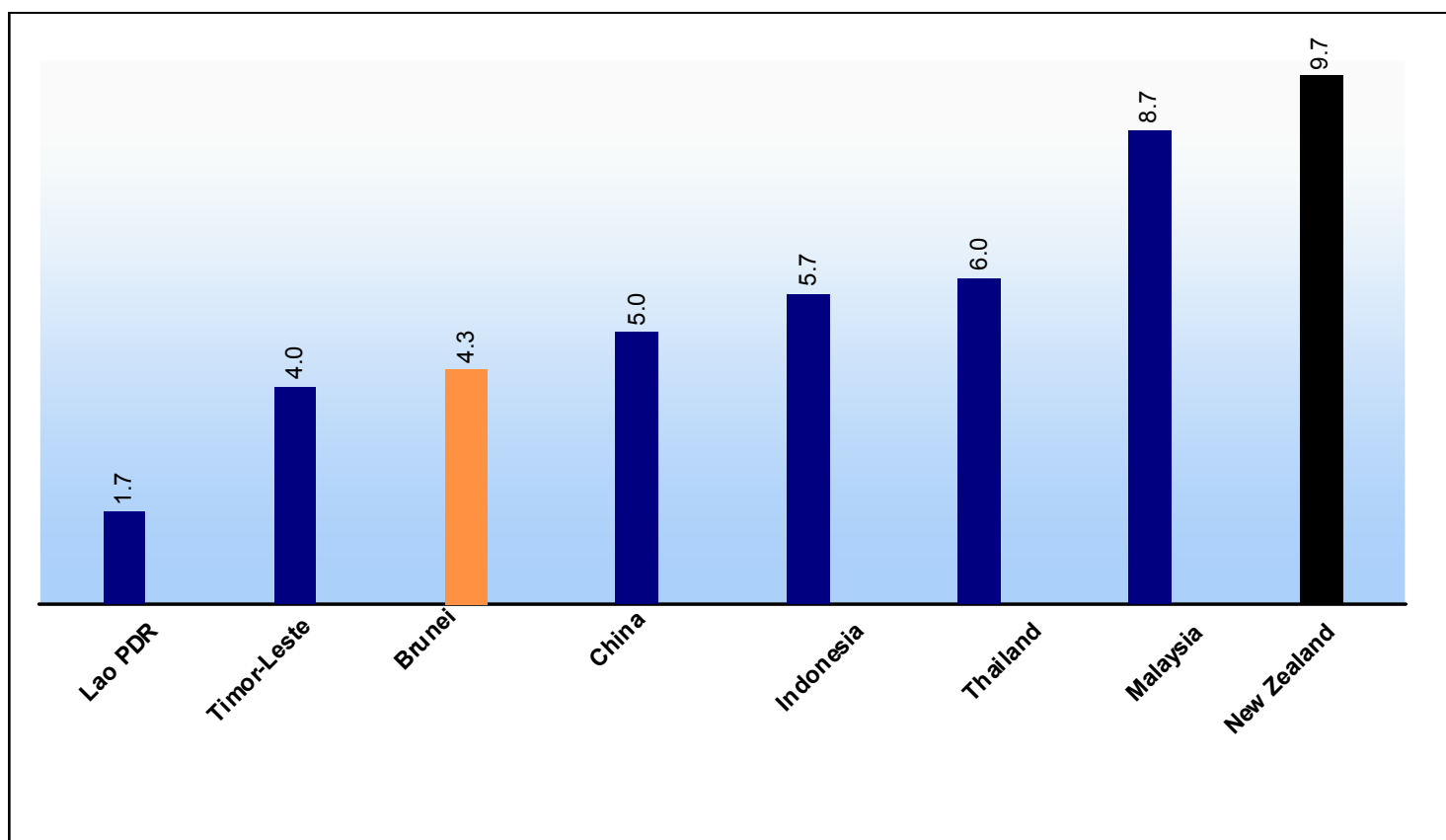
These three indices are averaged to create the strength of investor protection index. This index ranges from 0 to 10, with higher values indicating better investor protection.

If the rights of investors are not protected, majority ownership in a business is the only way to eliminate expropriation. But then investors must devote more oversight attention to fewer investments. The result: entrepreneurship is suppressed, and fewer profitable investment projects are undertaken. Where self-dealing is curbed, equity investment is higher, ownership concentration lower and trust in the business sector deeper. Investors gain portfolio diversification, and entrepreneurs gain access to cash.

## 1. Historical data: Protecting Investors in Brunei

Protecting Investors data	Doing Business 2008
Rank	121
Investor Protection Index	4.3

2. The following graph illustrates the Protecting Investors index in Brunei compared to best practice and selected Economies:

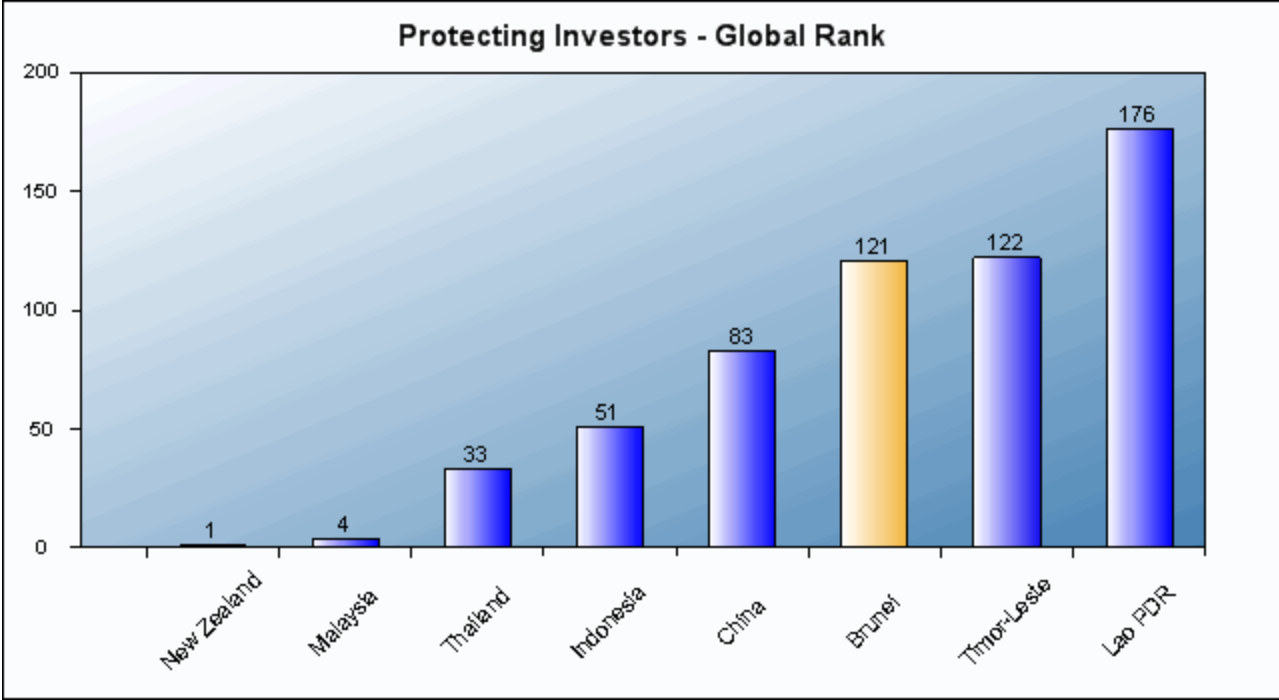


**Note:** The higher the score, the greater the investor protection.

**3. Benchmarking Protecting Investors Regulations:**

Brunei is ranked 121 overall for Protecting Investors. New Zealand is the top ranked economy followed by Singapore, Hong Kong, China and Malaysia.

Ranking of Brunei in Protecting Investors - Compared to best practice and selected economies:



The following table shows Protecting Investors data for Brunei compared to best practice and comparator economies:

<b><i>Best Practice Economies</i></b>	<b>Investor Protection Index</b>
<b>New Zealand</b>	9.7

<b><i>Selected Economy</i></b>	
<b>Brunei</b>	4.3

<b><i>Comparator Economies</i></b>	
<b>China</b>	5.0
<b>Indonesia</b>	5.7
<b>Lao PDR</b>	1.7
<b>Malaysia</b>	8.7
<b>Thailand</b>	6.0
<b>Timor-Leste</b>	4.0

## Paying Taxes: Tax Payable and Compliance in Brunei

---

Taxes are essential. Without them there would be no money to fund schools, hospitals, courts, roads, water, waste collection and other public services that help businesses to be more productive. Still, there are good ways and bad ways to collect taxes.

The Doing Business tax survey records the effective tax that a company must pay and the administrative costs of doing so. Imagine a medium-size business, TaxpayerCo, that started operations last year. Doing Business asked accountants in 178 economies to review TaxpayerCo's financial statements and a standard list of transactions the company completed during the year. Respondents were asked how much tax the business must pay and what the process is for doing so.

The business starts from the same financial position in each country. All the taxes and contributions paid during the second year of operation are recorded. Taxes and contributions are measured at all levels of government and include corporate income tax, turnover tax, all labor contributions paid by the company (including mandatory contributions paid to private pension or insurance funds), property tax, property transfer tax, dividend tax, capital gains tax, financial transactions tax, vehicle tax and other small taxes (such as fuel tax, stamp duty and local taxes). A range of standard deductions and exemptions are also recorded.

Three indicators are constructed:

- Number of tax payments, which takes into account the method of payment or withholding, the frequency of payment or withholding and the number of agencies involved for the standard case.
- Time, which measures the hours per year necessary to prepare, file and pay the corporate income tax, value added or sales tax and labor taxes.
- Total tax rate, which measures the amount of taxes payable by the company during the second year of operation. This amount, expressed as a percentage of commercial profit, is the sum of all the different taxes payable after accounting for various deductions and exemptions.

