



ACCESSING LAND

SURVEY OF THE *INVESTING ACROSS BORDERS* PROJECT WORLD BANK GROUP

March 2009

Please complete and return the survey no later than three weeks from the date of receipt. Thank you for your contribution to the World Bank Group's work. For questions, or to submit a completed survey, please contact:
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The *Investing Across Borders* (IAB) project is being undertaken independently by the World Bank Group. We will recognize the respondents who participate in this survey (if you so choose in the table below) however, none of your responses will be attributed directly to you or your organization. Please identify the individual responsible for your organization's participation in this survey whom we could contact with any follow-up questions of clarification, etc.

Respondent information	
Title (Mr., Ms., etc.)	_____
Name	_____ (first/given) _____ (last/family)
Your position	_____
Firm/Organization	_____
Mailing address	_____ (street and number) _____ (zip/postal code) _____ (city) _____ (country)
Phone	_____ (alternate phone)
Fax	_____
E-mail	_____ (alternate e-mail)
Website	_____
Can we publish your name, organization and website on our website and report and identify you as a respondent?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, please provide your full name as you would like to see it appear in our publication.	_____ (full name)
What is your specialization?	_____
How many foreign investors, new or already operating in your country, has your firm/organization advised on matters covered by this survey over the past 12 months? (Please provide an approximate number.)	# of foreign clients _____
Comments:	_____

Survey instructions:

- Complete as many sections of the survey as you and/or your colleagues feel qualified to fill out. Use the “Comments” box at the end of each table to note any questions which are inapplicable in your country and provide clarifications or suggestions.
- Note that we use a standardized survey in all countries to allow us to compare responses. This might mean that some of the questions are not always directly applicable or appropriate for your country. Again, please use the “Comments” box to note such questions that you are unable to complete for this reason.
- The survey is based on a case study of a hypothetical foreign-owned domestically incorporated company called GlobiCo. Please read this short case study in detail, and follow specific instructions at the beginning of each section as these will affect certain answers to the survey questions.

GlobiCo case study

Instructions:

This case study is designed so that your responses can be compared with those of other respondents. Given that for many survey questions your answers will depend on the specific parameters of the investment (sector, size, legal form, etc.), detailed assumptions about GlobiCo have been developed. Our intent is to describe through the case study a standard, representative investment project that will allow us to assess the ease of starting and operating foreign-owned companies in your country. The survey aims to capture “standard practice” for a typical investor who does not receive any extraordinary treatment from the public authorities.

Assumptions about GlobiCo and its investment site:

- Has recently been locally/domestically incorporated in your country’s largest business city as a limited liability company (LLC), or an equivalent of this legal form applicable to your country.
- Is a wholly foreign-owned and controlled subsidiary of its parent company, which is a multinational private company with no equity interest or management control by the government of its home country; (that is, the investor is not a state-owned enterprise or a sovereign wealth fund). GlobiCo prefers not to have any local partners financially participating in the investment project and is not a joint venture with domestic equity holders. *In the event this assumption regarding foreign ownership is inapplicable in your country (i.e., full foreign equity ownership is restricted), please use the space at the end of this table to tell us how you need to revise the assumption and then proceed with the survey questions using that revised assumption.*
- Is not applying to receive any special benefits and privileges from your country (for example, extraordinary tax holidays/breaks/exemptions, customs duty exemptions, etc.), apart from the investment incentives available automatically on a legal basis.
- Is looking to lease an appropriate site in the outskirts of your **country’s largest business city** to set up a manufacturing plant. Assume that the investment site has the following characteristics:

Assumptions about the land:

- Is currently unoccupied by any buildings or other immovable property, and GlobiCo intends to construct a production facility that meets all zoning regulations on the site.
- Is designated for industrial use (no rezoning will be required). If there is no private land designated for industrial use in your country, please make an assumption which would allow you to complete the table and describe the most relevant circumstances available in your country in the comments and clarifications box at the end of the procedures list.
- Is not part of an export processing zone (EPZ), special economic zone (SEZ), or any other special industrial zone that is governed by a special investment legal or regulatory regime.
- Is not close to a national border, a coastline, or any other area where land may not be privately held for national security reasons.
- Covers 3 acres (1.21 hectares) providing sufficient space for the construction of a main building,

warehouse, loading and unloading dock as well as space for future expansion and storage.

