Economy Profile

Mauritius

# Doing Business 2020

Comparing Business
Regulation in
190 Economies

WORLD BANK GROUP

# **Economy Profile of Mauritius**

Doing Business 2020 Indicators (in order of appearance in the document)

Starting a business	Procedures, time, cost and paid-in minimum capital to start a limited liability company
Dealing with construction permits	Procedures, time and cost to complete all formalities to build a warehouse and the quality control and safety mechanisms in the construction permitting system
Getting electricity	Procedures, time and cost to get connected to the electrical grid, and the reliability of the electricity supply and the transparency of tariffs
Registering property	Procedures, time and cost to transfer a property and the quality of the land administration system
Getting credit	Movable collateral laws and credit information systems
Protecting minority investors	Minority shareholders' rights in related-party transactions and in corporate governance
Paying taxes	Payments, time, total tax and contribution rate for a firm to comply with all tax regulations as well as postfiling processes
Trading across borders	Time and cost to export the product of comparative advantage and import auto parts
Enforcing contracts	Time and cost to resolve a commercial dispute and the quality of judicial processes
Resolving insolvency	Time, cost, outcome and recovery rate for a commercial insolvency and the strength of the legal framework for insolvency
Employing workers	Flexibility in employment regulation and redundancy cost

# **About Doing Business**

The *Doing Business* project provides objective measures of business regulations and their enforcement across 190 economies and selected cities at the subnational and regional level.

The *Doing Business* project, launched in 2002, looks at domestic small and medium-size companies and measures the regulations applying to them through their life cycle.

Doing Business captures several important dimensions of the regulatory environment as it applies to local firms. It provides quantitative indicators on regulation for starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting minority investors, paying taxes, trading across borders, enforcing contracts and resolving insolvency. Doing Business also measures features of employing workers. Although Doing Business does not present rankings of economies on the employing workers indicators or include the topic in the aggregate ease of doing business score or ranking on the ease of doing business, it does present the data for these indicators.

By gathering and analyzing comprehensive quantitative data to compare business regulation environments across economies and over time, *Doing Business* encourages economies to compete towards more efficient regulation; offers measurable benchmarks for reform; and serves as a resource for academics, journalists, private sector researchers and others interested in the business climate of each economy.

In addition, *Doing Business* offers detailed subnational studies, which exhaustively cover business regulation and reform in different cities and regions within a nation. These studies provide data on the ease of doing business, rank each location, and recommend reforms to improve performance in each of the indicator areas. Selected cities can compare their business regulations with other cities in the economy or region and with the 190 economies that *Doing Business* has ranked.

The first *Doing Business* study, published in 2003, covered 5 indicator sets and 133 economies. This year's study covers 11 indicator sets and 190 economies. Most indicator sets refer to a case scenario in the largest business city of each economy, except for 11 economies that have a population of more than 100 million as of 2013 (Bangladesh, Brazil, China, India, Indonesia, Japan, Mexico, Nigeria, Pakistan, the Russian Federation and the United States) where *Doing Business* also collected data for the second largest business city. The data for these 11 economies are a population-weighted average for the 2 largest business cities. The project has benefited from feedback from governments, academics, practitioners and reviewers. The initial goal remains: to provide an objective basis for understanding and improving the regulatory environment for business around the world.

To learn more about *Doing Business* please visit doingbusiness.org

# Ease of Doing Business in



Region	Sub-Saharan Africa
Income Category	Upper middle income
Population	1,265,303
City Covered	Port Louis





# Rankings on Doing Business topics - Mauritius



# **Topic Scores**





















Starting a Business (rank)	20
Score of starting a business (0-100)	94.5
Procedures (number)	4
Time (days)	4.5
Cost (number)	0.0
Paid-in min. capital (% of income per capita)	0.0
Dealing with Construction Permits (rank)	3
Score of dealing with construction permits (0-100)	85.8
Procedures (number)	12
Time (days)	95.
Cost (% of warehouse value)	0.4
Building quality control index (0-15)	14.0
Getting Electricity (rank)	28
Score of getting electricity (0-100)	88.0
Procedures (number)	
Time (days)	6
Cost (% of income per capita)	143.
Reliability of supply and transparency of tariff index (0-8)	(
Registering Property (rank)	2
Score of registering property (0-100)	82.
Procedures (number)	
Time (days)	1
Cost (% of property value)	0.0
Quality of the land administration index (0-30)	22.

Getting Credit (rank)	67
Score of getting credit (0-100)	65.0
Strength of legal rights index (0-12)	6
Depth of credit information index (0-8)	7
Credit registry coverage (% of adults)	100.0
Credit bureau coverage (% of adults)	0.0
Protecting Minority Investors (rank)	18
Score of protecting minority investors (0-100)	78.0
Extent of disclosure index (0-10)	7.0
Extent of director liability index (0-10)	8.0
Ease of shareholder suits index (0-10)	9.0
Extent of shareholder rights index (0-6)	5.0
Extent of ownership and control index (0-7)	5.0
Extent of corporate transparency index (0-7)	5.0
Paying Taxes (rank)	5
Score of paying taxes (0-100)	94.0
Payments (number per year)	8
Time (hours per year)	140
Total tax and contribution rate (% of profit)	22.2
Postfiling index (0-100)	98.3

Trading across Borders (rank)	72
Score of trading across borders (0-100)	81.0
Time to export	
Documentary compliance (hours)	ç
Border compliance (hours)	24
Cost to export	
Documentary compliance (USD)	128
Border compliance (USD)	303
Time to export	
Documentary compliance (hours)	ç
Border compliance (hours)	41
Cost to export	
Documentary compliance (USD)	166
Border compliance (USD)	372
Enforcing Contracts (rank)	20
Score of enforcing contracts (0-100)	72.2
Time (days)	490
Cost (% of claim value)	25.0
Quality of judicial processes index (0-18)	13.5
Resolving Insolvency (rank)	28
Score of resolving insolvency (0-100)	73.8
Recovery rate (cents on the dollar)	67.4
Time (years)	1.7
Cost (% of estate)	14.5
Outcome (0 as piecemeal sale and 1 as going concern)	:
Strength of insolvency framework index (0-16)	12.0

# **Starting a Business**

This topic measures the number of procedures, time, cost and paid-in minimum capital requirement for a small- to medium-sized limited liability company to start up and formally operate in each economy's largest business city.

To make the data comparable across 190 economies, *Doing Business* uses a standardized business that is 100% domestically owned, has start-up capital equivalent to 10 times the income per capita, engages in general industrial or commercial activities and employs between 10 and 50 people one month after the commencement of operations, all of whom are domestic nationals. Starting a Business considers two types of local limited liability companies that are identical in all aspects, except that one company is owned by 5 married women and the other by 5 married men. The ranking of economies on the ease of starting a business is determined by sorting their scores for starting a business. These scores are the simple average of the scores for each of the component indicators.

The most recent round of data collection for the project was completed in May 2019. See the methodology for more information.

#### What the indicators measure

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

- Preregistration (for example, name verification or reservation, notarization)
- Registration in the economy's largest business city
- Postregistration (for example, social security registration, company seal)
- Obtaining approval from spouse to start a business or to leave the home to register the company
- Obtaining any gender specific document for company registration and operation or national identification card

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

- Does not include time spent gathering information
- Each procedure starts on a separate day (2 procedures cannot start on the same day)
- Procedures fully completed online are recorded as ½ day
- Procedure is considered completed once final document is received
- No prior contact with officials

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

- Official costs only, no bribes
- No professional fees unless services required by law or commonly used in practice

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

• Funds deposited in a bank or with third party before registration or up to 3 months after incorporation

#### **Case study assumptions**

To make the data comparable across economies, several assumptions about the business and the procedures are used. It is assumed that any required information is readily available and that the entrepreneur will pay no bribes.

#### The business:

- -Is a limited liability company (or its legal equivalent). If there is more than one type of limited liability company in the economy, the limited liability form most common among domestic firms is chosen. Information on the most common form is obtained from incorporation lawyers or the statistical office.
- -Operates in the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- -Performs general industrial or commercial activities such as the production or sale to the public of goods or services. The business does not perform foreign trade activities and does not handle products subject to a special tax regime, for example, liquor or tobacco. It is not using heavily polluting production processes.
- -Does not qualify for investment incentives or any special benefits.
- -Is 100% domestically owned.
- -Has five business owners, none of whom is a legal entity. One business owner holds 30% of the company shares, two owners have 20% of shares each, and two owners have 15% of shares each.
- -Is managed by one local director.
- -Has between 10 and 50 employees one month after the commencement of operations, all of them domestic nationals.
- -Has start-up capital of 10 times income per capita.
- -Has an estimated turnover of at least 100 times income per capita.
- -Leases the commercial plant or offices and is not a proprietor of real estate.
- -Has an annual lease for the office space equivalent to one income per capita.
- -Is in an office space of approximately 929 square meters (10,000 square feet).
- -Has a company deed that is 10 pages long.

