

Registering Property Questionnaire - Lao PDR www.doingbusiness.org

Dear «FirstName» «LastName»,

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

The report attracts much attention around the world. The latest edition, *Doing Business 2018: Reforming to Create Jobs*, was the 15th in a series of annual reports measuring the regulations that enhance business activity and those that constrain it. It received over 10,000 media citations within just a week of its publication on October 31, 2017. Within that same period the *Doing Business* website was viewed over a million times and the report was downloaded over 15,000 times. One hundred and nineteen economies implemented a total of 264 reforms easing the process of doing business. Europe and Central Asia continues to be the region with the highest share of economies reforming – i.e. 79%, followed by South Asia and Sub-Saharan Africa.

Governments worldwide read the report with interest every year, and your contribution makes it possible for the *Doing Business* project to disseminate the regulatory best practices that continue to inspire their regulatory reform efforts. In 2016/17, 29 economies implemented reforms such as digitizing land records, integrating electronic platforms, introducing expedited procedures and improving the reliability and transparency of the land administration system.

This year, the Registering Property Questionnaire includes a new section on Agricultural Land which seeks to collect information on particular aspects related to the expropriation of land and state owned land transactions in your country. These data will be used as part of another World Bank Group project called [Enabling the Business of Agriculture](#) (EBA), which analyzes and monitors regulations that impact how markets function in the agriculture and agribusiness sectors. These data will be collected in 100 countries around the globe and a final report will be published summarizing and comparing the main findings for each country.

We are honored to be able to count on your expertise for *Doing Business 2019*. Please do the following in completing the questionnaire:

- Review the assumptions of the case study before updating last year's information in the questionnaire.
- Describe in detail any reform that has affected the process of transferring a property since June 1, 2017.
- Be sure to update your name and address if necessary, so that we can mail you a complimentary copy of the report.
- Kindly return the questionnaire to dbregisteringproperty@worldbank.org.

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

Sincerely,

The Registering Property Team



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

- Please e-mail me an electronic copy of the report and my certificate of appreciation, rather than mailing me a paper copy.
- Please also acknowledge me in the World Bank Group's Enabling the Business of Agriculture report.

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

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

1. CASE STUDY ASSUMPTIONS

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

1.1 Scenario

You are helping your client, a limited liability company, purchase a commercial warehouse that is registered at the Department of Natural Resources and Environment – at the provincial level in Vientiane. This case is a transfer of property, not the first-time registration of a property.

Assumptions	
Parties	<ul style="list-style-type: none"> The buyer and seller are local limited liability companies located in Vientiane. They are owned by private nationals (with no foreign or state ownership) and perform general commercial activities.
Property	<ul style="list-style-type: none"> The property consists of land and a 2-story building (warehouse): the land area is 557.4 square meters (6,000 square feet), and the warehouse has a total area of 929 square meters (10,000 square feet). The value of the property is LAK 914,417,149 (equivalent to USD 107,500), equal to 50 times income per capita. The property is registered in the land registry; it is free of title disputes and has no mortgages attached to it. The seller company has owned the property for the past 10 years.
Transaction	<ul style="list-style-type: none"> The seller company has accepted the buyer company's offer to purchase the property. The parties will undertake every procedure that is officially required or needed in practice to transfer the ownership of the property.

1.2 Definitions

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

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

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

2. REFORM UPDATE

2.1 Has there been any administrative or legal change since June 1, 2017 affecting the process for transferring a property or the land administration system? -Click to Select-

IF YES:

2.1.1 Please indicate the name and date of the law or regulation:	
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2.1.2 Please provide the link to the law or regulation if possible:	
2.1.3 Please describe the administrative or legal change:	
2.1.4 Has this change simplified or complicated your daily work related to property transfers? Please explain:	

2.2 Last year *Doing Business* recorded the following project that was expected to have an impact on the property transfer process or the land administration system (if no information is shown here, please go to question 2.3):

Expected reforms	Is it now in place?	If yes, since when?	Is the transfer process now easier or more complex?	Please explain
No expected reforms	-Click to Select-		-Click to Select-	

2.3 Are you aware of any reform (change in practice or in laws or regulations) related to the process for transferring a property or the land administration system that is ongoing:

		Please describe
2.3.1. BEFORE May 1, 2018?	-Click to Select-	
2.3.2. AFTER May 1, 2018?	-Click to Select-	

3. LIST OF PROCEDURES FOR TRANSFERRING PROPERTY

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

Please update the data for property transfers taking into account the assumptions of the case study presented in section 1.