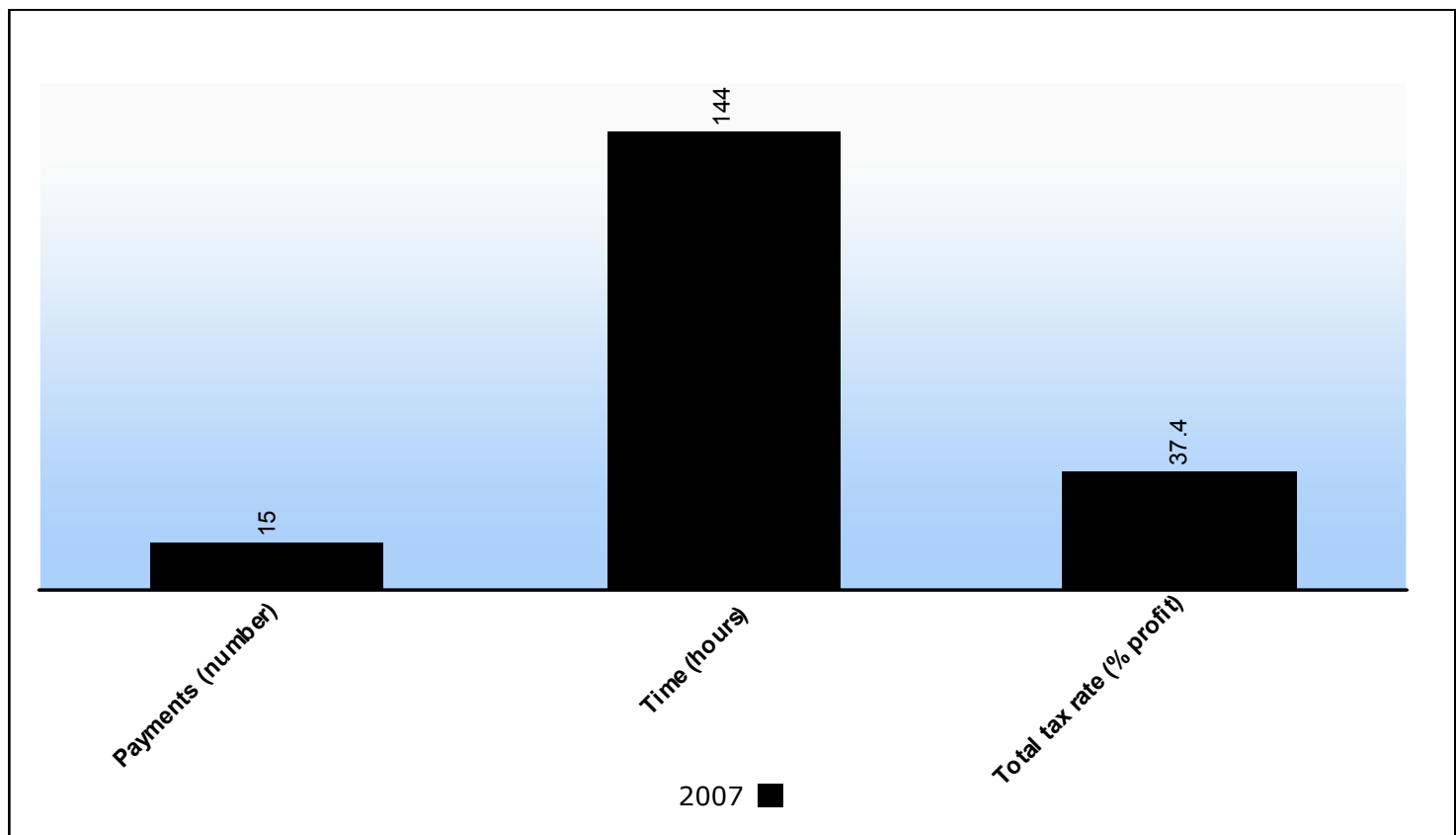
Businesses care about what they get for their taxes and contributions, such as the quality of infrastructure and social services. Poor countries tend to use businesses as a collection point for taxes. Rich countries tend to have lower tax rates and less complex tax systems. And rich countries get more from their taxes. Simple, moderate taxes and fast, cheap administration mean less hassle for businesses—and also more revenue collected and better public services. More burdensome tax regimes create an incentive to evade taxes.



## 1. Historical data: Paying Taxes in Brunei

Paying Taxes data	Doing Business 2008
Rank	28
Time (hours)	144
Total tax rate (% profit)	37.4
Payments (number)	15

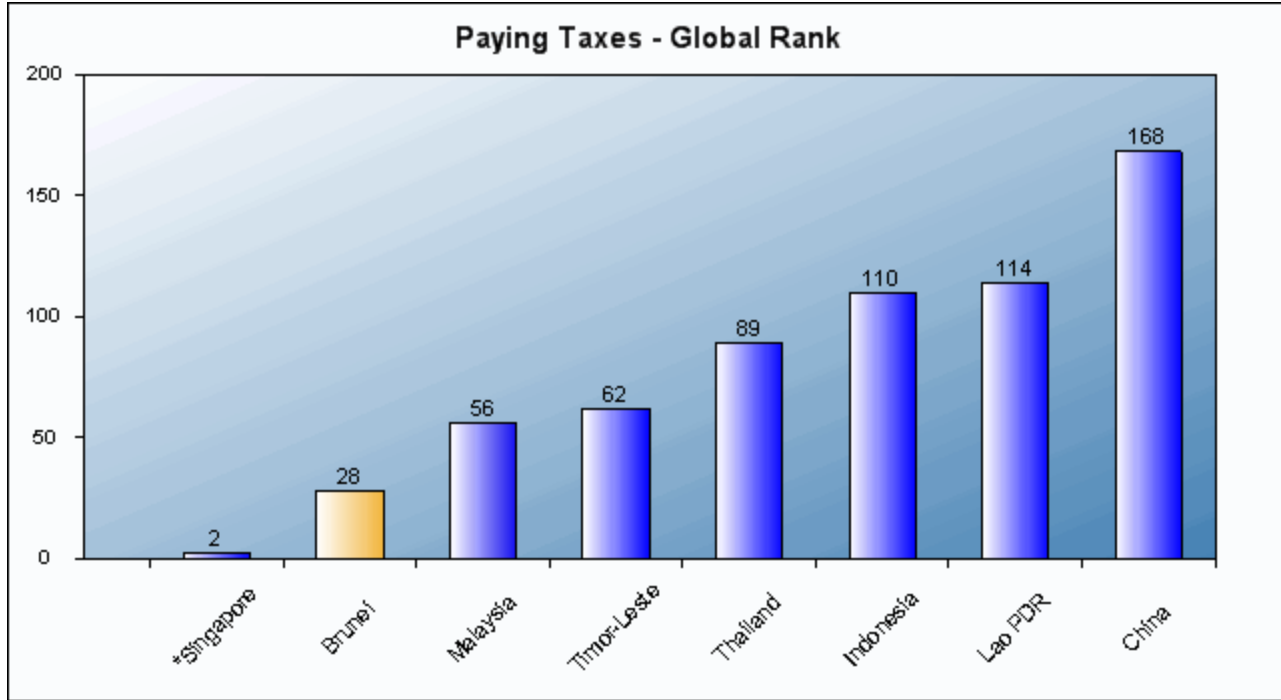
2. The following graph illustrates the Paying Taxes indicators in Brunei over the past 3 years:



### 3. Benchmarking Paying Taxes Regulations:

Brunei is ranked 28 overall for Paying Taxes. Maldives is the top ranked economy followed by Singapore, Hong Kong, China and United Arab Emirates.

Ranking of Brunei in Paying Taxes - Compared to best practice and selected economies:



\* The following economies are also best practice economies for Paying Taxes: Maldives

The following table shows Paying Taxes data for Brunei compared to best practice and comparator economies:

<i>Best Practice Economies</i>	<b>Payments (number)</b>	<b>Time (hours)</b>	<b>Total tax rate (% profit)</b>
Sweden*	2		
United Arab Emirates*		12	
Vanuatu			8.4

<i>Selected Economy</i>			
<b>Brunei</b>	<b>15</b>	<b>144</b>	<b>37.4</b>

<i>Comparator Economies</i>			
<b>China</b>	<b>35</b>	<b>872</b>	<b>73.9</b>
<b>Indonesia</b>	<b>51</b>	<b>266</b>	<b>37.3</b>
<b>Lao PDR</b>	<b>34</b>	<b>672</b>	<b>35.5</b>
<b>Malaysia</b>	<b>35</b>	<b>166</b>	<b>36.0</b>
<b>Thailand</b>	<b>35</b>	<b>264</b>	<b>37.7</b>
<b>Timor-Leste</b>	<b>15</b>	<b>640</b>	<b>28.3</b>

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

**Payments (number): Maldives**

**Time (hours): Maldives**

## Trading Across Borders: Importing and Exporting from Brunei

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The benefits of trade are well documented—as are the obstacles to trade. Tariffs, quotas and distance from large markets greatly increase the cost of goods or prevent trading altogether. But with faster ships and bigger planes, the world is shrinking. Global and regional agreements have brought down trade barriers. Yet Africa's share of global trade is smaller today than it was 25 years ago. So is the Middle East's, excluding oil exports. The reason is simple: many entrepreneurs face numerous hurdles to exporting or importing goods. They often give up. Others never try.

Doing Business compiles procedural requirements for trading a standard shipment of goods by ocean transport. Every official procedure—and the associated documents, time and cost—for importing and exporting the goods is recorded, starting with the contractual agreement between the two parties and ending with delivery of the goods. For importing the goods, the procedures measured range from the vessel's arrival at the port of entry to the shipment's delivery at the factory warehouse. For exporting the goods, the procedures measured range from the packing of the goods at the factory to their departure from the port of exit.

To make the data comparable across countries, several assumptions about the business and the traded goods are used. The business is of medium size, with 100 or more employees, and is located in the periurban area of the country's most populous city. It is a private, limited liability company, domestically owned, formally registered and operating under commercial laws and regulations of the country. The traded goods are ordinary, legally manufactured products, and they travel in a dry-cargo, 20-foot FCL (full container load) container.