# The owners:

- -Have reached the legal age of majority and are capable of making decisions as an adult. If there is no legal age of majority, they are assumed to be 30 years old.
- -Are in good health and have no criminal record.
- -Are married, the marriage is monogamous and registered with the authorities.
- -Where the answer differs according to the legal system applicable to the woman or man in question (as may be the case in economies where there is legal plurality), the answer used will be the one that applies to the majority of the population.

# **Starting a Business - Mauritius**

# **Standardized Company**

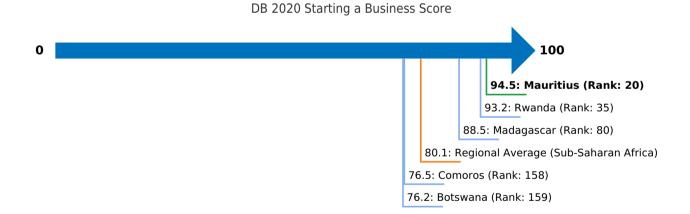
Legal form	Private Limited Liability Company
Paid-in minimum capital requirement	No minimum
City Covered	Port Louis

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Procedure - Men (number)	4	7.4	4.9	1 (2 Economies)
Time – Men (days)	4.5	21.5	9.2	0.5 (New Zealand)
Cost - Men (% of income per capita)	0.8	36.3	3.0	0.0 (2 Economies)
Procedure – Women (number)	4	7.5	4.9	1 (2 Economies)
Time - Women (days)	4.5	21.6	9.2	0.5 (New Zealand)
Cost - Women (% of income per capita)	0.8	36.3	3.0	0.0 (2 Economies)
Paid-in min. capital (% of income per capita)	0.0	9.3	7.6	0.0 (120 Economies)

Figure - Starting a Business in Mauritius - Score

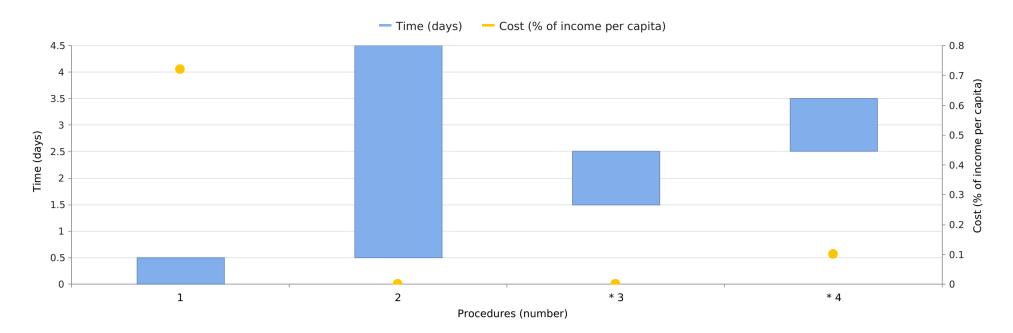


Figure - Starting a Business in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of starting a business is determined by sorting their scores for starting a business. These scores are the simple average of the scores for each of the component indicators.

Figure - Starting a Business in Mauritius - Procedure, Time and Cost



<sup>\*</sup>This symbol is shown beside procedure numbers that take place simultaneously with the previous procedure.

Note: Online procedures account for 0.5 days in the total time calculation. For economies that have a different procedure list for men and women, the graph shows the time for women. For more information on methodology, see the *Doing Business* website (http://doingbusiness.org/en/methodology). For details on the procedures reflected here, see the summary below.

# **Details - Starting a Business in Mauritius - Procedure, Time and Cost**

No.	Procedures	Time to Complete	Associated Costs
1	Register the company Agency: Companies and Business Registration Department-CBRD To register, the entrepreneur completes the company incorporation form and the business registration form including the relevant business details and submits them either online or to the Companies and Business Registration Department-CBRD after payment of fees has been affected either online or on-site.  After registering online, a computer-generated certificate is provided once the company is registered.  Upon incorporation, the Registrar of Companies updates the online Central Business Registration Database with the details of the registered companies. The Mauritius Revenue Authority, Local Authority (Municipality) & the Ministry of Social Security are connected to the Central Business Registration Database system, which is located at the Registrar of Companies. Therefore, once a company is incorporated, it is automatically registered for taxes and does not need to file a separate application at the Tax Office. The information of the employer is electronically shared with the Ministry of Social Security (MSS).	Less than one day (online procedure)	MUR 3,000 in registration fees
2	Receive inspection by the local authorities  Agency: Local Authorities  Once the company is registered, the Registrar of Companies provides relevant agencies with an electronic notice about the newly registered business and the expected start date of its business activities. These agencies include: the Sanitary Authority, the Police Department, the Fire Services Department, the Ministry of Health, the Ministry of Environment, and so forth. Subsequently, local authorities communicate fees, relevant guidelines, and other provisions with businesses that intend to trade within their jurisdiction.	4 days on average	no charge
<b>⇒</b> 3	Obtain an exemption certificate for trade fees  Agency: Local Authorities  Further to the amendments to the Finance (Miscellaneous provisions) Act No. 18 of 2016, Section 122 of the Local Government Act No. 36 of 2011 has been amended to provide for the suspension of trade fees of MUR 5,000 and below.  As from January 2017 and for a period of three years, all Small and Medium Enterprises are exempt from paying trade fees for licences of MUR 5,000 and below. This is except for those engaged in activities such as gambling, sales of liquor and cigarettes.  Instead, entrepreneurs obtain an exemption certificate by the Municipal city council.	1 day (simultaneous with previous procedure)	Exemption for trade fees of MUR 5,000 and below
<b>⇒</b> 4	Make a company seal  Agency: Sealmaker  A company seal has not been a legal requirement since 2008, but they are commonly used in business operations.	1 day (simultaneous with procedure 3)	USD 12

 $<sup>\</sup>rightrightarrows$ Takes place simultaneously with previous procedure.



#### Dealing with Construction Permits

This topic tracks the procedures, time and cost to build a warehouse—including obtaining necessary the licenses and permits, submitting all required notifications, requesting and receiving all necessary inspections and obtaining utility connections. In addition, the Dealing with Construction Permits indicator measures the building quality control index, evaluating the quality of building regulations, the strength of quality control and safety mechanisms, liability and insurance regimes, and professional certification requirements. The most recent round of data collection was completed in May 2019. See the methodology for more information

#### What the indicators measure

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

- Submitting all relevant documents and obtaining all necessary clearances, licenses, permits and certificates
- Submitting all required notifications and receiving all necessary inspections
- Obtaining utility connections for water and sewerage
- Registering and selling the warehouse after its completion

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

- Does not include time spent gathering information
- Each procedure starts on a separate day—though procedures that can be fully completed online are an exception to this rule
- Procedure is considered completed once final document is received
- No prior contact with officials

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

Official costs only, no bribes

#### **Building quality control index (0-15)**

- Quality of building regulations (0-2)
- Quality control before construction (0-1)
- Quality control during construction (0-3)
- Quality control after construction (0-3)
- Liability and insurance regimes (0-2)
- Professional certifications (0-4)

#### Case study assumptions

To make the data comparable across economies, several assumptions about the construction company, the warehouse project and the utility connections are used.

#### The construction company (BuildCo):

- Is a limited liability company (or its legal equivalent) and operates in the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- Is 100% domestically and privately owned; has five owners, none of whom is a legal entity. Has a licensed architect and a licensed engineer, both registered with the local association of architects or engineers. BuildCo is not assumed to have any other employees who are technical or licensed experts, such as geological or topographical experts.
- Owns the land on which the warehouse will be built and will sell the warehouse upon its completion.

#### The warehouse:

- Will be used for general storage activities, such as storage of books or stationery.
- Will have two stories, both above ground, with a total constructed area of approximately 1,300.6 square meters (14,000 square feet). Each floor will be 3 meters (9 feet, 10 inches) high and will be located on a land plot of approximately 929 square meters (10,000 square feet) that is 100% owned by BuildCo, and the warehouse is valued at 50 times income per capita.
- Will have complete architectural and technical plans prepared by a licensed architect. If preparation of the plans requires such steps as obtaining further documentation or getting prior approvals from external agencies, these are counted as procedures.
- Will take 30 weeks to construct (excluding all delays due to administrative and regulatory requirements).