Please describe any change to the data in detail and indicate since when the change took effect. Please specify whether the changes you make are because of:

- A **reform** — any modification to the property transfer process (in practice or in law) after June 1, 2017;
- A **correction**— meaning that the unified answer was erroneous and did not reflect the reality in your country;
- **Other**—relating to other external factors affecting the property transfer process.

3.1 Data Update

Procedure 1	Obtain the Land Title Accuracy Certificate ("Certificate")		
Cost	Cost last year: LAK 5,000 for application + LAK 50,000 for issuance of the title		
	Cost update:		
Time	Time last year: 2-5 days		
	Time update:		
Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: District Natural Resources and Environment Office		
	Agency update:		
Procedure details:	Details: The seller or buyer or their appointees submit the application form to the District Natural Resources and Environment Office for verification of correctness of the land title which is signed by the village chief where the land is located. After receiving the application form, the Vientiane Department of Natural Resources and Environment will verify the correctness of the land title compared with the Land Registry Book, Land Map and other related documents. If it is correct, the Vientiane Department of Natural Resources and Environment will issue the Certificate of Correctness of the land title. The application forms for verification of correctness of the land title are submitted at the same time as the application for registration of the sale and purchase agreement and transfer of the property to the District Natural Resources and Environment Office.		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			
Procedure 2	Complete the LMA sale-purchase agreement form		
Cost	Cost last year: LAK 15,000 - LAK 20,000		
	Cost update:		
Time	Time last year: 2 days		
	Time update:		

Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: District Natural Resources and Environment Office		
	Agency update:		
Procedure details:	Details: The authorized representatives of the seller-company and buyer-company must execute a sale and purchase agreement in a form provided by the District Natural Resources and Environment Office, which is signed by three witnesses and by the village chief where the land is located.		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			
Procedure 3	Notarize of sale-purchase agreement		
Cost	Cost last year: LAK 20,000 + LAK 5,000 per page		
	Cost update:		
Time	Time last year: 3 days		
	Time update:		
Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: Notary's Office		
	Agency update:		
Procedure details:	Details: The Instruction No. 435/MoJ, dated November 11, 2011 on the Implementation of the Notary Law requires for the parties (or their duly authorized representatives) to be present at the Notary Office in order to have the sale-purchase agreement notarized. They submit the Certificate of Correctness of Land Title to Notary Office along with the original sale-purchase agreement. The signed sale and purchase agreement is certified by the Notary Office to attest that land use rights have been appropriately transferred according to the agreement.		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			
Procedure 4	Registration of the sale-purchase agreement and issuance of the new Land Title		
Cost	Cost last year: LAK 135,000 (paid at the time of submission) + LAK 50,000 (land registration form) + LAK 30,000 Stamp Duty + 1% property value (Registration Fee)		
	Cost update:		
Time	Time last year: 30-60 days		
	Time update:		
Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: District Natural Resources and Environment Office		
	Agency update:		

Procedure details:	Details: The notarized sale and purchase agreement is submitted to the District Natural Resources and Environment Office which will be registered at the Vientiane Department of Natural Resources and Environment. The Vientiane Department of Natural Resources and Environment will thereafter issue a new land title in the name of the Buyer and send to the District Natural Resources and Environment Office.
	Your comments:
If you made changes to last year's information, what is it due to? -Click to Select-	
Please explain the change(s) and provide the legal basis when applicable:	

3.2 Additional procedures in the process for transferring property

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

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

4. QUALITY OF LAND ADMINISTRATION INDEX

This section is dedicated to the Quality of Land Administration Index, which evaluates 4 main areas: the overall reliability of infrastructure; transparency of information; geographic coverage; and land dispute resolution mechanisms in place. When answering the questions below, kindly disregard the case study assumptions (section 1).