- Has no natural reserves, natural water sources, historical monuments or occupants (legal or illegal) of any kind
- Should be free of all encumbrances, such as mortgages, liens, restrictive covenants, easements etc.
- Will only be used for its designated purpose of manufacturing GlobiCo's product. As a result, there are no requirements for special permits such as permits for residential use, waste management, and specialized agricultural activities.

Please provide comments if any of the assumptions do not apply in your country:

The survey contains two types of questions:

- Legal questions, which measure the quality of laws and regulations applicable to foreign-owned companies in your country. Responses to these survey questions should be based on the provisions of the laws, regulations and judicial precedents which are applicable. We would be grateful if you could provide citations, where applicable.
- Procedural questions, which measure the duration and difficulty of business processes and procedural steps associated with them. Responses to these survey questions should be based on your practical experience.

The following text box provides instructions for filling out all procedural questions in this survey.

Instructions for procedural questions

A **procedure** (also called a **procedural step** in this survey), is defined as any interaction between GlobiCo/GlobiParent (the owners, managers and/or their legal representatives) and other parties (government agencies or departments, public entities or public authorities, local banks, etc.).

- Please provide all procedures that are legally required or followed in practice, even if they may be avoided in exceptional cases. Remember we are trying to measure "standard practice".
- Assume that each procedure is considered completed after the final document has been received.

The **time** involved for each procedure is calculated in **calendar days** (rather than business days¹), and is based on the average time needed **in practice** to complete each procedure, given your experience as GlobiCo's counsel/advisor. In other words, if there is a difference between what the law provides and your experience in practice, please answer the questions from the perspective of your experience. Please note such discrepancies in the "Comments" box. We understand that time cannot be predicted and varies in each case. Please provide your best estimate. Assume that:

- GlobiCo follows the fastest legal option available.
- There is a minimum level of follow-up with public agencies by GlobiCo or their legal representative, and no extra unofficial payments are offered to accelerate the process.
- GlobiCo provides all documentation and commits to completing each procedure in a timely manner.
- Again, assume that the procedures are being undertaken in **your largest business city**.

Accessing land survey:

The goal of this survey is to measure the ease of access to land for GlobiCo. The Accessing land survey is broken up into four principal parts preceded by some contextual questions: (I) Procedures for Leasing Land; (II) Characteristics of Land Rights; (III) Characteristics of Land Information; and (IV) Additional

¹ For example, one week has 7 calendar days but fewer (5 or 6, typically) business days.

Questions. Please read and use the [Glossary of land administration related definitions](#) at the end of the survey to assist you in answering the questions throughout this survey.

1. Before starting Table A please tell us if GlobiCo (a domestically incorporated wholly foreign-owned company) is considered a domestic or a foreign company for the purpose of leasing land?	Domestic	Foreign
	<input type="checkbox"/>	<input type="checkbox"/>
Comments: <input type="text"/>		

Table A. Types of land rights available to GlobiCo

2. What type of land holding would you recommend to GlobiCo?				
Please use the following scale and <u>mark only one answer</u> for each type of land holding.				
0 Not possible in my country	1 Not common	2 Common, but not recommended	3 Recommended and most common arrangement	
(i) Lease private land (Note: This includes both communal and customary freehold land, if applicable in your country.)				
0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	Comment: <input type="text"/>
(ii) Buy private land (Note: This includes both communal and customary freehold land, if applicable in your country.)				
0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	Comment: <input type="text"/>
(iii) Lease public land currently held by your national, municipal/sub-national government, or any other administrative sub-division, as applicable in your country.				
0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	Comment: <input type="text"/>
(iv) Buy public land currently held by your national, municipal/sub-national government, or any other administrative sub-division, as applicable in your country.				
0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	Comment: <input type="text"/>
Comments and clarifications: <input type="text"/>				

Part I: Procedures for leasing land

This section examines the procedures that GlobiCo needs to comply with in order to lease land from a private owner (Table B) and to lease public land (Table C). The following “[General instructions](#)” apply to both Tables B and C. Each Table also contains “[Additional instructions](#)”.