#### The water and sewerage connections:

- Will be 150 meters (492 feet) from the existing water source and sewer tap. If there is no water delivery infrastructure in the economy, a borehole will be dug. If there is no sewerage infrastructure, a septic tank in the smallest size available will be installed or built.
- Will have an average water use of 662 liters (175 gallons) a day and an average wastewater flow of 568 liters (150 gallons) a day. Will have a peak water use of 1,325 liters (350 gallons) a day and a peak wastewater flow of 1,136 liters (300 gallons) a day.
- Will have a constant level of water demand and wastewater flow throughout the year; will be 1 inch in diameter for the water connection and 4 inches in diameter for the sewerage connection.

# **Dealing with Construction Permits - Mauritius**

#### **Standardized Warehouse**

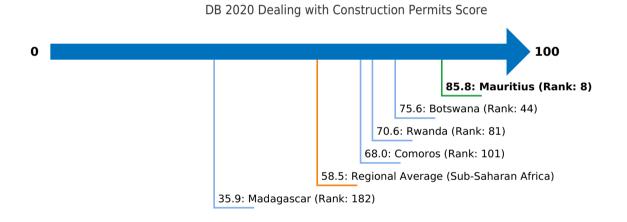
Estimated value of warehouse	MUR 20,942,529.10
City Covered	Port Louis

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Procedures (number)	12	15.1	12.7	None in 2018/19
Time (days)	95.5	145.4	152.3	None in 2018/19
Cost (% of warehouse value)	0.4	8.9	1.5	None in 2018/19
Building quality control index (0-15)	14.0	8.9	11.6	15.0 (6 Economies)

Figure - Dealing with Construction Permits in Mauritius - Score



Figure - Dealing with Construction Permits in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of dealing with construction permits is determined by sorting their scores for dealing with construction permits. These scores are the simple average of the scores for each of the component indicators.

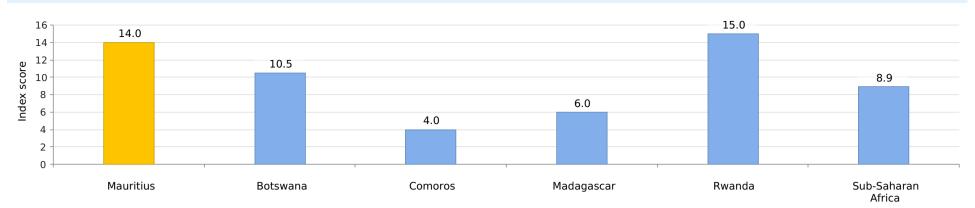
Figure - Dealing with Construction Permits in Mauritius - Procedure, Time and Cost



\*This symbol is shown beside procedure numbers that take place simultaneously with the previous procedure.

Note: Online procedures account for 0.5 days in the total time calculation. For economies that have a different procedure list for men and women, the graph shows the time for women. For more information on methodology, see the *Doing Business* website (http://doingbusiness.org/en/methodology). For details on the procedures reflected here, see the summary below.

Figure - Dealing with Construction Permits in Mauritius and comparator economies - Measure of Quality



**Details - Dealing with Construction Permits in Mauritius - Procedure, Time and Cost** 

No.	Procedures	Time to Complete	Associated Costs
1	Obtain fire safety clearance  Agency: Fire Department  Approval from the Fire Department is a prerequisite for the building and land-use permit.	14 days	MUR 250

#### 2 Obtain building and land use permit

Agency: Local Authority (Municipality)

With the roll-out of the National Electronic Licensing System (NELS) the plan approvals from Central Water Authority, WasteWater Management Authority and Central Electricity Board are now eliminated. An application is made for Building and Land Use Permit to the local authority via NELS, and the system sends an application simultaneously to CEB, CWA and WMA for plan approvals.

Every application for a building and land-use permit must be in accordance with provisions of the Building Act, the Town and Country Planning Act, and the Planning and Development Act of 2004. The following documents are required in addition to the application:

- Copy of the title deed or copy of the lease and planning clearance from the Ministry of Housing and Lands if for state land
- Consent of owner and copy of the owner's national identity card
- Copy of the national identity card of the applicant
- Three sets of plans, comprising site and location plans, layout, elevations, and sections
- Public notification by way of plate display and notice in two daily newspapers (for development within residential zones)
- Consent of neighbors (not required in this case because it is industrial). Consent is required if the distance between the new building and neighboring constructions is less than 1 meter for one-story buildings and 1.5 meters for two-story buildings.
- PER/environmental impact assessment (EIA) license for scheduled undertakings: The PER is for small projects, while the EIA is for larger ones with a potential environmental impact. Neither applies to the warehouse assessed in the Doing Business case study.
- All plans must be signed by the draughtsman for buildings of less than 250 sq. m. in floor area and must include the name and address. The total floor area is to be indicated on the site plan, while the floor area for each level is to be indicated on the corresponding floor plans
- For buildings of 150 sq. m. or more in floor area, all plans are to be signed by a registered professional architect, including the architect's name, address, VAT registration number, and registration number with the Professional Architects Council. The total floor area is to be indicated on the site plan, while the floor area for each level is to be indicated on the corresponding floor plans. The application form can be obtained from the Planning Department of any local authority, Small Enterprises and Handicraft Development Authority (SEHDA), the Board of Investment, or the Ministry of Local Government, or it can be downloaded from various Web sites, including the Web sites of the agencies mentioned above.

In accordance with the Local Government Act 2011, applications for the building and land-use permit that are in accordance with the act and guidelines should be reviewed within 14 working days of the date of receipt of the application. Upon approval of the Executive Committee, the building and land use permit is issued.

The costs associated with the application for the dual permit include an application fee of MUR 500, plus charges computed based on land area as follows:

- MUR 10.00 per sq. m. for areas of 250 sq. m. or less
- $\bullet$  MUR 20.00 per sq. m. for areas ranging from 251 to 500 sq. m.
- $\bullet$  MUR 50.00 per sq. m. for areas of more than 500 sq. m.

This procedure is processed at the same institution as the previous one, for that reason it cannot be a simultaneous one.

MUR 66,955

21 days

• Water requirement (in m3 daily)

Building Permit

Sewerage clearance (optional)

New applications are processed within one month. Since this procedure is processed in a different institution as the previous one, it can be a simultaneous one.

An acknowledgement receipt, bearing a reference number is issued upon application. This

procedure can only be done after the water connection is granted.

9	Obtain water connection from the Central Water Authority (CWA)  Agency: Central Water Authority (CWA)  Reception of the water connection. This procedure is processed at the same institution as the previous one, for that reason it cannot be a simultaneous one.	14 days	MUR 26,450
10	Apply for sewage connection with the WasteWater Management Authority (WMA)  Agency: WasteWater Management Authority (WMA)  BuildCo applies online for a sewage connection with the WasteWater Management Authority (WMA) on the WMA website: https://www.wmamauritius.mu/core-business/house-connection. The following documents must be submitted with the application:	0.5 days	no charge
	<ul><li>National identity card</li><li>Recent CWA bill</li><li>Title deed</li></ul>		

11	Receive inspection for project feasibility and awaits project design Agency: WasteWater Management Authority (WMA)  The WasteWater Management Authority (WMA) has now outsourced survey, design and construction works to 5 private companies, one of which will conduct a survey of the lot to verify the feasibility of this project. Once the survey is completed, a report is made and the design process starts. Once this design is completed, the applicant will be notified as to when the installation will be completed.	14 days	no charge
12	Obtain sewage connection from WasteWater Management Authority (WMA)  Agency: WasteWater Management Authority (WMA)  The sub-contracted company informs WasteWater Management Authority (WMA) of completion of works, and WMA subsequently commissions the connection and completes connection to public sewage system.	18 days	no charge

 $<sup>\</sup>rightrightarrows$ Takes place simultaneously with previous procedure.