For your convenience, a summary of the responses provided last year to the same questions is included. Because they represent the responses received from all Doing Business contributors in your economy, they may not match the specific answers that you or colleagues in your firm provided last year.

If any of your answers are the result of a reform that came into effect after June 1, 2017 kindly, mention it in the sections for changes comparing to the last year. Furthermore, when answering the questions below kindly indicate the name, reference and date of publication of the relevant law, when applicable.

4.1 RELIABILITY OF INFRASTRUCTURE INDEX

4.1.1 Immovable property registration system

	Last Year	This Year	Please explain any changes or comments

a) What is the name of the institution in charge of immovable property registration in Vientiane?	Department of Natural Resources and Environment – at the provincial level		
b) Is the majority of existing titles/deeds records, including past records and newly issued, in Vientiane in a paper format or in a computerized format? If they are computerized, are they scanned documents or fully digital documents? (A scanned document is an image of a document, kept in electronic format or microfilm, whose content cannot be used in searches and it is not extractable. Fully digital documents are those that have information input into fields, and stored electronically with content that is digitally searchable and extractable).	Paper	-Click to Select-	
c) Is there an electronic database for checking for encumbrances (liens, mortgages, restrictions, etc.)?	Yes	-Click to Select-	

4.1.2 Cadastral/Mapping system

	Last Year	This Year	Please explain any changes or comments
a) What is the name of the institution in charge of the plans showing legal boundaries in Vientiane (cadastre, parcel index, etc.)	Department of Natural Resources and Environment – at the provincial level		
b) Is the majority of plans in Vientiane held in a paper format or in a computerized format? If they are computerized, are they scanned documents or fully digital documents?	Paper	-Click to Select-	
c) Is there an electronic database for recording boundaries, checking plans and providing cadastral information (Geographic Information System)?	No	-Click to Select-	

4.1.3 Interconnection

	Last Year	This Year	Please explain any changes or comments
a) Is the information recorded by the immovable property registration agency and the mapping agency kept in a single database; different but linked databases (information is automatically updated and share between the two institutions) or separate databases?	Separate databases	-Click to Select-	
b) Do the immovable property registration agency and cadastral/mapping agency use the same identification number for properties?	Yes	-Click to Select-	

4.2 TRANSPARENCY OF INFORMATION INDEX

4.2.1 Immovable property registration system

	Last Year	This Year	Please explain any changes or comments
a) Who is able to obtain information on land ownership at the agency in charge of immovable property registration in Vientiane?	Only intermediaries and interested parties	-Click to Select-	
How is the property searched (property number, location, owner's name)?			
b) Is the list of documents that are required to complete any type of property transaction made publicly available?	Yes, in person	-Click to Select-	
If online, please provide the link:			
c) Is the applicable fee schedule for any property transaction at the agency in charge of immovable property registration in Vientiane made publicly available?	Yes, on public boards	-Click to Select-	
If online, please provide the link:			
d) Does the agency in charge of immovable property registration agency formally commit to deliver a legally binding document that proves property ownership within a specific deadline (service standards- e.g. 5 working days to deliver a new title)?	Yes, in person	-Click to Select-	
If online, please provide the link:			
e) Is there a specific mechanism that is and independent from the agency mechanism for filing complaints about a problem that occurred at the agency in charge of immovable property registration through a telephone hotline, a mailing address, e-mail or other means?	No	-Click to Select-	
If yes, please provide the contact information:			

f) Are there official statistics tracking the number of transactions at the immovable property registration agency?	No	-Click to Select-	
If yes, are they made available to the public?	No	-Click to Select-	
What is the source of these statistics?			
What is the total number of property transfers in Vientiane that took place in 2017?			