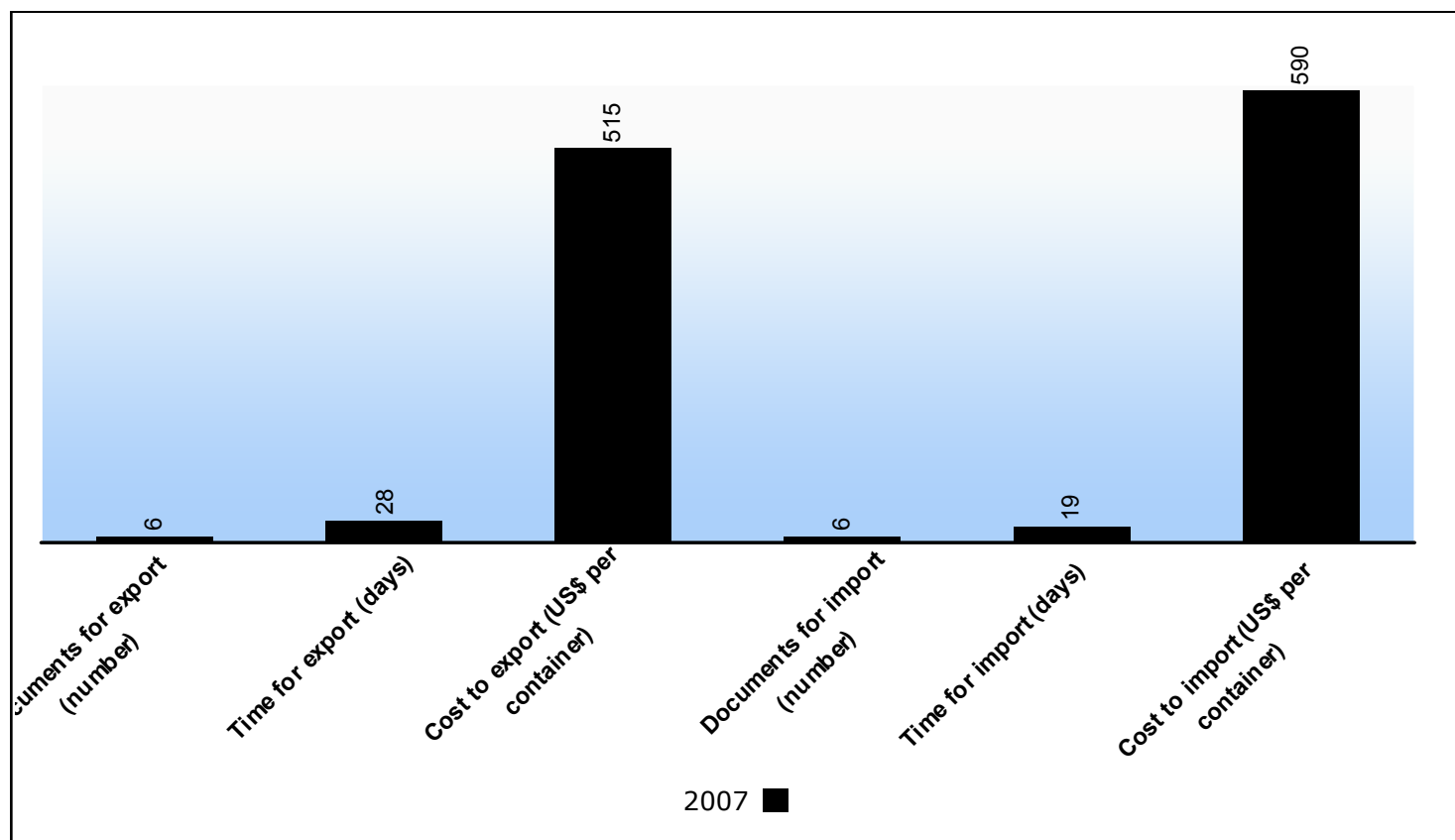
Documents recorded include port filing documents, customs declaration and clearance documents, and official documents exchanged between the concerned parties. Time is recorded in calendar days, from start to finish of each procedure. Cost measures the fees levied on a 20-foot container in U.S. dollars. All the fees associated with completing the procedures to export or import the goods are included, such as costs for documents, administrative fees for customs clearance and technical control, terminal handling charges and inland transport. The cost measure does not include tariffs or trade taxes.

Countries that have efficient customs, good transport networks and fewer document requirements—making compliance with export and import procedures faster and cheaper—are more competitive globally. That leads to more exports—and exports are associated with faster growth and more jobs. Conversely, a need to file many documents is associated with more corruption in customs. Faced with long delays and frequent demands for bribes, many traders avoid customs altogether. Instead, they smuggle goods across the border. That defeats the very purpose in having border control of trade—to levy taxes and ensure high quality of goods.

## 1. Historical data: Trading Across Borders in Brunei

Trading Across Borders data	Doing Business 2008
Rank	36
Documents for export (number)	6
Time for export (days)	28
Cost to export (US\$ per container)	515
Documents for import (number)	6
Time for import (days)	19
Cost to import (US\$ per container)	590

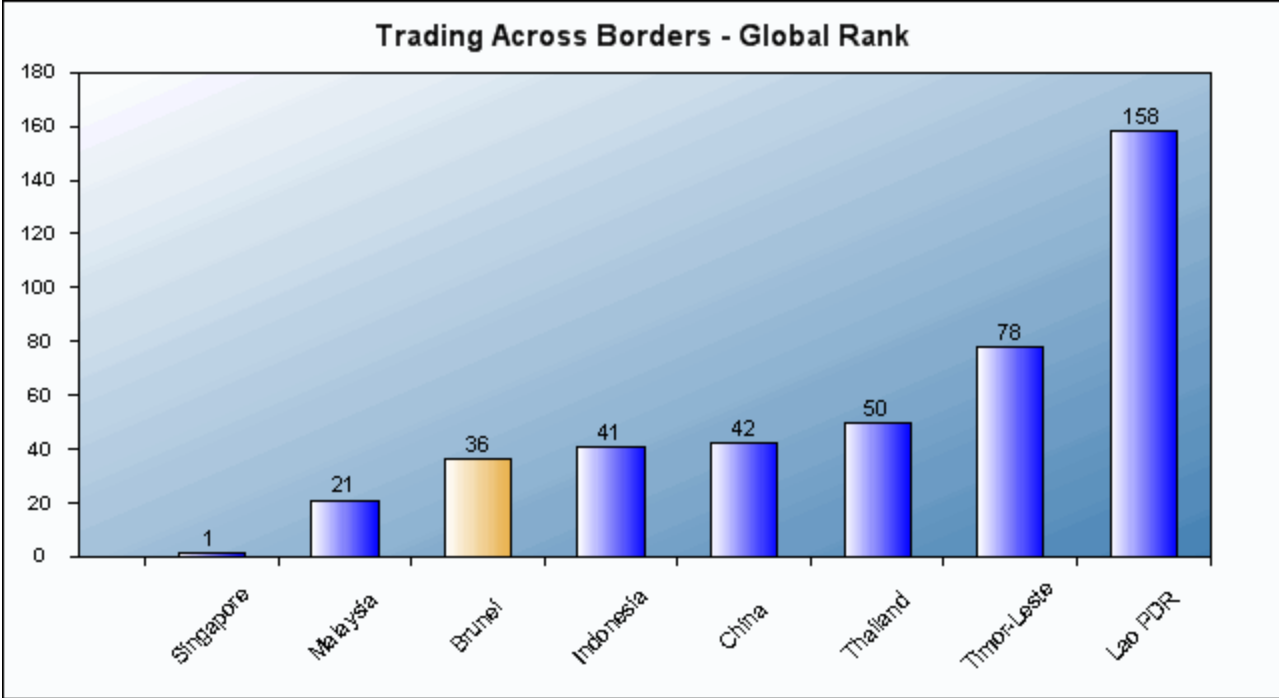
2. The following graph illustrates the Trading Across Borders indicators in Brunei over the past 3 years:



**3. Benchmarking Trading Across Borders Regulations:**

Brunei is ranked 36 overall for Trading Across Borders. Singapore is the top ranked economy followed by Denmark, Hong Kong, China and Norway.

Ranking of Brunei in Trading Across Borders - Compared to best practice and selected economies:



The following table shows Trading Across Borders data for Brunei compared to best practice and comparator economies:

<b>Best Practice Economies</b>	<b>Documents for export (number)</b>	<b>Time for export (days)</b>	<b>Cost to export (US\$ per)</b>	<b>Documents for import (number)</b>	<b>Time for import (days)</b>	<b>Cost to import (US\$ per)</b>
Canada*	3					
China			390			
Denmark*		5		3		
Singapore					3	367

<b>Selected Economy</b>						
<b>Brunei</b>	<b>6</b>	<b>28</b>	<b>515</b>	<b>6</b>	<b>19</b>	<b>590</b>

<b>Comparator Economies</b>						
<b>China</b>	<b>7</b>	<b>21</b>	<b>390</b>	<b>6</b>	<b>24</b>	<b>430</b>
<b>Indonesia</b>	<b>5</b>	<b>21</b>	<b>667</b>	<b>6</b>	<b>27</b>	<b>623</b>
<b>Lao PDR</b>	<b>9</b>	<b>50</b>	<b>1750</b>	<b>10</b>	<b>50</b>	<b>1930</b>
<b>Malaysia</b>	<b>7</b>	<b>18</b>	<b>432</b>	<b>7</b>	<b>14</b>	<b>385</b>
<b>Thailand</b>	<b>7</b>	<b>17</b>	<b>615</b>	<b>9</b>	<b>14</b>	<b>786</b>
<b>Timor-Leste</b>	<b>6</b>	<b>25</b>	<b>990</b>	<b>7</b>	<b>26</b>	<b>995</b>

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

Documents for export (number): **Estonia, Micronesia, Panama**

Time for export (days): **Estonia, Singapore**

Documents for import (number): **Sweden**

## Enforcing Contracts: Court Efficiency in Brunei

---

Where contract enforcement is efficient, businesses are more likely to engage with new borrowers or customers. Doing Business tracks the efficiency of the judicial system in resolving a commercial dispute, following the step-by-step evolution of a commercial sale dispute before local courts. The data are collected through study of the codes of civil procedure and other court regulations as well as surveys completed by local litigation lawyers (and, in a quarter of the countries, by judges as well).