Mauritius

# **Details - Dealing with Construction Permits in Mauritius - Measure of Quality**

	Answer	Score
Building quality control index (0-15)		14.0
Quality of building regulations index (0-2)		2.0
How accessible are building laws and regulations in your economy? (0-1)	Available online; Free of charge.	1.0
Which requirements for obtaining a building permit are clearly specified in the building regulations or on any accessible website, brochure or pamphlet? (0-1)	List of required documents; Fees to be paid; Required preapprovals.	1.0
Quality control before construction index (0-1)		1.0
Which third-party entities are required by law to verify that the building plans are in compliance with existing building regulations? (0-1)	Licensed engineer.	1.0
Quality control during construction index (0-3)		2.0
What types of inspections (if any) are required by law to be carried out during construction? (0-2)	Inspections by inhouse engineer; Unscheduled inspections.	1.0
Do legally mandated inspections occur in practice during construction? (0-1)	Mandatory inspections are always done in practice.	1.0
Quality control after construction index (0-3)		3.0
Is there a final inspection required by law to verify that the building was built in accordance with the approved plans and regulations? (0-2)	Yes, in-house engineer submits report for final inspection.	2.0
Do legally mandated final inspections occur in practice? (0-1)	Final inspection always occurs in practice.	1.0
Liability and insurance regimes index (0-2)		2.0
Which parties (if any) are held liable by law for structural flaws or problems in the building once it is in use (Latent Defect Liability or Decennial Liability)? (0-1)	Professional in charge of the supervision; Construction company.	1.0
Which parties (if any) are required by law to obtain an insurance policy to cover possible structural flaws or problems in the building once it is in use (Latent Defect Liability Insurance or Decennial Insurance)? (0-1)	Construction company; Insurance is commonly taken in practice.	1.0
Professional certifications index (0-4)		4.0
What are the qualification requirements for the professional responsible for verifying that the architectural plans or drawings are in compliance with existing building regulations? (0-2)	Minimum number of years of experience; University degree in architecture or engineering; Being a registered architect or engineer.	2.0
What are the qualification requirements for the professional who supervises the construction on the ground? (0-2)	Minimum number of years of experience; University degree in engineering, construction or construction management; Being a registered architect or engineer.	2.0

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## **Getting Electricity**

This topic measures the procedures, time and cost required for a business to obtain a permanent electricity connection for a newly constructed warehouse. Additionally, the reliability of supply and transparency of tariffs index measures reliability of supply, transparency of tariffs and the price of electricity. The most recent round of data collection for the project was completed in May 2019. See the methodology for more information.

#### What the indicators measure

#### Procedures to obtain an electricity connection (number)

- Submitting all relevant documents and obtaining all necessary clearances and permits
- Completing all required notifications and receiving all necessary inspections
- Obtaining external installation works and possibly purchasing material for these works
- Concluding any necessary supply contract and obtaining final supply

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

- Is at least 1 calendar day
- Each procedure starts on a separate day
- Does not include time spent gathering information
- Reflects the time spent in practice, with little follow-up and no prior contact with officials

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

- Official costs only, no bribes
- Value added tax excluded

#### The reliability of supply and transparency of tariffs index (0-8)

- Duration and frequency of power outages (0-3)
- Tools to monitor power outages (0-1)
- Tools to restore power supply (0-1)
- Regulatory monitoring of utilities' performance (0-1)
- Financial deterrents limiting outages (0-1)
- Transparency and accessibility of tariffs (0-1)

# Price of electricity (cents per kilowatt-hour)\*

 Price based on monthly bill for commercial warehouse in case study

\*Note: *Doing Business* measures the price of electricity, but it is not included in the ease of doing business score nor in the ranking on the ease of getting electricity.

#### Case study assumptions

To make the data comparable across economies, several assumptions about the warehouse, the electricity connection and the monthly consumption are used.

#### The warehouse:

- Is owned by a local entrepreneur and is used for storage of goods.
- Is located in the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- Is located in an area where similar warehouses are typically located and is in an area with no physical constraints. For example, the property is not near a railway.
- Is a new construction and is being connected to electricity for the first time.
- Has two stories with a total surface area of approximately 1,300.6 square meters (14,000 square feet). The plot of land on which it is built is 929 square meters (10,000 square feet).

#### The electricity connection:

- Is a permanent one with a three-phase, four-wire Y connection with a subscribed capacity of 140-kilo-volt-ampere (kVA) with a power factor of 1, when 1 kVA = 1 kilowatt (kW).
- Has a length of 150 meters. The connection is to either the low- or medium-voltage distribution network and is either overhead or underground, whichever is more common in the area where the warehouse is located and requires works that involve the crossing of a 10-meter road (such as by excavation or overhead lines) but are all carried out on public land. There is no crossing of other owners' private property because the warehouse has access to a road.
- Does not require work to install the internal wiring of the warehouse. This has already been completed up to and including the customer's service panel or switchboard and the meter base.

#### The monthly consumption:

- It is assumed that the warehouse operates 30 days a month from 9:00 a.m. to 5:00 p.m. (8 hours a day), with equipment utilized at 80% of capacity on average and that there are no electricity cuts (assumed for simplicity reasons) and the monthly energy consumption is 26,880 kilowatt-hours (kWh); hourly consumption is 112 kWh.
- If multiple electricity suppliers exist, the warehouse is served by the cheapest supplier.
- Tariffs effective in January of the current year are used for calculation of the price of electricity for the warehouse. Although January has 31 days, for calculation purposes only 30 days are used.

# **Getting Electricity - Mauritius**

#### **Standardized Connection**

Name of utility	Central Electricity Board (C.E.B.)
Price of electricity (US cents per kWh)	20.5
City Covered	Port Louis

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Procedures (number)	3	5.2	4.4	3 (28 Economies)
Time (days)	67	109.6	74.8	18 (3 Economies)
Cost (% of income per capita)	143.6	3,187.5	61.0	0.0 (3 Economies)
Reliability of supply and transparency of tariff index (0-8)	6	1.6	7.4	8 (26 Economies)

Figure - Getting Electricity in Mauritius - Score

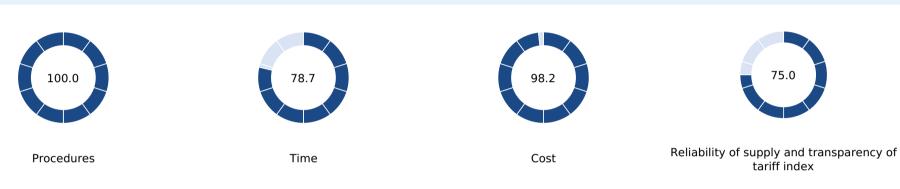
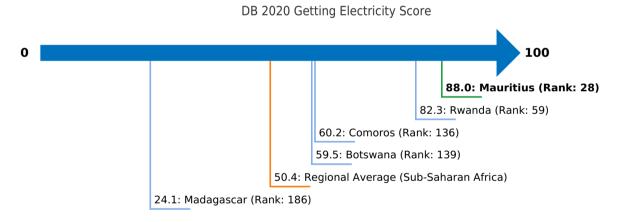


Figure - Getting Electricity in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of getting electricity is determined by sorting their scores for getting electricity. These scores are the simple average of the scores for all the component indicators except the price of electricity.

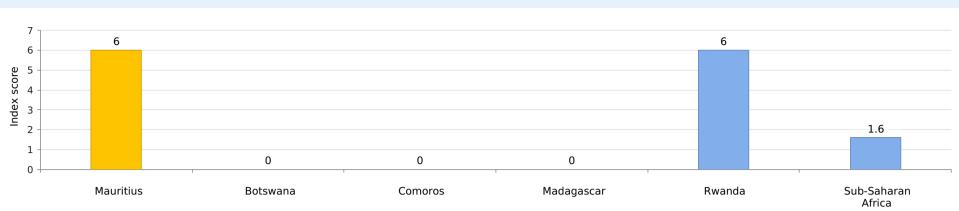


<sup>\*</sup>This symbol is shown beside procedure numbers that take place simultaneously with the previous procedure.

Note: Online procedures account for 0.5 days in the total time calculation. For economies that have a different procedure list for men and women, the graph shows the time for women. For more information on methodology, see the *Doing Business* website (http://doingbusiness.org/en/methodology). For details on the procedures

reflected here, see the summary below.