4.2.2 Cadastral/Mapping system

	Last Year	This Year	Please explain any changes or comments
a) Who is able to consult plans in Vientiane?	Only intermediaries and interested parties	-Click to Select-	
b) Is the applicable fee schedule to get access to plans made publicly available?	Yes, in person	-Click to Select-	
If online, please provide the link:			
c) Does the cadastral/mapping agency formally commit to deliver an updated plan within a specific deadline (service standards- e.g. 5 working days to update the plan)?	No	-Click to Select-	
If online, please provide the link:			
d) Is there a specific and independent mechanism for filing complaints about a problem that occurred at the agency in charge of cadastral plans through a telephone hotline, a mailing address, e-mail or other means?	No	-Click to Select-	
If yes, please provide the contact information:			

4.3 GEOGRAPHIC COVERAGE INDEX

4.3.1 Immovable property registration system

	Last Year	This Year	If not, what percentage of land is	Are there any ongoing reforms/initiatives
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			registered?	aimed at the distribution of titles?
a) Is every privately held land plot in Vientiane formally registered at the immovable property registry?	Yes	-Click to Select-		
b) Is every privately held land plot in the economy (Lao PDR) formally registered at the immovable property registry?	No	-Click to Select-		

4.3.2 Cadastral/mapping system

	Last Year	This Year	If not, what percentage of land mass is mapped?	Are there any ongoing reforms/initiatives aimed at mapping plots?
a) Is every privately held land plot in Vientiane mapped?	Yes	-Click to Select-		
b) Is every privately held land plot in the economy (Lao PDR) mapped?	No	-Click to Select-		

4.4 LAND DISPUTES RESOLUTION INDEX

4.4.1 Legal background

	Last Year	This Year	Please explain any changes or comments
a) Does the law require that all property sale transactions be registered at the land registry to make them opposable to third parties?	Yes	-Click to Select-	
If yes, please specify the legal basis:	Land law 2003 Article 49. (New) Land Title A land title is the only document which is considered as the main evidence for permanent land use rights. It is filled out based on information in the land register in one copy only and is handed over to the land owner who shall keep it as long-term evidence until there is a change according to the conditions		

	<p>prescribed in the laws. Ministerial Regulation 500 May 2008 on Land Legal Document Registration 2.1 Registration of land legal documents in the Land Registration Management System All documents concerning land parcels where a Land Title has been issued must be registered in the Land Registration Management System. Any document concerning land where a Land Title has been issued will not be enforceable unless and until it is registered. No other form of approval by the village administration or other parties will be recognized. This requirement to register documents affecting land in the Land Registration Management System applies to all persons or organizations including Government departments, State enterprises and other bodies, State organizations, political organizations and socio-economic organizations.</p>		
<p>b) Is the system of immovable property registration subject to a guarantee?</p>	<p>Yes</p>	<p>-Click to Select-</p>	
<p>If yes, what is the type of guarantee?</p>	<p>State guarantee</p>	<p>-Click to Select-</p>	

<p>Please specify the legal basis:</p>	<p>Article 9. Land Management The State is charged with the management of land for the whole country in a centralized and uniform manner in which the government assigns management responsibilities to the national land management authority as prescribed in Article 10 of this law and it 12 coordinates with concerned sectors¹³ and local administrations, [and also] assigns responsibility for the management of land use to concerned sectors such as the Ministry of Agriculture and Forestry, the Ministry of Industry and Handicrafts, the Ministry of Communication, Transport, Post and Construction, the Ministry of Information and Culture, the Ministry of National Defence, and the Ministry of Security.</p>		
<p>c) Is there any compensation mechanism to cover for losses incurred by parties who engaged in good faith in a property transaction based on erroneous information certified by the land registry?</p>	<p>No</p>	<p>-Click to Select-</p>	
<p>If yes, what kind of compensation is provided in this case?</p>			
<p>Please specify the legal basis:</p>			
<p>d) Does the legal system require a control of legality of the documents necessary for a property transaction (e.g. checking of contracts compliance with law requirements)?</p>	<p>Yes</p>	<p>-Click to Select-</p>	