General instructions:

- Assume GlobiCo intends to acquire the land in the form of a lease which must be registered with the appropriate public institution.
- List and number the procedures in the order in which they occur. If two procedures happen simultaneously (that is, at the same time), give them the same order number.
- Estimate the time (in calendar days) necessary for GlobiCo to complete each procedure.
- For each procedure, list the appropriate authority/agency involved.
- Procedures which take place in the same building but at different offices should be counted as separate procedures.

The following Table B examines the procedures that GlobiCo needs to comply with in order to lease land from a private owner.

Table B. Procedures for leasing land by GlobiCo. from a private owner

Additional instructions:							
<ul style="list-style-type: none"> Assume that the land is currently <u>privately owned</u>. This refers to land held in freehold by a private owner. This could include communal or customarily held freehold land, if applicable in your country. Refer to the list of procedural steps below this table for examples of procedural steps. Consider the <u>starting point</u> (that is, the first procedural step) the moment GlobiCo contacts the private owner with an expressed interest in leasing a piece of land for its manufacturing facility and the <u>ending point</u> (that is, the last procedural step) when the land is fully registered under a long-term lease in GlobiCo's name. Include steps such as title due diligence and land surveying if applicable, but do <u>not include the procedural steps for obtaining a construction permit</u>. 							
3. How many days would this entire process take, on average?			Total time in practice (days)				
			■■■■				
Now please list all the procedural steps for this entire process, following the instructions above, in the order in which they occur. Please use the "Details" box to provide any additional clarifying comments.							
Order (#)	Procedural steps (including required documentation)	Time in practice (days)	Authority/ Agency involved				
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
■■■■	■■■■	■■■■	■■■■				
Details: ■■■■							
Please continue writing here if you need more space to complete the list of procedures: ■■■■							
Comments and clarifications: ■■■■							
4. Is GlobiCo legally required to do an environmental impact assessment as part of the process of leasing land from a private owner?			<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No						
<input type="checkbox"/>	<input type="checkbox"/>						

5. Is GlobiCo legally required to do a social impact assessment as part of the process of leasing land from a private owner?	<input type="checkbox"/>	<input type="checkbox"/>
6. Are procedures for leasing land from a private owner the same for foreign and domestically owned companies?	<input type="checkbox"/>	<input type="checkbox"/>
7. Would GlobiCo be required to pay any other transaction costs over and above those paid by domestically owned companies?	<input type="checkbox"/>	<input type="checkbox"/>
7.1 If Yes, please explain the difference in transaction costs: <input type="text"/>		
Comments and clarifications: <input type="text"/>		
8. Please use the space provided below to provide us with qualitative information related to your experiences dealing with foreign investors interested in leasing land from a private owner in your country. In particular please highlight what have been some of the key challenges and frustrations for investors: <input type="text"/>		

Examples of possible procedural steps for leasing land (in your country the list could be shorter or longer, and procedures may have a different name):

- Owner and investor enter into an agreement for the lease of land
- Perform title due diligence
- Check for encumbrances, such as mortgages, liens, restrictive covenants, easements etc.
- Search for a domain certificate and personal annotation certificate from the land registry
- A surveyor measures and values the property
- Investor obtains a certificate issued by a surveyor describing measures, boundaries, and tax appraisal of the land
- Pay transfer fees/taxes to relevant government/tax authorities (local and/or national)
- Public notary files the property transfer for registration with land registry
- The parties execute the contract or public deed with the intervention of a public notary
- Conduct community consultation, agreement, and compensation
- A public authority conducts a social and environmental impact assessment

The following Table C examines the procedures that GlobiCo needs to comply with in order to lease public land.

Table C. Leasing public land

9. Can GlobiCo lease public land? (This includes land held by your national, municipal/sub-national government, or any other administrative sub-division, as applicable in your country).	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
If No, please skip to Part II of the survey.		
<u>Additional instructions:</u>		
<ul style="list-style-type: none"> • Assume the land is currently publicly-held by your national, municipal/sub-national government, or any other administrative sub-division, as applicable in your country. If several of these options are possible in your country, please select the type of land that GlobiCo would be most likely to lease. • Refer to the list of procedural steps above this table for examples of procedural steps. • Consider the <u>starting point</u> (that is, the first procedural step) the moment GlobiCo contacts the appropriate public authority with an expressed interest in leasing a piece of land for its manufacturing facility and the <u>ending point</u> (that is, the last procedural step) when the land is fully registered under a long-term lease in GlobiCo's name. 		
10. How many days would this entire process take, on average?	Total time in practice (days)	
	<input type="text"/>	
Now please list all the procedural steps for this entire process, following the instructions above, in the order in which they occur. Please use the "Details" box to provide any additional clarifying comments.		