Figure - Getting Electricity in Mauritius and comparator economies - Measure of Quality



# **Details - Getting Electricity in Mauritius - Procedure, Time and Cost**

No.	Procedures	Time to Complete	<b>Associated Costs</b>
1	Submit application to CEB and await estimate  Agency: Central Electricity Board (CEB)  An application can be submitted in person, by letter, by email, by fax or online. The following documents have to be attached:  location plan  site plan  national identity card or passport nr. of the company's director  list of company's directors holding more than 10% of shares  building permit  trade license from local authority  title deed of land acquisitioned or lease agreement (need to be notarized)  load details  business regulation number	30 calendar days	MUR 0
2	Receive external and visual internal inspection by CEB  Agency: Central Electricity Board (CEB)  An external inspection of the site is done by the utility. Someone from the customer's party has to be present. An internal inspection (visual inspection only without tests) is done after completion of the internal wiring. It is requested by calling, over the counter, mail, email, fax. The customer's electrical contractor is doing the internal wiring. The utility requests an installation wiring certificate from the contractor (the wiring certificate is recommended but not required by law)	7 calendar days	MUR 0
3	CEB carries out civil works for transformer and completes the meter installation  Agency: Central Electricity Board  Civil works associated with the overhead network are carried out by the utility's contractor and includes the construction of Medium Voltage (MV) poles, completing the overhead cables as well as the installation of the transformer, which is pole-mounted.  Following the installation of the transformer, an inspector from the utility carries out a routine check to verify compliance of the civil works. This does not involve the customer. The utility is in charge of the design of the connection and the physical works.	30 calendar days	MUR 601,446.82
	The meter is installed at the time the external works are completed. Electricity starts flowing as soon as the external connection is complete.		

 $<sup>\</sup>Rightarrow$ Takes place simultaneously with previous procedure.

# **Details - Getting Electricity in Mauritius - Measure of Quality**

	Answer
Reliability of supply and transparency of tariff index (0-8)	6
Total duration and frequency of outages per customer a year (0-3)	2
System average interruption duration index (SAIDI)	1.6
System average interruption frequency index (SAIFI)	0.9
What is the minimum outage time (in minutes) that the utility considers for the calculation of SAIDI/SAIFI	3.0
Mechanisms for monitoring outages (0-1)	1
Does the distribution utility use automated tools to monitor outages?	Yes
Mechanisms for restoring service (0-1)	1
Does the distribution utility use automated tools to restore service?	Yes
Regulatory monitoring (0-1)	0
Does a regulator—that is, an entity separate from the utility—monitor the utility's performance on reliability of supply?	No
Financial deterrents aimed at limiting outages (0-1)	1
Does the utility either pay compensation to customers or face fines by the regulator (or both) if outages exceed a certain cap?	Yes
Communication of tariffs and tariff changes (0-1)	1
Are effective tariffs available online?	Yes
Link to the website, if available online	http://ceb.intnet.mu/
Are customers notified of a change in tariff ahead of the billing cycle?	Yes

# Note:

If the duration and frequency of outages is 100 or less, the economy is eligible to score on the Reliability of supply and transparency of tariff index.

If the duration and frequency of outages is not available, or is over 100, the economy is not eligible to score on the index.

If the minimum outage time considered for SAIDI/SAIFI is over 5 minutes, the economy is not eligible to score on the index.



# Registering Property

This topic examines the steps, time and cost involved in registering property, assuming a standardized case of an entrepreneur who wants to purchase land and a building that is already registered and free of title dispute. In addition, the topic also measures the quality of the land administration system in each economy. The quality of land administration index has five dimensions: reliability of infrastructure, transparency of information, geographic coverage, land dispute resolution, and equal access to property rights. The most recent round of data collection for the project was completed in May 2019. See the methodology for more information.

#### What the indicators measure

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

- Preregistration procedures (for example, checking for liens, notarizing sales agreement, paying property transfer taxes)
- Registration procedures in the economy's largest business city.
- Postregistration procedures (for example, filling title with municipality)

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

- Does not include time spent gathering information
- Each procedure starts on a separate day though procedures that can be fully completed online are an exception to this rule
- Procedure is considered completed once final document is received
- No prior contact with officials

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

- Official costs only (such as administrative fees, duties and taxes).
- Value Added Tax, Capital Gains Tax and illicit payments are excluded

#### Quality of land administration index (0-30)

- Reliability of infrastructure index (0-8)
- Transparency of information index (0-6)
- Geographic coverage index (0-8)
- Land dispute resolution index (0-8)
- Equal access to property rights index (-2-0)

#### Case study assumptions

To make the data comparable across economies, several assumptions about the parties to the transaction, the property and the procedures are used.

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

- Are limited liability companies (or the legal equivalent).
- Are located in the periurban (that is, on the outskirts of the city but still within its official limits) area of the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- Are 100% domestically and privately owned.
- Perform general commercial activities.

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

- Has a value of 50 times income per capita, which equals the sale price.
- Is fully owned by the seller.
- Has no mortgages attached and has been under the same ownership for the past 10 years.
- Is registered in the land registry or cadastre, or both, and is free of title disputes.
- Is located in a periurban commercial zone (that is, on the outskirts of the city but still within its official limits), and no rezoning is required.
- Consists of land and a building. The land area is 557.4 square meters (6,000 square feet). A twostory warehouse of 929 square meters (10,000 square feet) is located on the land. The warehouse is 10 years old, is in good condition, has no heating system and complies with all safety standards, building codes and legal requirements. The property, consisting of land and building, will be transferred in its entirety.
- Will not be subject to renovations or additional construction following the purchase.
- Has no trees, natural water sources, natural reserves or historical monuments of any kind.
- Will not be used for special purposes, and no special permits, such as for residential use, industrial plants, waste storage or certain types of agricultural activities, are required.
- Has no occupants, and no other party holds a legal interest in it.

# **Registering Property - Mauritius**

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Procedures (number)	5	6.1	4.7	1 (5 Economies)
Time (days)	17	51.6	23.6	1 (2 Economies)
Cost (% of property value)	0.6	7.3	4.2	0.0 (Saudi Arabia)
Quality of the land administration index (0-30)	22.5	9.0	23.2	None in 2018/19

Figure - Registering Property in Mauritius - Score

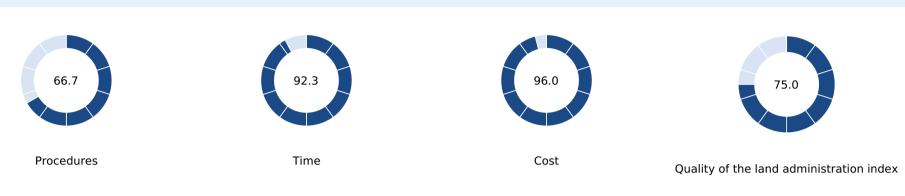
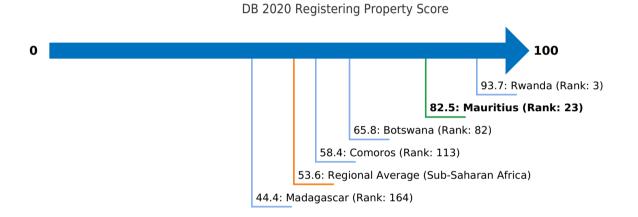


Figure - Registering Property in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of registering property is determined by sorting their scores for registering property. These scores are the simple average of the scores for each of the component indicators.

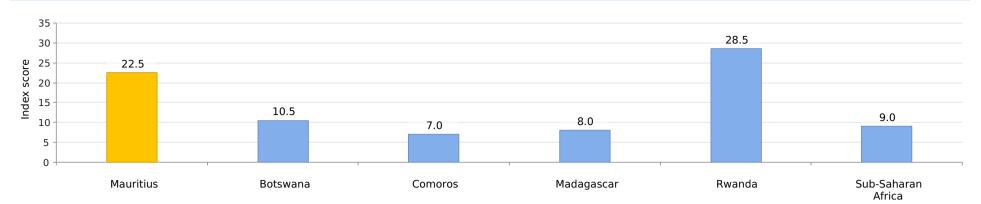
Figure - Registering Property in Mauritius - Procedure, Time and Cost



<sup>\*</sup>This symbol is shown beside procedure numbers that take place simultaneously with the previous procedure.

Note: Online procedures account for 0.5 days in the total time calculation. For economies that have a different procedure list for men and women, the graph shows the time for women. For more information on methodology, see the *Doing Business* website (http://doingbusiness.org/en/methodology). For details on the procedures reflected here, see the summary below.