<p>•If yes, who is held responsible for verifying the contract compliance?</p>	<p>Registrar.</p>	<p>Please select all that apply:</p> <p><input type="checkbox"/> Registrar</p> <p><input type="checkbox"/> Notary</p> <p><input type="checkbox"/> Lawyer</p> <p><input type="checkbox"/> Interested parties</p> <p><input type="checkbox"/> No one</p> <p><input type="checkbox"/> Other</p>	
<p>•Please specify the legal basis:</p>	<p>Article 54 of the Secured Transactions Law provides that "registration of security over immovable property shall be performed at the Land Management Authority of the province, city or Land Management Authority of the district, municipality where land is located as assigned by the Land Management Authority of the province, city in line with regulations set out by the National Land Management Authority'. Article 46 of the Land Law requires the District or Municipal Land Management Authority to check that "all information is in conformity with the actual facts and laws and regulations" for the land registration.</p>		
<p>e) Does the legal system require a verification of the identities who are parties to a property transaction?</p>	<p>Yes</p>	<p>-Click to Select-</p>	
<p>•If yes, who is held responsible for verifying the identity of the parties to a property transfer?</p>	<p>Registrar.</p>	<p>Please select all that apply:</p> <p><input type="checkbox"/> Registrar</p> <p><input type="checkbox"/> Notary</p> <p><input type="checkbox"/> Lawyer</p>	

		<input type="checkbox"/> Interested parties <input type="checkbox"/> No one <input type="checkbox"/> Other	
<p>•Please specify the legal basis:</p>	<p>Article 46. (New) Review of Request for Land Registration: When the file of the request for land registration has been received by the district or municipal land management authority(Natural Resource and Environment Sector), this authority shall review the facts and the laws and regulations, in coordination with the village administration where the land is located. Within thirty days, the district or municipal land management authority must give an answer to the applicant. If it is found that all the information is in conformity with the actual facts and the laws and regulations, the officers at the [land] measurement unit shall undertake a measurement and make a land parcel map which is to be attached to the request file and then submitted to the provincial or city land management authority for consideration of land registration.</p>		

f) Is there a national database to verify the accuracy of identity documents?	No	-Click to Select-	
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4.4.2 Formal land dispute resolution mechanisms

	Last Year	This Year	Please explain any changes or comments
a) In case of a standard land dispute between two local businesses over tenure rights of a property worth LAK 914,417,149 located in Vientiane, what is the court in charge of the case in first instance?	People's Court Vientiane Capital		
b) How long does it take on average to obtain a decision from the first instance court for such a case (without appeal)?	Between 2 and 3 years	-Click to Select-	
c) Are there any statistics on the number of land disputes in the first instance?	No	-Click to Select-	
If yes, what is the number of land disputes in 2017 and/or the land dispute rate (i.e. the percentage of land disputes out of the total number of disputes in the first instance)?			
What is the source of these statistics?			

5. Equal access to property rights index

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

	Last Year	This Year	Please explain any changes or comments
a) Do unmarried men and unmarried women have equal ownership rights to property?	Yes	-Click to Select-	
Please specify the legal basis:	Constitution of the Lao People's Democratic Republic, Arts. 16, 17, 35 and 37		
b) Do married men and married women have equal ownership rights to property?	Yes	-Click to Select-	
Please specify the legal basis:	Family Law, Arts. 26 and 27		
c) Does the law require		-Click to Select-	

the land registry to collect sex-disaggregated data on land ownership, either individually or jointly?			
Please specify the legal basis:		-Click to Select-	

6. RESEARCH QUESTIONS: Building human capital in Land Administration

	Response	Please specify the legal basis and provide minimum requirements if applicable
1(a). What are the requirements to become a land registrar?	Please select all that apply: <input type="checkbox"/> Minimum level of education <input type="checkbox"/> Minimum years of specific experience <input type="checkbox"/> Civil Servant status <input type="checkbox"/> Professional qualification <input type="checkbox"/> Other	
1(b). Are the legal requirements respected in practice?	-Click to Select-	