Order (#)	Procedural steps (including required documentation)	Time in practice (days)	Authority/ Agency involved
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Details: [REDACTED]			
Please continue writing here if you need more space to complete the list of procedures: [REDACTED]			
Comments and clarifications: [REDACTED]			
11. What is the highest level of approval necessary for GlobiCo to acquire a lease to public land? Please provide the name of the institution/authority and title of individual if applicable. (e.g., approval from Minister of Lands, Ministry of Lands, etc.)			Name of authority
			[REDACTED]
12. Is GlobiCo legally required to do an environmental impact assessment as part of the process of leasing public land?			Yes
			<input type="checkbox"/>
			No
			<input type="checkbox"/>
13. Is GlobiCo legally required to do a social impact assessment as part of the process of leasing public land?			<input type="checkbox"/>
			<input type="checkbox"/>
14. Are procedures for leasing public land the same for foreign and domestically owned companies?			<input type="checkbox"/>
			<input type="checkbox"/>
15. Would GlobiCo be required to pay any other transaction costs over and above that paid by domestically owned companies?			<input type="checkbox"/>
			<input type="checkbox"/>
15.1 If Yes, please explain the difference in transaction costs: [REDACTED]			
Comments and clarifications: [REDACTED]			

Part II: Characteristics of land rights

Part II examines the types of land rights available and the security of land rights, e.g. whether the land rights are free from competing interests and whether they can be bought, sold and transferred, etc.

Table D. Lease rights for GlobiCo

Assumptions:

- Lease payments will be made annually over the lifetime of the lease and not upfront.
- The land is privately owned; please use the comments boxes to clarify your response, if needed, or to tell us if answers to any of these questions would be different if the land was publicly owned.

16. What is the statutory maximum duration of a lease (in years) that GlobiCo would be able to obtain?	Maximum (# years)	
	[REDACTED]	
17. What is the typical duration of a lease for a company like GlobiCo (in years)?	(# years)	
	[REDACTED]	
18. Is there a fast-track option for lease registration that allows companies like GlobiCo to pay a higher fee to have their registration of lease application processed faster than standard application processing?	<input type="checkbox"/>	<input type="checkbox"/>
18.1 If Yes, is the fast track option commonly used?	<input type="checkbox"/>	<input type="checkbox"/>
Comments: [REDACTED]		
19. Is there publicly available information about annual lease payment/rent rates?	<input type="checkbox"/>	<input type="checkbox"/>
Comments: [REDACTED]		
20. Is GlobiCo allowed to renew its lease?	<input type="checkbox"/>	<input type="checkbox"/>
21. Is GlobiCo allowed to transfer its lease?	<input type="checkbox"/>	<input type="checkbox"/>
21.1 If Yes, can GlobiCo transfer land to another foreign-owned, domestically incorporated company?	<input type="checkbox"/>	<input type="checkbox"/>
Comments: [REDACTED]		
22. Can GlobiCo sublease land from an existing lease holder?	<input type="checkbox"/>	<input type="checkbox"/>
23. Can GlobiCo subdivide its lease?	<input type="checkbox"/>	<input type="checkbox"/>
24. Can GlobiCo sublease its acquired land?	<input type="checkbox"/>	<input type="checkbox"/>
Comments: [REDACTED]		
25. Can GlobiCo use the leased land as collateral for the purchase of production equipment?	<input type="checkbox"/>	<input type="checkbox"/>
26. Can GlobiCo mortgage the leased land?	<input type="checkbox"/>	<input type="checkbox"/>
27. Do your laws allow GlobiCo to lease land of unlimited size?	<input type="checkbox"/>	<input type="checkbox"/>
27.1 If No, what is the maximum size (in hectares)?	Size (hectares)	
	[REDACTED]	
Comments: [REDACTED]		
28.1. What are the principal applicable (national and/or sub-national ²) laws and regulations for owning land in your country for a company like GlobiCo?	[REDACTED] (English term)	[REDACTED] (other language)
28.2. Are these laws and regulations available online through the website of a public institution (e.g., Parliament, official gazette, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>
28.2.1 If Yes, please provide the Internet address.	[REDACTED]	
Comments and clarifications: [REDACTED]		