Figure - Registering Property in Mauritius and comparator economies - Measure of Quality



**Details - Registering Property in Mauritius - Procedure, Time and Cost** 

No.	Procedures	Time to Complete	Associated Costs
1	A land surveyor prepares a new survey plan and a situation plan  Agency: Land Surveyor  The seller must obtain a survey plan done by a Land Surveyor and apply for the PIN (Parcel Identification Number).  According to the amendment of the Registration Duty Act 1804, a survey plan is not required if a PIN has already been assigned. In practice, it is common for sellers to obtain a site plan and apply for the PIN.	6 days	MUR 5,000; (MUR 4000 to MUR 6000)
<b>⇒</b> 2	Notary checks for encumbrances at the Registrar General Agency: Registrar General The notary consults the register of transcriptions and the list of deeds through the online Mauritius e-Registry System (MeRS) or by visiting the Registrar General office, which is waiting for transcription to ascertain the title of the seller, the status of encumbrances, charges and liens. The notary pays an annual subscription to the Registrar General, which enables him to check the registers free of charge. He may pass the cost to the client as part of the fees charged for the whole transaction. The annual subscription fee is Rs 24,000.	Less than one day, online	no charge
3	A notary prepares and notarizes the deed of sale  Agency: Notary  The notary prepares the sale deed. The seller is responsible for giving all the required documentation to the notary. The deed is signed by the parties and the notary.  According to the law (Registration Duty act and Notaries Act), the notary has up to 7 days from date of deed to submit the deed at the Land Registry.	4 days	MUR 118,462.65; (Notary's fees according to the following cumulative schedule: Notary Fees Up to MUR 250,000: 2% (minimum MUR 100) From 250,000 to 750,000: 1.5% From 750,000 to 1,750,000: 1% Excess over MUR 1,750,000: 0.5%)
4	Obtain certificate from the Economic Development Board that the building will be used primarily as a warehouse.  Agency: Economic Development Board  A certificate from the Economic Development Board needs to be obtained in order to exempt the transfer from the payment of the Registration Duty. The buyer needs to present evidence to the Economic Development Board to prove the building will be used as a warehouse.	3 days	no charge
5	The notary deposits the signed deed for registration and transcription  Agency: Registrar General  The notary will deliver the signed deed + one copy of the deed to the Registrar-General for registration.  The notary will pay the registration fee, the stamp duty and the transfer tax on behalf of the seller	4 days	MUR 1,000; (stamp duty)

The notary will pay the registration fee, the stamp duty and the transfer tax on behalf of the seller when applying for registration at the Registrar General's office.

It is possible to submit documents, pay fees and receive the registered deed online through the eRegistry system which was launched on June 30, 2015.

Once stamp duty is paid, the Conservator of Mortgages will enter the transaction in the book and will give a Transcription Number (TN) to the notary. Once this TN number is available at the Registrar General, the property is opposable to third parties. The notary will then issue the "Copie authentique" to the buyer. There is a statutory time of 48 hours for the Registrar General to complete the transcription and give the Transcription Number (TN) to the notary.

After the TN has been issued, the Land Registry will verify and re-assess the transaction through internal processes. The Notary will subsequently pick up the registered deed and will keep the document for 40 years and then transmit it to the Chief Archivist, National Archives Department for safe keeping. If this time limit is not respected, there is a penalty of 50% to be paid.

Takes place simultaneously with previous procedure.

# **Details - Registering Property in Mauritius - Measure of Quality**

	Answer	Score
Quality of the land administration index (0-30)		22.5
Reliability of infrastructure index (0-8)		7.0
Type of land registration system in the economy:	Deed Registration System	
What is the institution in charge of immovable property registration?	Registrar General Department (RGD)	
In what format are past and newly issued land records kept at the immovable property registry of the largest business city of the economy —in a paper format or in a computerized format (scanned or fully digital)?	Computer/Fully digital	2.0
Is there a comprehensive and functional electronic database for checking for encumbrances (liens, mortgages, restrictions and the like)?	Yes	1.0
Institution in charge of the plans showing legal boundaries in the largest business city:	Cadastre Unit, Ministry of Housing and Lands	
In what format are past and newly issued cadastral plans kept at the mapping agency of the largest business city of the economy—in a paper format or in a computerized format (scanned or fully digital)?	Computer/Scanned	1.0
Is there an electronic database for recording boundaries, checking plans and providing cadastral information (geographic information system)?	Yes	1.0
Is the information recorded by the immovable property registration agency and the cadastral or mapping agency kept in a single database, in different but linked databases or in separate databases?	Different databases but linked	1.0
Do the immovable property registration agency and cadastral or mapping agency use the same identification number for properties?	Yes	1.0
Transparency of information index (0-6)		6.0
Who is able to obtain information on land ownership at the agency in charge of immovable property registration in the largest business city?	Anyone who pays the official fee	1.0
Is the list of documents that are required to complete any type of property transaction made publicly availableand if so, how?	Yes, online	0.5
Link for online access:	http://registrar.mof.go vmu.org/English/legisl ations/Pages/default. aspx	
Is the applicable fee schedule for any type of property transaction at the agency in charge of immovable property registration in the largest business city made publicly available-and if so, how?	Yes, online	0.5
Link for online access:	http://registrar.mof.go vmu.org/English/legisl ations/Pages/default. aspx http://registrar.mof.go vmu.org/English/Pag es/About%20the%20 department/Registrati on.aspx	
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 timeframe –and if so, how does it communicate the service standard?	Yes, online	0.5
Link for online access:	http://registrar.mof.go vmu.org/English/servi cesregistrar/Docume nts/time%20frame%2 0for%20registration.p df	
Is there a specific and independent mechanism for filing complaints about a problem that occurred at the agency in charge of immovable property registration?	Yes	1.0

Doing Business 2020 Mauritius		
Contact information:	https://eform.govmu.o rg/forms/RG/COMPL AINT/complaint_form. php	
Are there publicly available official statistics tracking the number of transactions at the immovable property registration agency?	Yes	0.5
Number of property transfers in the largest business city in 2018:	690.0	
Who is able to consult maps of land plots in the largest business city?	Anyone who pays the official fee	0.5
Is the applicable fee schedule for accessing maps of land plots made publicly available—and if so, how?	Yes, online	0.5
Link for online access:	http://housing.govmu. org/English/DeptOrg/ Documents/Cadastre/ schpin1.pdf	
Does the cadastral/mapping agency formally specifies the timeframe to deliver an updated cadastral plan—and if so, how does it communicate the service standard?	Yes, online	0.5
Link for online access:	http://housing.govmu. org/English/DeptOrg/ Divisions/Pages/Land -Information-System- Unit.aspx	
Is there a specific and independent mechanism for filing complaints about a problem that occurred at the cadastral or mapping agency?	Yes	0.5
Contact information:		
Geographic coverage index (0-8)		4.0
Are all privately held land plots in the largest business city formally registered at the immovable property registry?	Yes	2.0
Are all privately held land plots in the economy formally registered at the immovable property registry?	Yes	2.0
Are all privately held land plots in the largest business city mapped?	No	0.0
Are all privately held land plots in the economy mapped?	No	0.0
Land dispute resolution index (0-8)		5.5
Does the law require that all property sale transactions be registered at the immovable property registry to make them opposable to third parties?	Yes	1.5
Legal basis:	Section 38 of the Registration Duty Act -No document shall, unless it is registered —(a) qualify a purchaser of immovable property under that document to transfer the immovable property to any person; (b) affect the interests of third parties; (c) be referred to in any public document.	
Is the system of immovable property registration subject to a state or private guarantee?	Yes	0.5
Type of guarantee:	Private guarantee (Title insurance, etc.)	
Legal basis:	Notaries Act	
Is there a is a specific, out-of-court 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 immovable property registry?	No	0.0
Legal basis:		

Doing Business 2020 Mauritius		
Does the legal system require a control of legality of the documents necessary for a property transaction (e.g., checking the compliance of contracts with requirements of the law)?	Yes	0.5
If yes, who is responsible for checking the legality of the documents?	Notary;	
Does the legal system require verification of the identity of the parties to a property transaction?	Yes	0.5
If yes, who is responsible for verifying the identity of the parties?	Notary;	
Is there a national database to verify the accuracy of government issued identity documents?	Yes	1.0
What is the Court of first instance in charge of a case involving a standard land dispute between two local businesses over tenure rights for a property worth 50 times gross national income (GNI) per capita and located in the largest business city?	Supreme Court	
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	1.0
Are there publicly available statistics on the number of land disputes at the economy level in the first instance court?	Yes	0.5
Number of land disputes in the economy in 2018:	1107.0	
Equal access to property rights index (-2-0)		0.0
Do unmarried men and unmarried women have equal ownership rights to property?	Yes	
Do married men and married women have equal ownership rights to property?	Yes	0.0

# Getting Credit

This topic explores two sets of issues—the strength of credit reporting systems and the effectiveness of collateral and bankruptcy laws in facilitating lending. The most recent round of data collection for the project was completed in May 2019. See the methodology for more information.