	Response	Comments/ Legal basis
2(a). Are trainings offered to land registry staff on a yearly basis?	-Click to Select-	
2(b). Are any of the following topics covered?	Please select all that apply: <input type="checkbox"/> Administrative organization <input type="checkbox"/> New systems or innovation <input type="checkbox"/> Property rights <input type="checkbox"/> Coordination with other agencies (cadastre, tax authority), customer service	
3. Does the land registry provide any type of training or awareness campaign to educate the general public on the process and importance of land registration?	-Click to Select-	
3(a). Please indicate the total budget allocated to education or training of land registrars and clerks. (Please provide an estimated percentage of land registry's budget in the response section or if there is no budget, please write "No Budget")		
4. Is there a help desk available to help the general public with any questions they may have?	-Click to Select-	

5. How are substantial changes to the system (i.e. online registration, online search) communicated to the following parties? (Select all that apply)

	Public	Land Registry employees
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(a) Dissemination campaign (e.g. social media, billboards, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
(b) Training/workshops	<input type="checkbox"/>	<input type="checkbox"/>
(c) Through the media (e.g. TV, radio, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
(d) Pilot test	<input type="checkbox"/>	<input type="checkbox"/>
(e) None of the above	<input type="checkbox"/>	<input type="checkbox"/>
(f) Other (please specify in comments):	<input type="checkbox"/>	<input type="checkbox"/>

► Comments:

7. RESEARCH QUESTIONS: Enabling the Business of Agriculture

7.1 Expropriation

Land expropriation refers to the process by which a public agency – or a private entity authorized by a public agency – takes property of a privately-owned plot of land.

Case study assumptions

Plot A:

- is a plot of land assigned to agricultural use
- belongs to a national citizen who holds a formal ownership title
- is 10 hectares large, cleared, levelled and fully irrigated
- extends over an area that the government intends to expropriate to build a road

	Response	Legal basis
1. Does the law specify which instances are considered valid basis for expropriation due to public purpose?	-Click to Select-	
2. Must the affected parties be consulted by the Government before the expropriation takes place?	-Click to Select-	
3. Does the law require verification that the public interest is proportionate to the private interests damaged by the expropriation?	-Click to Select-	
4. Can the owner of Plot A appeal the legitimacy of the project in a Court before the expropriation takes place? If yes, please specify which Court.	-Click to Select-	
5. Does the law specify priority criteria when selecting the plots for expropriation (eg. productivity, ownership, location)?	-Click to Select-	
6. In case of expropriation based on public interest, must the government provide full monetary compensation based on the market value of plot A?	-Click to Select-	
7. Can the government occupy Plot A before the amount of the compensation is agreed upon?	-Click to Select-	

8. Is there a maximum time limit for the government to provide the compensation from the decision to expropriate?	-Click to Select-	
9. How is the value of the land (or of the associated property rights) determined for the purpose of compensation?		
10. Does the compensation cover the improvements made to the land?	-Click to Select-	
11. Does the economic activity associated to Plot A influence the level of compensation granted?	-Click to Select-	

7.2 State Land Acquisition

State land acquisition by a private entity refers to the process by which a public agency grants a private entity temporary use rights over a publicly owned piece of land.

Case study assumptions

The government intends to transfer a large area of alienable state land to private agricultural use for a fixed amount of time.

	Response	Legal basis
1. Is there a maximum size of alienable state land that can be transferred to agricultural use?	-Click to Select-	
2. Must all transfers of alienable public land to private use take place through a public tender?	-Click to Select-	
3. Must contracts granting private use over alienable state land be publicly disclosed?	-Click to Select-	
4. Are unregistered customary land rights recognized by the law?	-Click to Select-	
5. Does the law allow customary land rights to be formally registered?	-Click to Select-	
6. Does the law mandate that all transfers of alienable state land comply with existing customary land rights?	-Click to Select-	
7. Does the law establish non-alienable state lands for the protection of natural resources?	-Click to Select-	

Thank you very much for completing the Registering Property questionnaire!

We sincerely appreciate your contribution to the *Doing Business* project.
 The results will appear in the *Doing Business 2019* report and on our website: www.doingbusiness.org.
 Your work will be gratefully acknowledged.