² Sub-national laws and regulations refer primarily to the local, municipal, and province- and state-level laws and regulations. Given our case study specification that GlobiCo's planned manufacturing facility will be located in the outskirts of the country's largest business city; we are interested in the sub-national laws and regulations applicable for that location.

Table E. Ownership rights for GlobiCo (for example, freehold title)

Assume that the land is privately owned; tell us in the comments box below if answers to any of these questions would be different if the land was publicly owned.

29. Can GlobiCo purchase land (for example, acquire freehold title)? Unless there is an outright prohibition of foreign ownership, mark Yes. Mark as many boxes as applicable.	(a) Public land		(b) Private land³	
	Yes	No	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you answered No, please skip to Part III of the survey.				
Comments: <input type="text"/>				
30. Do your laws allow GlobiCo to buy land without entering into a partnership with a national?			Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
30.1 If No, what is the maximum share of ownership that GlobiCo can hold?			Maximum share (%)	
			<input type="text"/>	
Comments: <input type="text"/>				
31. Is there a fast-track option for land registration that allows companies like GlobiCo to pay a higher fee for having land registration applications processed faster than standard application processing?			<input type="checkbox"/>	<input type="checkbox"/>
31.1 If Yes, is the fast track option commonly used?			<input type="checkbox"/>	<input type="checkbox"/>
Comments: <input type="text"/>				
32. Do your laws allow GlobiCo to purchase land of unlimited size?			<input type="checkbox"/>	<input type="checkbox"/>
32.1 If No, what is the maximum size (in hectares)?			Size (hectares)	
			<input type="text"/>	
33. Can GlobiCo sell the land once purchased?			<input type="checkbox"/>	<input type="checkbox"/>
Comments: <input type="text"/>				
If you answered No, please skip to question 38; otherwise please proceed to the next question.				
34. Does GlobiCo need permission to sell the land?			<input type="checkbox"/>	<input type="checkbox"/>
34.1 If “Yes,” from which authority does GlobiCo need to obtain permission?			Name of Authority	
			<input type="text"/>	
35. Can GlobiCo sell the land before it is developed?			<input type="checkbox"/>	<input type="checkbox"/>
36. Can GlobiCo sell the land to another foreign-owned, domestically-incorporated company?			<input type="checkbox"/>	<input type="checkbox"/>
37. Can GlobiCo subdivide and sell part of the land?			<input type="checkbox"/>	<input type="checkbox"/>
38. Can GlobiCo use the purchased land as collateral for the purchase of production equipment?			<input type="checkbox"/>	<input type="checkbox"/>
39. Can GlobiCo mortgage the land?			<input type="checkbox"/>	<input type="checkbox"/>
Comments: <input type="text"/>				
40.1. What are the principal applicable (national and/or sub-national) laws and regulations for owning land in your country for a company like GlobiCo?	<input type="text"/>	<input type="text"/>		
	(English)	(your official language)		
40.2. Are these laws and regulations available online through the website of a public institution (e.g., Parliament, official gazette, etc.)?			<input type="checkbox"/>	<input type="checkbox"/>
40.2.1 If Yes, please provide the Internet address.			<input type="text"/>	
Comments and clarifications: <input type="text"/>				

³ May include both communal and customary freehold land.

Part III: Characteristics of land information available to GlobiCo

Part III examines the quantity and quality of publicly provided information available to GlobiCo through public institutions such as investment promotion agencies, land registries, cadastres, land ministries, land information systems as well as private sources such as real estate agencies etc.

Instructions: For the remainder of the survey please disregard the assumptions about the type of land, and only rely upon the assumptions about GlobiCo provided at the top of the survey to answer the questions.