The dispute, between two businesses (the Seller and the Buyer) located in the country's most populous city, concerns a contract for the sale of goods. The Seller agrees to deliver the goods, worth 200% of the country's income per capita, to the Buyer.

After receiving and inspecting the goods, the Buyer concludes that their quality is inadequate. The Buyer sends the goods back without paying for them. The Seller disagrees and argues that their quality is adequate. The Seller seeks full payment from the Buyer, arguing that the goods cannot be sold to a third party because they were custom-made for the Buyer. The Seller sues the Buyer before the court in the most populous city to recover the amount due under the sales agreement (200% of the country's income per capita).

Three indicators of the efficiency of commercial contract enforcement are developed:

- Number of procedures, which includes all those that demand interaction between the parties or between them and the judge or court officer.
- Time, which counts the number of days from the moment the plaintiff files the lawsuit in court until the moment of payment. This measure includes both the days on which actions take place and the waiting periods between actions.
- Cost, which measures the official cost of going through court procedures, expressed as a percentage of the claim (assumed to be equivalent to 200% of income per capita). The cost includes court costs, enforcement costs and attorney fees where the use of attorneys is mandatory or common.

Businesses that have little or no access to efficient courts must rely on other mechanisms, both formal and informal—such as trade associations, social networks, credit bureaus or private information channels—to decide whom to do business with and under what conditions. Or they might adopt a conservative approach to business, dealing only with a small group of people linked through kinship, ethnic origin or previous dealings and structuring transactions to forestall disputes. In either case economic and social value may be lost.

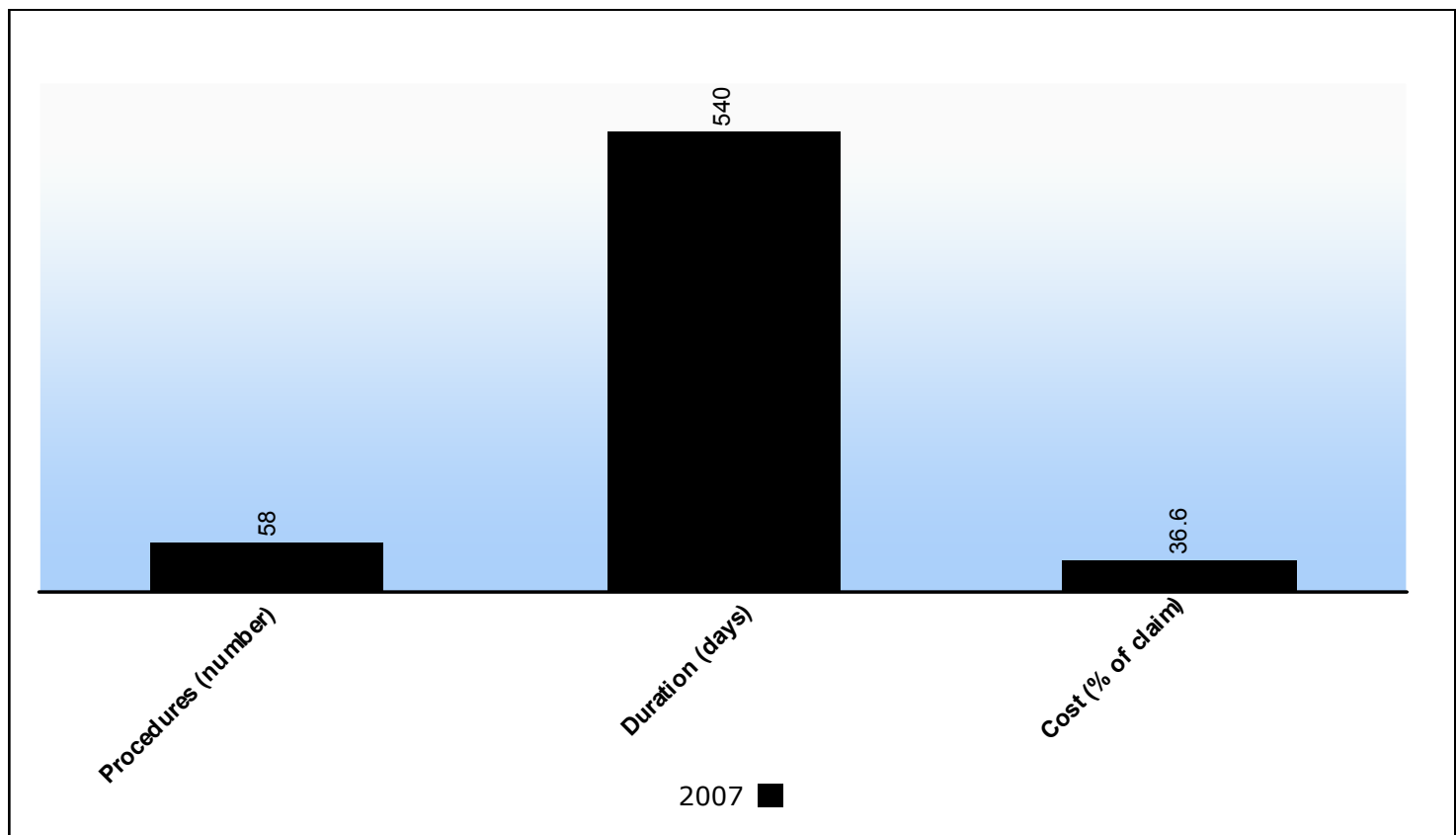
The main reason to regulate procedures in commercial dispute resolution is that informal justice is vulnerable to subversion by the rich and powerful. But heavy regulation of dispute resolution backfires. Across countries, the more procedures it takes to enforce a contract, the longer the delays and the higher the cost. The result: less wealth is created.



## 1. Historical data: Enforcing Contracts in Brunei

Enforcing Contracts data	Doing Business 2008
Rank	158
Procedures (number)	58
Duration (days)	540
Cost (% of claim)	36.6

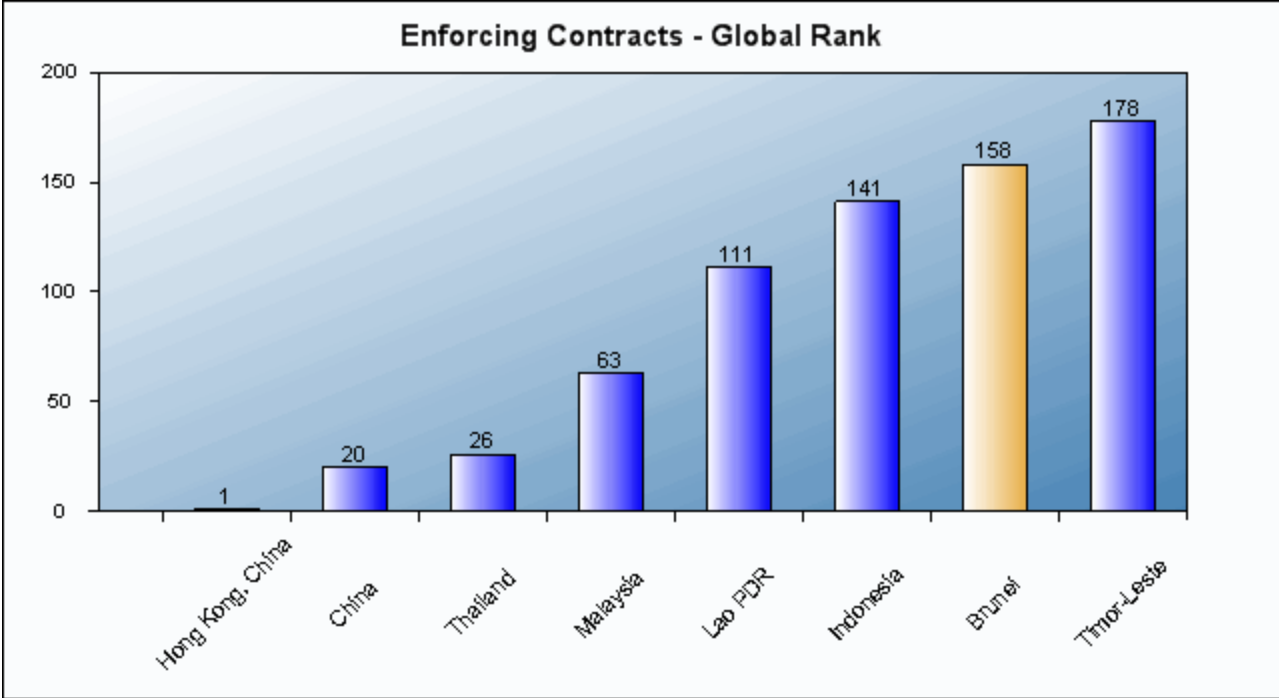
2. The following graph illustrates the Enforcing Contracts indicators in Brunei over the past 3 years:



**3. Benchmarking Enforcing Contracts Regulations:**

Brunei is ranked 158 overall for Enforcing Contracts. Hong Kong, China is the top ranked economy followed by Luxembourg, Latvia and Singapore.