#### What the indicators measure

#### Strength of legal rights index (0-12)

- Rights of borrowers and lenders through collateral laws (0-10)
- Protection of secured creditors' rights through bankruptcy laws (0-2)

#### Depth of credit information index (0-8)

 Scope and accessibility of credit information distributed by credit bureaus and credit registries (0-8)

# Credit bureau coverage (% of adults)

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

# Credit registry coverage (% of adults)

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

#### Case study assumptions

Doing Business assesses the sharing of credit information and the legal rights of borrowers and lenders with respect to secured transactions through 2 sets of indicators. The depth of credit information index measures rules and practices affecting the coverage, scope and accessibility of credit information available through a credit registry or a credit bureau. The strength of legal rights index measures the degree to which collateral and bankruptcy laws protect the rights of borrowers and lenders and thus facilitate lending. For each economy it is first determined whether a unitary secured transactions system exists. Then two case scenarios, case A and case B, are used to determine how a nonpossessory security interest is created, publicized and enforced according to the law. Special emphasis is given to how the collateral registry operates (if registration of security interests is possible). The case scenarios involve a secured borrower, company ABC, and a secured lender, BizBank.

In some economies the legal framework for secured transactions will allow only case A or case B (not both) to apply. Both cases examine the same set of legal provisions relating to the use of movable collateral.

#### Several assumptions about the secured borrower (ABC) and lender (BizBank) are used:

- ABC is a domestic limited liability company (or its legal equivalent).
- ABC has up to 50 employees.
- ABC has its headquarters and only base of operations in the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- Both ABC and BizBank are 100% domestically owned.

The case scenarios also involve assumptions. In case A, as collateral for the loan, ABC grants BizBank a nonpossessory security interest in one category of movable assets, for example, its machinery or its inventory. ABC wants to keep both possession and ownership of the collateral. In economies where the law does not allow nonpossessory security interests in movable property, ABC and BizBank use a fiduciary transfer-of-title arrangement (or a similar substitute for nonpossessory security interests).

In case B, ABC grants BizBank a business charge, enterprise charge, floating charge or any charge that gives BizBank a security interest over ABC's combined movable assets (or as much of ABC's movable assets as possible). ABC keeps ownership and possession of the assets.

# **Getting Credit - Mauritius**

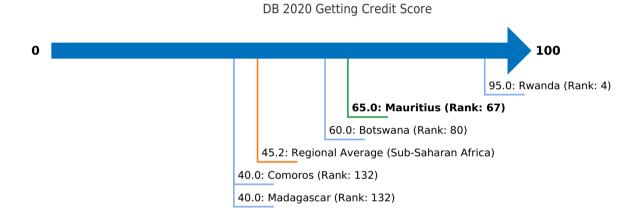
Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Strength of legal rights index (0-12)	6	5.1	6.1	12 (5 Economies)
Depth of credit information index (0-8)	7	3.9	6.8	8 (53 Economies)
Credit registry coverage (% of adults)	100.0	8.3	24.4	100.0 (2 Economies)
Credit bureau coverage (% of adults)	0.0	11.0	66.7	100.0 (14 Economies)

Figure - Getting Credit in Mauritius - Score



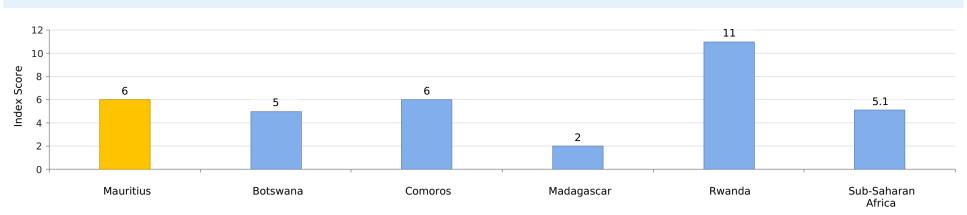
Score - Getting Credit

Figure - Getting Credit in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of getting credit is determined by sorting their scores for getting credit. These scores are the sum of the scores for the strength of legal rights index and the depth of credit information index.

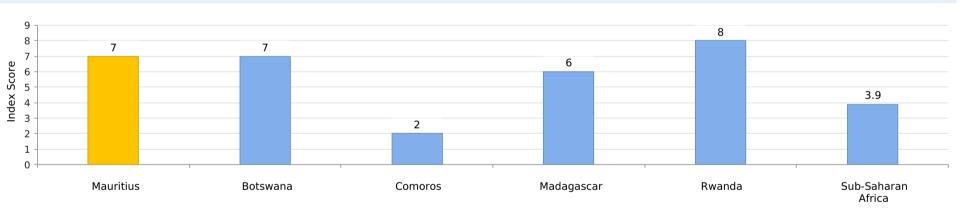
Figure - Legal Rights in Mauritius and comparator economies



# **Details - Legal Rights in Mauritius**

Strength of legal rights index (0-12)	6
Does an integrated or unified legal framework for secured transactions that extends to the creation, publicity and enforcement of functional equivalents to security interests in movable assets exist in the economy?	No
Does the law allow businesses to grant a non possessory security right in a single category of movable assets, without requiring a specific description of collateral?	Yes
Does the law allow businesses to grant a non possessory security right in substantially all of its assets, without requiring a specific description of collateral?	Yes
May a security right extend to future or after-acquired assets, and does it extend automatically to the products, proceeds and replacements of the original assets?	Yes
Is a general description of debts and obligations permitted in collateral agreements; can all types of debts and obligations be secured between parties; and can the collateral agreement include a maximum amount for which the assets are encumbered?	Yes
Is a collateral registry in operation for both incorporated and non-incorporated entities, that is unified geographically and by asset type, with an electronic database indexed by debtor's name?	Yes
Does a notice-based collateral registry exist in which all functional equivalents can be registered?	No
Does a modern collateral registry exist in which registrations, amendments, cancellations and searches can be performed online by any interested third party?	No
Are secured creditors paid first (i.e. before tax claims and employee claims) when a debtor defaults outside an insolvency procedure?	No
Are secured creditors paid first (i.e. before tax claims and employee claims) when a business is liquidated?	No
Are secured creditors subject to an automatic stay on enforcement when a debtor enters a court-supervised reorganization procedure? Does the law protect secured creditors' rights by providing clear grounds for relief from the stay and sets a time limit for it?	No
Does the law allow parties to agree on out of court enforcement at the time a security interest is created? Does the law allow the secured creditor to sell the collateral through public auction or private tender, as well as, for the secured creditor to keep the asset in satisfaction of the debt?	Yes





# **Details - Credit Information in Mauritius**

Depth of credit information index (0-8)	Credit bureau	Credit registry	Score
Are data on both firms and individuals distributed?	No	Yes	1
Are both positive and negative credit data distributed?	No	Yes	1
Are data from retailers or utility companies - in addition to data from banks and financial institutions - distributed?	No	Yes	1
Are at least 2 years of historical data distributed? (Credit bureaus and registries that distribute more than 10 years of negative data or erase data on defaults as soon as they are repaid obtain a score of 0 for this component.)	No	Yes	1
Are data on loan amounts below 1% of income per capita distributed?	No	Yes	1
By law, do borrowers have the right to access their data in the credit bureau or credit registry?	No	Yes	1
Can banks and financial institutions access borrowers' credit information online (for example, through an online platform, a system-to-system connection or both)?	No	Yes	1
Are bureau or registry credit scores offered as a value-added service to help banks and financial institutions assess the creditworthiness of borrowers?	No	No	0

Note: An economy receives a score of 1 if there is a "yes" to either bureau or registry. If the credit bureau or registry is not operational or covers less than 5% of the adult population, the total score on the depth of credit information index is 0.

Coverage	Credit bureau	Credit registry
Number of individuals	0	865,616
Number of firms	0	67,441
Total	0	933,057
Percentage of adult population	0.0	100.0

## Protecting Minority Investors

This topic measures the strength of minority shareholder protections against misuse of corporate assets by directors for their personal gain as well as shareholder rights, governance safeguards and corporate transparency requirements that reduce the risk of abuse. The most recent round of data collection for the project was completed in May 2019. See the methodology for more information.