Table F. Characteristics of land information and registration

41. Is there an investment promotion agency (IPA) which provides information about land plots available for companies like GlobiCo?		Yes	No			
		<input type="checkbox"/>	<input type="checkbox"/>			
If you answered No, please skip to question 44 .						
42. What is the name of this agency/organization?		<input type="text"/>				
43. Is this agency linked with other publicly provided land information (such as land registry or cadastre) to share data, coordinate and maintain accurate land information?		<input type="checkbox"/>	<input type="checkbox"/>			
44. Is there a land registry with public information about registered land plots?		<input type="checkbox"/>	<input type="checkbox"/>			
If you answered No, please skip to question 46 .						
45. Does the land registry:		Yes	No			
(i) have an inventory of public land parcels available for investment?		<input type="checkbox"/>	<input type="checkbox"/>			
(ii) have an inventory of private land parcels available for investment?		<input type="checkbox"/>	<input type="checkbox"/>			
(iii) provide information about available land parcels accessible remotely for specific parties (e.g. for notaries)?		<input type="checkbox"/>	<input type="checkbox"/>			
(iv) provide information about available land parcels accessible over the internet to everyone?		<input type="checkbox"/>	<input type="checkbox"/>			
(v) provide information on both the land plots and buildings/physical structures on top of the land?		<input type="checkbox"/>	<input type="checkbox"/>			
(vi) require by law that all land transactions be registered?		<input type="checkbox"/>	<input type="checkbox"/>			
46. Is there a cadastre with descriptions of land parcels?		<input type="checkbox"/>	<input type="checkbox"/>			
If you answered No, please skip to question 48 .						
47. Does the cadastre provide:		Yes	No			
(i) information available to everyone (e.g. a public register) on land parcels available for investment?		<input type="checkbox"/>	<input type="checkbox"/>			
(ii) information about available land parcels accessible remotely or over the internet for specific parties (e.g. for notaries)?		<input type="checkbox"/>	<input type="checkbox"/>			
(iii) information about available land parcels accessible online or over the internet to everyone?		<input type="checkbox"/>	<input type="checkbox"/>			
(iv) information on both the land plots and for buildings/physical structures on the land?		<input type="checkbox"/>	<input type="checkbox"/>			
48. If you answered Yes to both 44 and 46 , are the land registry and cadastre located together within the same single public agency?		<input type="checkbox"/>	<input type="checkbox"/>			
49. If you answered Yes to both 44 and 46 and No to 48 , is the land registry and cadastre linked to share data and coordinated (using a unique ID number) to maintain accurate land information?		<input type="checkbox"/>	<input type="checkbox"/>			
50. If you answered Yes to either 44 or 46 , does your country have a single searchable electronic database for all land related information also known as a land information system (LIS)?		<input type="checkbox"/>	<input type="checkbox"/>			
51. If you answered Yes to either 44 or 46 , does your country have a single searchable electronic database for all land related spatial/geographic information (may) also be known as a geographic information system (GIS)?		<input type="checkbox"/>	<input type="checkbox"/>			
52. Where would you look for information about land if hired by GlobiCo to identify an investment site? (check all that apply)	Land Registry	Cadastre	Real Estate Broker/Agent	Court	Investment promotion agency	Other
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please name the agency:						
53. What is the name of the authority/authorities that administer land registration in your country? (This may include the Ministry of Lands, courts or any other governing authority)						
54. Please identify any other sources of information that you would use to identify available land for GlobiCo's investment:						
55. What is the system of recording land rights in your country? If you mark 'other' please explain below in the comments and clarifications.	Register of Titles	Register of Deeds	Both	Other		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Comments and clarifications:						

Instructions: Assume GlobiCo has already identified a land plot for its investment. In the table below please mark “Yes” if the land information is available to GlobiCo. If you answer “Yes” please indicate the sources of information. This could be the land registry, cadastre, land ministry, court, investment promotion agency, private real estate broker, etc. Please be as specific as possible in naming the source of information.