Ranking of Brunei in Enforcing Contracts - Compared to best practice and selected economies:



The following table shows Enforcing Contracts data for Brunei compared to best practice and comparator economies:

<b>Best Practice Economies</b>	<b>Procedures (number)</b>	<b>Duration (days)</b>	<b>Cost (% of claim)</b>
<b>Bhutan</b>			0.1
<b>Ireland</b>	20		
<b>Singapore</b>		120	

<b>Selected Economy</b>			
<b>Brunei</b>	58	540	36.6

<b>Comparator Economies</b>			
<b>China</b>	35	406	8.8
<b>Indonesia</b>	39	570	122.7
<b>Lao PDR</b>	42	443	31.6
<b>Malaysia</b>	30	600	27.5
<b>Thailand</b>	35	479	14.3
<b>Timor-Leste</b>	51	1800	163.2

## Closing Business in Brunei: Bankruptcy

---

The economic crises of the 1990s in emerging markets—from East Asia to Latin America, from Russia to Mexico—raised concerns about the design of bankruptcy systems and the ability of such systems to help reorganize viable companies and close down unviable ones. In countries where bankruptcy is inefficient, unviable businesses linger for years, keeping assets and human capital from being reallocated to more productive uses.

The Doing Business indicators identify weaknesses in the bankruptcy law as well as the main procedural and administrative bottlenecks in the bankruptcy process. In many developing countries bankruptcy is so inefficient that creditors hardly ever use it. In countries such as these, reform would best focus on improving contract enforcement outside bankruptcy.

The data on closing a business are developed using a standard set of case assumptions to track a company going through the step-by-step procedures of the bankruptcy process. It is assumed that the company is a domestically owned, limited liability corporation operating a hotel in the country's most populous city. The company has 201 employees, 1 main secured creditor and 50 unsecured creditors. Assumptions are also made about the debt structure and future cash flows. The case is designed so that the company has a higher value as a going concern—that is, the efficient outcome is either reorganization or sale as a going concern, not piecemeal liquidation. The data are derived from questionnaires answered by attorneys at private law firms.

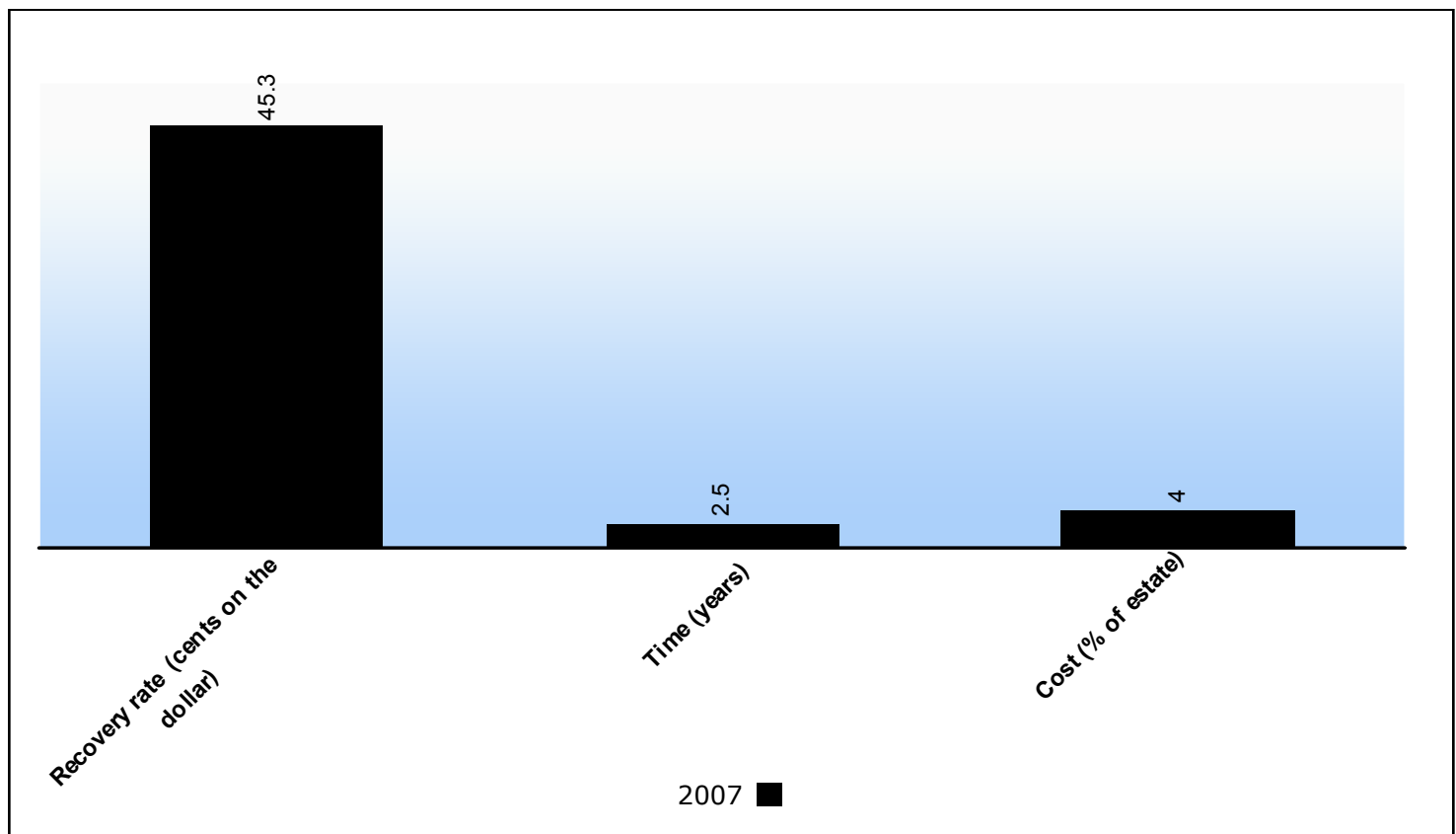
Three measures are constructed from the survey responses: the time to go through the insolvency process, the cost to go through the process and the recovery rate—how much of the insolvency estate is recovered by stakeholders, taking into account the time, cost, depreciation of assets and the outcome of the insolvency proceeding.

Bottlenecks in bankruptcy cut into the amount claimants can recover. In countries where bankruptcy is used, this is a strong deterrent to investment. Access to credit shrinks, and nonperforming loans and financial risk grow because creditors cannot recover overdue loans. Conversely, efficient bankruptcy laws can encourage entrepreneurs. The freedom to fail, and to do so through an efficient process, puts people and capital to their most effective use. The result is more productive businesses and more jobs.

## 1. Historical data: Closing Business in Brunei

Closing a Business data	Doing Business 2008
Rank	35
Time (years)	2.5
Cost (% of estate)	4
Recovery rate (cents on the dollar)	45.3

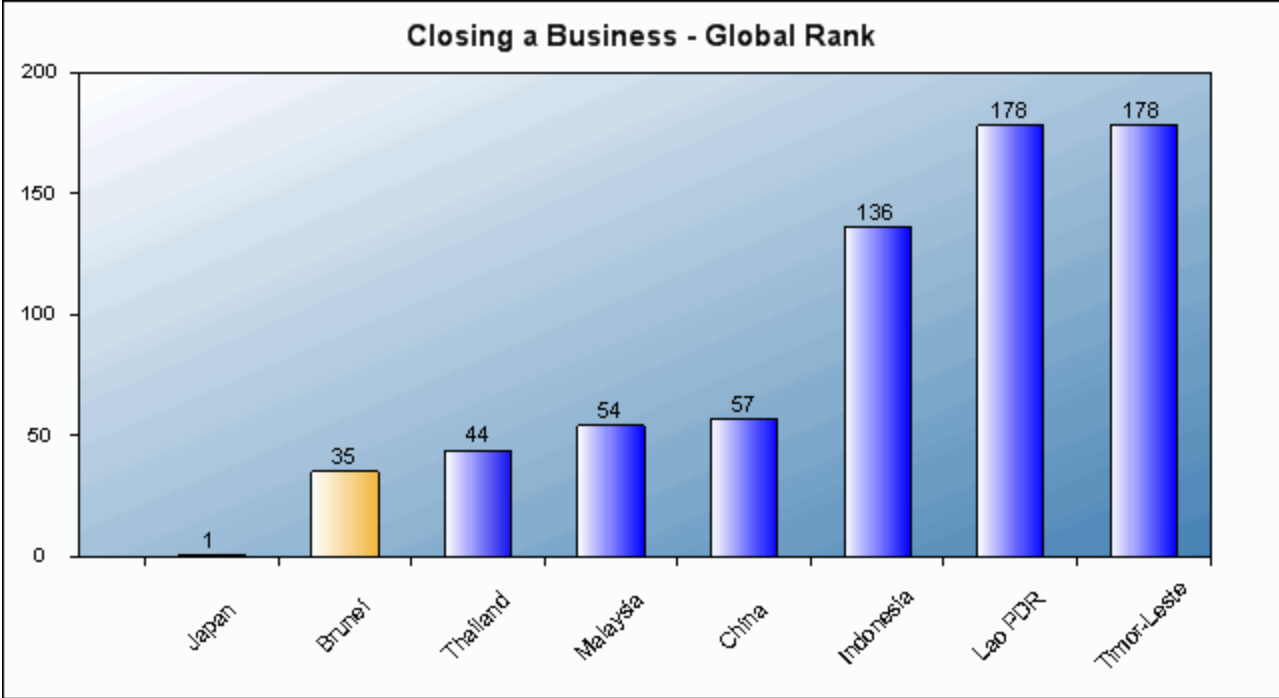
## 2. The following graph illustrates the Closing Business indicators in Brunei over the past 3 years:



**3. Benchmarking Closing Business Regulations:**

Brunei is ranked 35 overall for Closing a Business. Japan is the top ranked economy followed by Singapore, Norway and Canada.