Table G. Characteristics of publicly available land information

56. Is the following information about the land plot available to GlobiCo?	Yes	No	Information source(s)
(i) information about the land contract (lease vs. ownership, number of years on the lease, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	
(ii) land plot size?	<input type="checkbox"/>	<input type="checkbox"/>	
(iii) appraisal of land value?	<input type="checkbox"/>	<input type="checkbox"/>	
(iv) street address?	<input type="checkbox"/>	<input type="checkbox"/>	
(v) mailing address if different from the street address?	<input type="checkbox"/>	<input type="checkbox"/>	
(vi) immovable property on the land (a description of the buildings and physical structures on the land)?	<input type="checkbox"/>	<input type="checkbox"/>	
(vii) spatial information / land boundaries?	<input type="checkbox"/>	<input type="checkbox"/>	
(viii) geotechnical report/geographic location description?	<input type="checkbox"/>	<input type="checkbox"/>	
(ix) documentation about any environmental impact assessments completed?	<input type="checkbox"/>	<input type="checkbox"/>	
(x) zone classification?	<input type="checkbox"/>	<input type="checkbox"/>	
(xi) tax classification?	<input type="checkbox"/>	<input type="checkbox"/>	
(xii) information on surroundings (whether the land is near residential, commercial or industrial lands, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	
(xiii) carrying capacity of the land (maximum # of units allowed per plot)?	<input type="checkbox"/>	<input type="checkbox"/>	
(xiv) local population density	<input type="checkbox"/>	<input type="checkbox"/>	
(xv) whether the land has utility connections?	<input type="checkbox"/>	<input type="checkbox"/>	
(xvi) encumbrances (liens or mortgages held against the land)?	<input type="checkbox"/>	<input type="checkbox"/>	
(xvii) existing land claims (disputes held against the land)?	<input type="checkbox"/>	<input type="checkbox"/>	
(xviii) legal jurisdiction to which the land belongs (e.g. which municipality, neighborhood or locality)?	<input type="checkbox"/>	<input type="checkbox"/>	
Comments and clarifications:			

Part IV: Additional questions

Table H. Obstacles and reforms

Please rate the extent to which the quality of the legal framework for accessing land by foreign investors, including its implementation is an obstacle in your country:					
No problem	Minor obstacle	Moderate obstacle	Major obstacle	Very severe obstacle	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If you were to advise your government in this area, what legal, regulatory, institutional or administrative improvements would you recommend and why? What reforms would you most strongly recommend?					
Answer: <input type="text"/>					
Are you aware of any upcoming legal reforms in this area?				Yes	No
				<input type="checkbox"/>	<input type="checkbox"/>
If Yes, please briefly describe: the expected date of the reform, the objective of the reform, and its major characteristics (the solutions it provides to achieve its intended objectives):				<input type="text"/>	

We would like to ask a few additional questions outside of the scope of this *Investing Across Borders* project. These are important for the World Bank's research purposes. We make a distinction between foreign individuals (i.e., natural persons) and foreign-owned, locally incorporated companies (i.e., legal persons).

Table I. Additional Questions

	Yes	No
Do your country's laws allow women to lease land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow women to own land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign individuals to lease agricultural land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign individuals to own agricultural land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign individuals to lease commercial land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign individuals to own commercial land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign individuals to lease residential land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign individuals to own residential land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign-owned, locally incorporated companies to lease agricultural land?	<input type="checkbox"/>	<input type="checkbox"/>
Do your country's laws allow foreign-owned, locally incorporated companies to own agricultural land?	<input type="checkbox"/>	<input type="checkbox"/>
Comments and clarifications: <input type="text"/>		

Thank you very much for participating in this project and completing the survey. We greatly appreciate your contribution.

Would you prefer to have the survey in another language?	No, English was fine		Yes, somewhat prefer		Yes, strongly prefer	
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
If Yes, in what language?	Arabic	French	Portuguese	Russian	Spanish	Other
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
How long did it take you to fill out this survey?					# of minutes	
					<input type="text"/>	

How can we improve this survey?	
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Please provide names of any additional individuals who assisted with this survey and who are not yet identified on the first page.

Respondent information	
Title (Mr., Ms., etc.)	
Name	(first/given) (last/family)
Position	
Firm/Organization	
Phone	(alternate phone)
Fax	
E-mail	(alternate e-mail)
Can we publish your name, organization and website on our website and report and identify you as a respondent?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, please provide your full name as you would like to see it appear in our publication.	(full name)
What is your specialization?	
Comments:	
Are there additional respondents to this survey?	

Accessing land survey glossary:

Agency - The person, agency, authority or other type of organization with which GlobiCo/Globi Parent and/or its legal representatives are required to interact in order to set up and run the company. It includes government agencies, municipal authorities, professional associations, auditors, notaries, courts, etc.

Cadastre - A cadastre is normally a parcel-based and up-to-date land information system containing a record of interests in land (i.e. rights, restrictions and responsibilities). It usually includes a geometric description of land parcels linked to other records describing the nature of the interests, and ownership or control of those interests, and often the value of the parcel and its improvements. (Please note that the cadastre is more common in civil law jurisdictions than in common law jurisdictions).

Calendar days - As opposed to business days, calendar days include every day of the week (working and non-working days). For example, one week has 7 calendar days but fewer business days. This survey measures all time in calendar days.

Conveyance - A method whereby rights in land are transferred from one owner to another. The rights may be full ownership or a mortgage, charge or lease, etc.

Customary tenure - The holding of land in accordance with customary law i.e. the right to enjoy some use of land that arises through customary, unwritten practice rather than through written or codified law.

Deed - A legal document laying out the conditions which land is transferred.

e.g. It means “for example”, “for instance”.

Freehold – Ownership of land distinct from leasehold, in which the owner has the maximum rights permissible within the tenure system.

Geographic information system (GIS) - A system for capturing, storing, checking, integrating, analyzing and displaying data about the Earth that is spatially referenced. It is normally taken to include a spatially referenced database and appropriate applications software i.e. It means “that is”.

Land information system (LIS) – A parcel-based GIS, used as a system for acquiring, processing, storing and distributing information about land it also can be a tool for legal, administrative and economic decision-making and an aid for planning and development.

Land registry - The definitive record of all registered properties, and comprises the registered details for each property.

Land registration - The process of recording rights in land either in the form of registration of deeds or else through the registration of title to land.

Land tenure - Tenure is the relationship, whether legally or customarily defined, among people as individuals or groups, with respect to land and associated natural resources. Rules of tenure define how property rights in land are to be allocated and transferred within societies. Land tenure systems determine who can use what resources for how long, and under what conditions.

Land title (or Title) – The evidence of a person’s right to property or land or the right itself.

Lease - a lease is a contractual agreement between a landlord and a tenant for the tenancy of land. The period of the lease is known as the “term” of the lease. The lease should be for a definite period, or for a period that is capable of definition. The date of commencement should be fixed, and the date of termination either fixed, or capable of being fixed. The lease should provide to the tenant the right to exclusive possession of the land, thus giving the lessee the right to exclude others, including the landlord, from the land.

Leasehold - Land held under a lease, which is a contract by which the right of exclusive possession of land is granted by a landlord (the lessor) to a tenant (the lessee) for an agreed amount of money for an agreed period of time.

Mortgage – The transfer of a property by a debtor (called the mortgagor) to a creditor (called the mortgagee) as security for a financial loan with the provision that the property shall be returned when the loan is paid off by a certain date. In some legal systems there is provision that the mortgagee has the power to sell the concerned property when the interest is not paid in time and the loan is not paid off by a certain date in accordance with the agreed stipulations.

Real property - Land and any things attached to the land including buildings, apartments and other construction and natural objects such as trees.

Registration of deeds - A system of proof of property ownership and interests based on the registration of transfer and other deeds. In an official deeds registration system, a copy of the relevant deed, for example a transfer deed, is deposited in the deed registry. An appropriate entry is then made into the register of the time, date, parties and transaction, as may be required by the particular jurisdiction.

Registration of title - A system for improving the quality of ownership and proof of title. There are broadly speaking two parts of the register. The first is a map on which each parcel is demarcated and identified by a unique parcel identifier. The second is a text which records details about the title, the owner and any rights or restrictions associated with the parcel’s ownership such as restrictive covenants or mortgages. Under a title registration system a transfer of the property simply results in a change in the name registered.

Sub-national - Sub-national laws/regulations refer to laws of the local, municipal, provincial or state governments. In contrast, national laws/regulations refer to laws of the central government.

Subsidiary - A business that is owned by a parent company and managed under its direction.

Source: UNECE, *FAO Multilingual Land Thesaurus*