Ranking of Brunei in Closing Business - Compared to best practice and selected economies:



The following table shows Closing Business data for Brunei compared to best practice and comparator economies:

<b>Best Practice Economies</b>	<b>Recovery rate (cents on the</b>	<b>Time (years)</b>	<b>Cost (% of estate)</b>
Colombia			1
Ireland*		0.4	
Japan	92.6		

<b>Selected Economy</b>			
<b>Brunei</b>	<b>45.3</b>	<b>2.5</b>	<b>4</b>

<b>Comparator Economies</b>			
<b>China</b>	35.9	1.7	22
<b>Indonesia</b>	12.6	5.5	18
<b>Lao PDR</b>	0.0	no practice	no practice
<b>Malaysia</b>	38.3	2.3	15
<b>Thailand</b>	41.8	2.7	36
<b>Timor-Leste</b>	0.0	no practice	no practice

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

**Time (years): Cape Verde**

## Starting a Business in Brunei

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

### STANDARDIZED COMPANY

*Legal Form:* Private Limited Company

*Minimum Capital Requirement:* None

*City:* Bandar Seri Begawan

### Registration Requirements:

No:	Procedure	Time to complete	Cost to complete
1	Accountant prepares Form A to verify company name	1 day	B\$ 1,500
2	Submit Form A to the Registrar of Companies to verify the uniqueness of the company name.	7 days	B\$ 5
3	Make Statutory Declaration at Magistrate's Court	1 day	B\$ 9
4	Submit required documents at the Registrar of Companies	14 days	no charge
5	Pay registration fees	1 day	B\$ 2,300 registration fee on capital + B\$ 20 for Memorandum and Articles of Association + B\$ 10 for Form X; B\$ 10 for each consent letter (5) + B\$ 10 for Notice of the Situation of Registered Office + B\$ 25 for Certificate of Incorporation + B\$ 80 for 2 c
6	Register the company at the Registry of Companies	7 days	no charge
7	Make a company seal	3 days	B\$ 185
8 *	Register for Employees Provident Fund	1 day	no charge
9	Purchase application form for Miscellaneous License ("rampaian") at the Municipal Board of Bandar Seri Begawan	1 day	B\$ 2
10	Apply for Miscellaneous License ("Rampaian") at Municipal Board	2 months	BRN 50 (license application) + BRN 50 (FSD approval)
11 *	Apply to Fire Services Department (FSD) for rampaian approval	1 day (simultaneous with procedure 10)	no charge
12 *	Apply to the Ministry of Health for rampaian approval	1 day (simultaneous with procedure 10)	no charge



13	*	Receive inspection from Fire Service Department	1 day (simultaneous with procedure 10)	B\$ 750
14	*	Receive inspection from Ministry of Health	1 day (simultaneous with procedure 10)	no charge
15	*	Pick up approval Fire Service Department	1 day (simultaneous with procedure 10)	no charge
16	*	Pick up approval from Ministry of Health	1 day (simultaneous with procedure 10)	no charge
17	*	Submit approval letters to licensing authorities	1 day (simultaneous with procedure 10)	no charge
18		Pick up Rampaian license	21 days	B\$ 100

\* Takes place simultaneously with another procedure.

**Procedure 1 Accountant prepares Form A to verify company name**

**Time to complete:** 1 day

**Cost to complete:** B\$ 1,500

**Comment:** In practice, the Registry of Companies has begun to require that only lawyers, accountants or corporate secretaries may make applications before it. Accountants charge set fees prescribed by the Solicitors Remuneration Rules for incorporation of a company, which is a minimum of B\$ 1,500.

**Procedure 2 Submit Form A to the Registrar of Companies to verify the uniqueness of the company name.**

**Time to complete:** 7 days

**Cost to complete:** B\$ 5

**Comment:** The applicant must submit Form A to the Registry of Companies to verify the uniqueness of the company name. The Registry of Companies does not notify applicants when their approvals have been issued. The applicant should check and pick it up.

**Procedure 3 Make Statutory Declaration at Magistrate's Court**

**Time to complete:** 1 day

**Cost to complete:** B\$ 9

**Comment:** The company directors must make a statutory declaration at the Magistrate's Court that the documents to be submitted to the ROC have been prepared in accordance with the Companies Act.

**Procedure 4 Submit required documents at the Registrar of Companies**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:** The Registry of Companies requires the following documents:

1. 3 original copies of the Memorandum and Articles of Association;
2. Letters of consent from directors;
3. Form X;
4. Notice of the Situation of Registered Office;
5. Statutory Declaration

The ROC actually only needs 1 copy of the Memorandum and Articles of Association, but in general business practice applicants submit 3 copies: the ROC retains one and certifies and returns 2 to the applicant; the applicant and the applicant's law or accounting firm each retain 1 certified copy.

**Procedure 5 Pay registration fees**

**Time to complete:** 1 day

**Cost to complete:** B\$ 2,300 registration fee on capital + B\$ 20 for Memorandum and Articles of Association + B\$ 10 for Form X; B\$ 10 for each consent letter (5) + B\$ 10 for Notice of the Situation of Registered Office + B\$ 25 for Certificate of Incorporation + B\$ 80 for 2 c

**Comment:** The applicant must visit the Registry of Commerce to find out whether the Memorandum and Articles of Association have been approved. At that time, the applicant requests an assessment of the filing fees and the registration fee (stamp duty) on capital. The registration fee on a company with a capital of around

B\$570,000 is B\$2,300. In addition, the ROC charges fees for each document, ranging for B\$10 for Form X and the consent letters, to B\$25 for the Certificate of Incorporation that will be issued to the applicant. The ROC also attaches a \$10 postage stamp to the copy of the Memorandum and Articles of Association that it retains, and \$5 stamps on the copies to be certified and returned to the applicant. The company must purchase these stamps.

#### **Procedure 6 Register the company at the Registry of Companies**

**Time to complete:** 7 days

**Cost to complete:** no charge

**Comment:** The Registry of Companies issues a Certificate of Incorporation, two certified copies of the Memorandum and Articles of Association (each bearing a validated \$5 postage stamp) and registration forms for the Employees Provident Fund and the Collector of Income Tax. The Registry of Companies automatically notifies the Collector of Income Tax of the company's registration.

#### **Procedure 7 Make a company seal**

**Time to complete:** 3 days

**Cost to complete:** B\$ 185

**Comment:** A company seal is not required for most transactions, but it must be attached to share certificates. Banks may also request company seals for certain transactions.

#### **Procedure 8 Register for Employees Provident Fund**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:** Companies have to pay Employees Provident Fund for national employees

#### **Procedure 9 Purchase application form for Miscellaneous License ("rampaian") at the Municipal Board of Bandar Seri Begawan**

**Time to complete:** 1 day

**Cost to complete:** B\$ 2

**Comment:** Applicants for the Rampaian license must purchase the form at the Finance Office of the Municipal Board.

#### **Procedure 10 Apply for Miscellaneous License ("Rampaian") at Municipal Board**

**Time to complete:** 2 months

**Cost to complete:** BRN 50 (license application) + BRN 50 (FSD approval)

**Comment:** The application form is submitted at the Licensing Office of the Municipal Board. The licensing authority informs the applicant which agencies must approve its rampaian application. The fee for a general industrial or commercial business is B\$50

#### **Procedure 11 Apply to Fire Services Department (FSD) for rampaian approval**

**Time to complete:** 1 day (simultaneous with procedure 10)

**Cost to complete:** no charge

**Comment:** Apply to Fire Services Department (FSD) for rampaian approval. The FSD charges B\$50.

**Procedure 12 Apply to the Ministry of Health for rampaian approval**

**Time to complete:** 1 day (simultaneous with procedure 10)

**Cost to complete:** no charge

**Comment:**

**Procedure 13 Receive inspection from Fire Service Department**

**Time to complete:** 1 day (simultaneous with procedure 10)

**Cost to complete:** B\$ 750

**Comment:** The inspection does not take place immediately after the application to the Fire Services Department, but KGSe time before the Department gives its approval. The Fire Services Department is the only department that charges an inspection fee.

**Procedure 14 Receive inspection from Ministry of Health**

**Time to complete:** 1 day (simultaneous with procedure 10)

**Cost to complete:** no charge

**Comment:**

**Procedure 15 Pick up approval Fire Service Department**

**Time to complete:** 1 day (simultaneous with procedure 10)

**Cost to complete:** no charge

**Comment:** In Brunei, KGSe agencies will send approvals or notify applicants that the approvals have been issued. Most often, however, the general practice is to leave the approvals for applicants to pick up.

**Procedure 16 Pick up approval from Ministry of Health**

**Time to complete:** 1 day (simultaneous with procedure 10)

**Cost to complete:** no charge

**Comment:**

**Procedure 17 Submit approval letters to licensing authorities**

**Time to complete:** 1 day (simultaneous with procedure 10)

**Cost to complete:** no charge

**Comment:** Once the approval letters are obtained, they have to be submitted to the Licensing Office of the Municipal Board

**Procedure 18 Pick up Rampaian license**

**Time to complete:** 21 days

**Cost to complete:** B\$ 100

**Comment:**

The entire process of applying for a Rampaian typically takes 2 months, but can last up to 6 months or more.

## Dealing with Licenses in Brunei

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

### *BUILDING A WAREHOUSE*

*Date as of: January 2, 2007*

*Estimated Warehouse Value:*

*City: Bandar Seri Begawan*

### **Registration Requirements:**

No:	Procedure	Time to complete	Cost to complete
1	Obtain lot plan from Survey Department or Land Department	1 day	BND 15
2	Obtain preliminary approval from the Brunei Industrial Development Authority	7 days	no charge
3	Obtain building approval from the Town and Country Planning Department	120 days	BND 436
4 *	Obtain project clearance from the Land Department	14 days	no charge
5 *	Obtain project clearance from the Public Health Department	14 days	no charge
6 *	Obtain project clearance from the Public Works Department (JKR)	14 days	no charge
7 *	Obtain project clearance from the Fire Services Department	14 days	BND 5
8 *	Obtain project clearance from the Department of Electrical Services (DES)	14 days	no charge
9 *	Obtain project clearance from TelBru (telecommunications)	14 days	no charge
10 *	Obtain project clearance from Brunei Mauara District Office	14 days	no charge
11 *	Request and receive final inspection from the Town and Country Planning Department	1 day	no charge
12 *	Request and receive final inspection from the Land Department	1 day	no charge
13 *	Request and receive final inspection from the Public Health Department	1 day	no charge
14 *	Request and receive final inspection from the Public Works Department (JKR)	1 day	no charge
15 *	Request inspection from the Fire Services Department and pay fees	1 day	BND 750

16 *	Receive final inspection from the Fire Services Department	1 day	no charge
17 *	Request and receive final inspection from the Department of Electrical Services (DES)	1 day	no charge
18 *	Request and receive final inspection from TelBru	1 day	no charge
19 *	Request and receive final inspection from the Brunei Mauara District Office	1 day	no charge
20 *	Obtain approval memorandum from the Town and Country Planning Department	1 day	no charge
21 *	Obtain approval memorandum from the Land Department	1 day	no charge
22 *	Obtain approval memorandum from the Public Health Department	1 day	no charge
23 *	Obtain approval memorandum from the Public Works Department (JKR)	1 day	no charge
24 *	Obtain approval memorandum from the Fire Services Department	1 day	no charge
25 *	Obtain approval memorandum from the Department of Electrical Services (DES)	1 day	no charge
26 *	Obtain approval memorandum from TelBru (telecommunications)	1 day	no charge
27 *	Obtain approval memorandum from Brunei Mauara District Office	1 day	no charge
28	Submit all 8 approval memoranda to the Town and Country Planning Department along with 2 sets of as-built Drawings	1 day	no charge
29	Obtain occupancy permit	14 days	no charge
30	Obtain telephone connection from TelBru	7 days	BND 500
31 *	Obtain electricity connection form DES	1 day	BND 750
32 *	Obtain water connection from JKR	1 day	BND 500

\* Takes place simultaneously with another procedure.

**Procedure 1 Obtain lot plan from Survey Department or Land Department**

**Time to complete:** 1 day

**Cost to complete:** BND 15

**Comment:** The lot plan for a particular property may be obtained from either the Survey Department or the Land Department, depending on the area where the property is located. After payment of the fee, the applicant receives a copy of the “Ordinance Survey Sheet”. This over-the-counter procedure is completed in a matter of minutes; the clerk prints a copy, accepts the payment, and issues a receipt.

**Procedure 2 Obtain preliminary approval from the Brunei Industrial Development Authority**

**Time to complete:** 7 days

**Cost to complete:** no charge

**Comment:** The project must receive preliminary approval from BINA, a section of the Ministry of Industry and Primary Resources. BINA approves the project as a whole and does not review the project’s technical details. After it approves the project, BINA sends BuildCo a letter stating that it has no objections and that the company may apply for planning approval from the Town and Country Planning Department or the appropriate controlling authority.

After receiving BINA approval, the applicant’s architects prepare the drawings and technical specifications of the project in sufficient detail (e.g. number of parking spaces, water drainage, natural daylight amounts, sprinkler systems, fire and safety systems) for the reviewing authorities.

**Procedure 3 Obtain building approval from the Town and Country Planning Department**

**Time to complete:** 120 days

**Cost to complete:** BND 436

**Comment:** BuildCo submits the drawings, lot plan, title deed, and proof of land tax payment in person to the Town and Country Planning Department, the Municipal Board of Bandar Seri Begawan (for construction in the central district of the capital) or the Land Department; these 3 agencies have jurisdiction over land in different areas around the capital. Until now, most applications would probably fall under the jurisdiction of the Town and Country Planning Department. Beginning in August 2007, however, the jurisdiction of the Bandar Seri Begawan Municipal Board will expand from 12.87 km<sup>2</sup> to over 100 km<sup>2</sup>.

On receipt of the submission, the controlling authority will give BuildCo a blank approval form to be used in the approval process. The form for new construction costs B\$16.

BuildCo also makes separate submissions with 7 other agencies (see steps below), tailoring the submission to each agency’s requirements. Only after BuildCo has received an approval memorandum from each of the 8 agencies (after making amendments according to the agencies’ comments) can it submit the drawings and documents for final approval.

If the Department has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail.

The relevant government agencies are supposed to issue an approval memorandum within 14 days. In practice it takes much longer—partly because there are 8 different agencies involved—and after 14 days applicants begin to follow up with



each agency separately. It takes 3 to 5 months for BuildCo to obtain the approval memoranda for all 8 agencies involved—6 to 7 months if no follow-up is made.

Once the Town and Country Planning Department issues the final approval, construction may proceed. As a professional courtesy, companies often notify the relevant municipal authority (Town and Country Planning Department, Municipal Board or Land Department) when construction begins, but this is not required. No public notice of construction is required.

**Procedure 4 Obtain project clearance from the Land Department**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:** Only drawings and documents relevant to the Lands Department need to be submitted. If the Lands Department has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail.

**Procedure 5 Obtain project clearance from the Public Health Department**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:** Only drawings and documents relevant to the Public Health Department need to be submitted. If the Public Health Department has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail.

**Procedure 6 Obtain project clearance from the Public Works Department (JKR)**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:** Only drawings and documents relevant to the JKR need to be submitted. If JKR has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail.

The Public Works Department has 4 separate subdivisions with jurisdiction over roads, sewage, drains or water. The Development Control Unit of the Department coordinates the transmittal of applications to these subdivisions and gather separate approvals from each subdivision before preparing a final approval memorandum.

**Procedure 7 Obtain project clearance from the Fire Services Department**

**Time to complete:** 14 days

**Cost to complete:** BND 5

**Comment:** Only drawings and documents relevant to the Fire Department need to be submitted. If the Department has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail.

The Fire Services Department is the only one of the 8 agencies involved that charges a fee for either the submission or approval of the plan.

**Procedure 8 Obtain project clearance from the Department of Electrical Services (DES)**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:** Only drawings and documents relevant to the Department of Electrical Services need to be submitted. If the Department has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail

**Procedure 9 Obtain project clearance from TelBru (telecommunications)**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:** Only drawings and documents relevant to the Tel-Bru need to be submitted. If Tel-Bru has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail.

**Procedure 10 Obtain project clearance from Brunei Mauara District Office**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:** Only drawings and documents relevant to the District Office need to be submitted. If the District Office has comments on the plan, it will contact BuildCo by letter. BuildCo must then amend and resubmit the plan and drawings, also by mail.

**Procedure 11 Request and receive final inspection from the Town and Country Planning Department**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:** In practice, this step is often taken 2-3 weeks before construction is actually complete to time the inspection with the end of construction.

**Procedure 12 Request and receive final inspection from the Land Department**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 13 Request and receive final inspection from the Public Health Department**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 14 Request and receive final inspection from the Public Works Department (JKR)**

**Time to complete:** 1 day  
**Cost to complete:** no charge  
**Comment:**

**Procedure 15 Request inspection from the Fire Services Department and pay fees**

**Time to complete:** 1 day  
**Cost to complete:** BND 750  
**Comment:** The Fire Department is the only agency that charges a fee for inspecting the completed warehouse.

**Procedure 16 Receive final inspection from the Fire Services Department**

**Time to complete:** 1 day  
**Cost to complete:** no charge  
**Comment:**

**Procedure 17 Request and receive final inspection from the Department of Electrical Services (DES)**

**Time to complete:** 1 day  
**Cost to complete:** no charge  
**Comment:**

**Procedure 18 Request and receive final inspection from TelBru**

**Time to complete:** 1 day  
**Cost to complete:** no charge  
**Comment:**

**Procedure 19 Request and receive final inspection from the Brunei Mauara District Office**

**Time to complete:** 1 day  
**Cost to complete:** no charge  
**Comment:**

**Procedure 20 Obtain approval memorandum from the Town and Country Planning Department**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 21 Obtain approval memorandum from the Land Department**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 22 Obtain approval memorandum from the Public Health Department**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 23 Obtain approval memorandum from the Public Works Department (JKR)**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 24 Obtain approval memorandum from the Fire Services Department**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 25 Obtain approval memorandum from the Department of Electrical Services (DES)**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 26 Obtain approval memorandum from TelBru (telecommunications)**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 27 Obtain approval memorandum from Brunei Mauara District Office**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 28 Submit all 8 approval memoranda to the Town and Country Planning Department along with 2 sets of as-built Drawings**

**Time to complete:** 1 day

**Cost to complete:** no charge

**Comment:**

**Procedure 29 Obtain occupancy permit**

**Time to complete:** 14 days

**Cost to complete:** no charge

**Comment:**

**Procedure 30 Obtain telephone connection from TelBru**

**Time to complete:** 7 days

**Cost to complete:** BND 500

**Comment:**

**Procedure 31 Obtain electricity connection form DES**

**Time to complete:** 1 day

**Cost to complete:** BND 750

**Comment:**

**Procedure 32 Obtain water connection from JKR**

**Time to complete:** 1 day

**Cost to complete:** BND 500

**Comment:**

## Employing Workers in Brunei

Employing workers indices are based on responses to survey questions. The table below shows these responses in Brunei.

<b>Employing Workers Indicators (2007)</b>	<b>Answer</b>	<b>Score</b>
<b>Rigidity of Employment Index</b>		<b>6.7</b>
<b>Difficulty of Hiring Index</b>		<b>0.0</b>
Are fixed-term contracts prohibited for permanent tasks?	No	0
What is the maximum duration of fixed-term contracts (including renewals)? (in months)	No limit	0.0
What is the ratio of mandated minimum wage to the average value added per worker?	0.00	0.00
<b>Rigidity of Hours Index</b>		<b>20.0</b>
Can the workweek extend to 50 hours (including overtime) for 2 months per year to respond to a seasonal increase in production?	Yes	0
What is the maximum number of working days per week?	6	0
Are there restrictions on night work?	No	0
Are there restrictions on "weekly holiday" work?	Yes	1
What is the paid annual vacation (in working days) for an employee with 20 years of service?	0	0
<b>Difficulty of Firing Index</b>		<b>0.0</b>
Is the termination of workers due to redundancy legally authorized?	Yes	0
Must the employer notify a third party before terminating one redundant worker?	No	0
Does the employer need the approval of a third party to terminate one redundant worker?	No	0
Must the employer notify a third party before terminating a group of 25 redundant workers?	No	0
Does the employer need the approval of a third party to terminate a group of 25 redundant workers?	No	0
Can an employer make redundant a worker only if the worker could not have been reassigned or retrained?	No	0
Are there priority rules applying to redundancies?	No	0
Are there priority rules applying to re-employment?	No	0
<b>Firing costs (weeks of wages)</b>		<b>4.3</b>
What is the notice period for redundancy dismissal after 20 years of continuous employment? (weeks of salary)		4.3

What is the severance pay for redundancy dismissal after 20 years of employment? (weeks of salary)	0.0
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What is the legally mandated penalty for redundancy dismissal? (weeks of salary)	0.0
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<b>Nonwage labor cost (% of salary)</b>	<b>5.0</b>
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Note: The first three indices measure how difficult it is to hire a new worker, how rigid the regulations are on working hours, and how difficult it is to dismiss a redundant worker. Each index assigns values between 0 and 100, with higher values representing more rigid regulations. The overall Rigidity of Employment Index is an average of the three indices.



## Registering Property in Brunei

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

### *STANDARDIZED PROPERTY*

Property Value: 1,810,800.00

City: Bandar Seri Begawan

#### **Registration Requirements:**

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No:	Procedure	Time to complete	Cost to complete
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## Procedure

**Time to complete:**

**Cost to complete:**

**Comment:**

## Getting Credit in Brunei

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

Getting Credit Indicators (2007)			Indicator
<b>Private bureau coverage (% adults)</b>	<b>Private credit bureau</b>	<b>Public credit registry</b>	<b>0</b>
Are data on both firms and individuals distributed?	No	No	0
Are both positive and negative data distributed?	No	No	0
Does the registry distribute credit information from retailers, trade creditors or utility companies as well as financial institutions?	No	No	0
Are more than 2 years of historical credit information distributed?	No	No	0
Is data on all loans below 1% of income per capita distributed?	No	No	0
Is it guaranteed by law that borrowers can inspect their data in the largest credit registry?	No	No	0
<b>Coverage</b>	<b>0.0</b>	<b>0.0</b>	
Number of individuals	0	0	
Number of firms	0	0	
<b>Legal Rights Index</b>			<b>6</b>
Does the law allow all natural and legal persons to be party to collateral agreements?			Yes
Does the law allow for general descriptions of assets, so that all types of assets can be used as collateral?			Yes
Does the law allow for general descriptions of debt, so that all types of obligations can be secured?			Yes
Does a unified registry exist for all security rights in movable property?			No
Do secured creditors have absolute priority to their collateral outside bankruptcy procedures?			Yes
Do secured creditors have absolute priority to their collateral in bankruptcy procedures?			No
During reorganization, are secured creditors' claims exempt from an automatic stay on enforcement?			No
During reorganization, is management's control of the company's assets suspended?			Yes
Does the law authorize parties to agree on out of court enforcement?			Yes
May parties have recourse to out of court enforcement without restrictions?			No

## Protecting Investors in Brunei

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

Protecting Investors Data (2007)	Indicator
<b>Disclosure Index</b>	<b>2</b>
What corporate body provides legally sufficient approval for the transaction? (0-3; see notes)	2
Immediate disclosure to the public and/or shareholders (0-2; see notes)	0
Disclosures in published periodic filings (0-2; see notes)	1
Disclosures by Mr. James to board of directors (0-2; see notes)	0
Requirement that an external body review the transaction before it takes place (0=no, 1=yes)	0
<b>Director Liability Index</b>	<b>0</b>
Shareholder plaintiff's ability to hold Mr. James liable for damage the Buyer-Seller transaction causes to the company. (0-2; see notes)	0
Shareholder plaintiff's ability to hold the approving body (the CEO or board of directors) liable for damage to the company. (0-2; see notes)	1
Whether a court can void the transaction upon a successful claim by a shareholder plaintiff (0-2; see notes)	0
Whether Mr. James pays damages for the harm caused to the company upon a successful claim by the shareholder plaintiff (0=no, 1=yes)	0
Whether Mr. James repays profits made from the transaction upon a successful claim by the shareholder plaintiff (0=no, 1=yes)	0
Whether fines and imprisonment can be applied against Mr. James (0=no, 1=yes)	0
Shareholder plaintiff's ability to sue directly or derivatively for damage the transaction causes to the company (0-1; see notes)	1
<b>Shareholder Suits Index</b>	<b>3</b>
Documents available to the plaintiff from the defendant and witnesses during trial (0-4; see notes)	3
Ability of plaintiffs to directly question the defendant and witnesses during trial (0-2; see notes)	2
Plaintiff can request categories of documents from the defendant without identifying specific ones (0=no, 1=yes)	1
Shareholders owning 10% or less of Buyer's shares can request an inspector investigate the transaction (0=no, 1=yes)	0
Level of proof required for civil suits is lower than that for criminal cases (0=no, 1=yes)	1
Shareholders owning 10% or less of Buyer's shares can inspect transaction documents before filing suit (0=no, 1=yes)	1

**Notes:****Extent of Disclosure Index**

*What corporate body provides legally sufficient approval for the transaction?*

0=CEO or managing director alone; 1=shareholders or board of directors vote and Mr. James can vote; 2=board of directors votes and Mr. James cannot vote; 3 = shareholders vote and Mr. James cannot vote

*Immediate disclosure to the public and/or shareholders*

0=none; 1=disclosure on the transaction only; 2=disclosure on the transaction and Mr. James' conflict of interest

*Disclosures in published periodic filings*

0=none; 1=disclosure on the transaction only; 2=disclosure on the transaction and Mr. James' conflict of interest

*Disclosures by Mr. James to board of directors*

0=none; 1=existence of a conflict without any specifics; 2= full disclosure of all material facts

**Director Liability Index**

*Shareholder plaintiff's ability to hold Mr. James liable for damage the Buyer-Seller transaction causes to the company*

0= Mr. James is not liable or liable only if he acted fraudulently or in bad faith; 1= Mr. James is liable if he influenced the approval or was negligent; 2= Mr. James is liable if the transaction was unfair, oppressive or prejudicial to minority shareholders

*Shareholder plaintiff's ability to hold the approving body (the CEO or board of directors) liable for damage to the company*

0=members of the approving body are either not liable or liable only if they acted fraudulently or in bad faith; 1=liable for negligence in the approval of the transaction; 2=liable if the transaction is unfair, oppressive, or prejudicial to minority shareholders

*Whether a court can void the transaction upon a successful claim by a shareholder plaintiff*

0=rescission is unavailable or available only in case of Seller's fraud or bad faith; 1=available when the transaction is oppressive or prejudicial to minority shareholders; 2=available when the transaction is unfair or entails a conflict of interest

*Shareholder plaintiffs' ability to sue directly or derivatively for damage the transaction causes to the company*

0=not available; 1=direct or derivative suit available for shareholders holding 10% of share capital or less

**Shareholder Suits Index**

*Documents available to the plaintiff from the defendant and witnesses during trial*

Score 1 each for (1) information that the defendant has indicated he intends to rely on for his defense; (2) information that directly proves specific facts in the plaintiff's claim; (3) any information that is relevant to the subject matter of the claim; and (4) any information that may lead to the discovery of relevant information.

*Ability of plaintiffs to directly question the defendant and witnesses during trial*

0=no; 1=yes, with prior approval by the court of the questions posed; 2=yes, without prior approval

## Paying Taxes in Brunei

The table below addresses the taxes and mandatory contributions that a medium-size company must pay or withhold in a given year in Brunei, 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
Property tax	1				assessed property value		small amount
Vehicle tax	1			Road Tax at B\$4.50 per 100c.c	engine capacity	0.01	
Social security contribution	12		78	5.0%	gross salaries	5.64	
Corporate income tax	1		66	30.0%	taxable profits	31.76	
<b>Totals</b>	<b>15</b>		<b>144</b>			<b>37.4</b>	

### Notes:

- a) data not collected
- b) VAT is not included in the total tax rate because it is a tax levied on consumers
- c) very small amount
- d) included in other taxes
- e) Withheld tax
- f) electronic filling available
- g) paid jointly with another tax

Name of taxes have been standardized. For instance income tax, profit tax, tax on company's income are all named corporate income tax in this table.

When there is more than one statutory tax rate, the one applicable to TaxpayerCo is reported.

The hours for VAT include all the VAT and sales taxes applicable.

The hours for Social Security include all the hours for labor taxes and mandatory contributions in general.

## Trading Across Borders in Brunei

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

Nature of Export Procedures (2007)	Duration (days)	US\$ Cost
Documents preparation	17	75
Customs clearance and technical control	6	50
Ports and terminal handling	2	240
Inland transportation and handling	3	150
Totals	28	515

Nature of Import Procedures (2007)	Duration (days)	US\$ Cost
Documents preparation	16	75
Customs clearance and technical control	1	50
Ports and terminal handling	1	315
Inland transportation and handling	1	150
Totals	19	590

### Export

Bill of lading

Certificate of origin

Commercial invoice

Customs export declaration

Packing list

Technical standard/health certificate

### Import

Bill of lading

Certificate of origin

Commercial invoice

Customs import declaration

Packing list

Technical standard/health certificate

## Enforcing Contracts in Brunei

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This topic looks at the efficiency of contract enforcement in Brunei.

Nature of Procedure (2007)	Indicator
<b>Procedures (number)</b>	58.00
<b>Duration (days)</b>	540.00
Filing and service	50.0
Trial and judgment	400.0
Enforcement of judgment	90.0
<b>Cost (% of claim)*</b>	36.56
Attorney cost (% of claim)	30.0
Court cost (% of claim)	3.6
Enforcement Cost (% of claim)	3.0

**Court information:** Bandar Seri Begawan ("Mahkamah Perantaraan")  
Intermediate Court of Brunei  
<http://www.judicial.gov.bn/>

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