#### What the indicators measure

- Extent of disclosure index (0-10): Disclosure, review, and approval requirements for related-party transactions
- Extent of director liability index (0-10): Ability of minority shareholders to sue and hold interested directors liable for prejudicial related-party transactions; Available legal remedies (damages, disgorgement of profits, disqualification from managerial position(s) for one year or more, rescission of the transaction)
- Ease of shareholder suits index (0-10): Access to internal corporate documents; Evidence obtainable during trial and allocation of legal expenses
- Extent of conflict of interest regulation index (0-30): Sum of the extent of disclosure, extent of director liability and ease of shareholder suits indices
- Extent of shareholder rights index (0-6): Shareholders' rights and role in major corporate decisions
- Extent of ownership and control index (0-7): Governance safeguards protecting shareholders from undue board control and entrenchment
- Extent of corporate transparency index (0-7): Corporate transparency on ownership stakes, compensation, audits and financial prospects
- Extent of shareholder governance index (0-20): Sum of the extent of shareholders rights, extent of ownership and control and extent of corporate transparency indices
- Strength of minority investor protection index (0-50): Sum of the extent of conflict of interest regulation and extent of shareholder governance indices

#### **Case study assumptions**

To make the data comparable across economies, a case study uses several assumptions about the business and the transaction.

#### The business (Buyer):

- Is a publicly traded corporation listed on the economy's most important stock exchange.
- Has a board of directors and a chief executive officer (CEO) who may legally act on behalf of Buyer where permitted, even if this is not specifically required by law.
- Has a supervisory board in economies with a two-tier board system on which Mr. James appointed 60% of the shareholder-elected members.
- Has not adopted bylaws or articles of association that go beyond the minimum requirements. Does not follow codes, principles, recommendations or guidelines that are not mandatory.
- Is a manufacturing company with its own distribution network.

#### The transaction involves the following details:

- Mr. James owns 60% of Buyer, sits on Buyer's board of directors and elected two directors to Buyer's five-member board.
- Mr. James also owns 90% of Seller, a company that operates a chain of retail hardware stores. Seller recently closed a large number of its stores.
- Mr. James proposes that Buyer purchase Seller's unused fleet of trucks to expand Buyer's distribution of its food products, a proposal to which Buyer agrees. The price is equal to 10% of Buyer's assets and is higher than the market value.
- The proposed transaction is part of the company's principal activity and is not outside the authority of the company.
- Buyer enters into the transaction. All required approvals are obtained, and all required disclosures made—that is, the transaction was not entered into fraudulently.
- The transaction causes damages to Buyer. Shareholders sue Mr. James and the executives and directors that approved the transaction.

# **Protecting Minority Investors - Mauritius**

#### **Stock exchange information**

Stock exchange	The Stock Exchange of Mauritius
Stock exchange URL	http://www.stockexchangeofmauritius.com
Listed firms with equity securities	104
City Covered	Port Louis

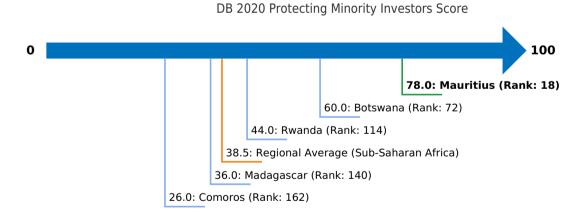
Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Extent of disclosure index (0-10)	7.0	5.5	6.5	10 (13 Economies)
Extent of director liability index (0-10)	8.0	3.5	5.3	10 (3 Economies)
Ease of shareholder suits index (0-10)	9.0	5.5	7.3	10 (Djibouti)
Extent of shareholder rights index (0-6)	5.0	1.8	4.7	6 (19 Economies)
Extent of ownership and control index (0-7)	5.0	1.4	4.5	7 (9 Economies)
Extent of corporate transparency index (0-7)	5.0	1.5	5.7	7 (13 Economies)

Figure - Protecting Minority in Mauritius - Score



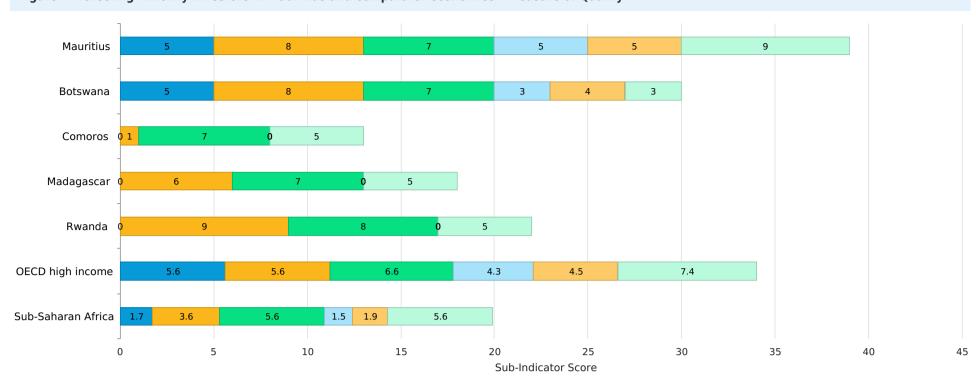
Score - Protecting Minority Investors

Figure - Protecting Minority Investors in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the strength of minority investor protections is determined by sorting their scores for protecting minority investors. These scores are the simple average of the scores for the extent of conflict of interest regulation index and the extent of shareholder governance index.

Figure - Protecting Minority Investors in Mauritius and comparator economies - Measure of Quality



Extent of corporate transparency index (0-7)
 Extent of director liability index (0-10)
 Extent of disclosure index (0-10)
 Extent of ownership and control index (0-7)
 Extent of shareholder rights index (0-6)

# **Details - Protecting Minority Investors in Mauritius - Measure of Quality**

	Answer	Score
Extent of conflict of interest regulation index (0-30)		
Extent of disclosure index (0-10)		7.0
Whose decision is sufficient to approve the Buyer-Seller transaction? (0-3)	Board of directors excluding interested members	2.0
Must an external body review the terms of the transaction before it takes place? (0-1)	Yes	1.0
Must Mr. James disclose his conflict of interest to the board of directors? (0-2)	Full disclosure of all material facts	2.0
Must Buyer disclose the transaction in periodic filings (e.g. annual reports)? (0-2)	Disclosure on the transaction and on the conflict of interest	2.0
Must Buyer immediately disclose the transaction to the public? (0-2)	No disclosure obligation	0.0
Extent of director liability index (0-10)		8.0
Can shareholders representing 10% of Buyer's share capital sue for the damage the transaction caused to Buyer? (0-1)	Yes	1.0
Can shareholders hold Mr. James liable for the damage the transaction caused to Buyer? (0-2)	Liable if unfair or prejudicial	2.0
Can shareholders hold the other directors liable for the damage the transaction caused to Buyer? (0-2)	Liable if negligent	1.0
Must Mr. James pay damages for the harm caused to Buyer upon a successful claim by shareholders? (0-1)	Yes	1.0
Must Mr. James repay profits made from the transaction upon a successful claim by shareholders? (0-1)	Yes	1.0
Is Mr. James disqualified upon a successful claim by shareholders? (0-1)	No	0.0
Can a court void the transaction upon a successful claim by shareholders? (0-2)	Voidable if unfair or prejudicial	2.0
Ease of shareholder suits index (0-10)		9.0
Before suing, can shareholders representing 10% of Buyer's share capital inspect the transaction documents? (0-1)	Yes	1.0
Can the plaintiff obtain any documents from the defendant and witnesses at trial? (0-3)	Any relevant document	3.0
Can the plaintiff request categories of documents from the defendant without identifying specific ones? (0-1)	Yes	1.0
Can the plaintiff directly question the defendant and witnesses at trial? (0-2)	Yes	2.0
Is the level of proof required for civil suits lower than that of criminal cases? (0-1)	Yes	1.0
Can shareholder plaintiffs recover their legal expenses from the company? (0-2)	Yes if successful	1.0
Extent of shareholder governance index (0-20)		
Extent of shareholder rights index (0-6)		5.0
Does the sale of 51% of Buyer's assets require shareholder approval?	Yes	1.0
Can shareholders representing 10% of Buyer's share capital call for a meeting of shareholders?	Yes	1.0
Must Buyer obtain its shareholders' approval every time it issues new shares?	Yes	1.0
Do shareholders automatically receive preemption rights every time Buyer issues new shares?	No	0.0
Do shareholders elect and dismiss the external auditor?	Yes	1.0
Are changes to the rights of a class of shares only possible if the holders of the affected shares approve?	Yes	1.0
Extent of ownership and control index (0-7)		5.0
Is it forbidden to appoint the same individual as CEO and chairperson of the board of directors?	Yes	1.0

Doing Business 2020	Mauritius		
Must the board of directors include in	dependent and nonexecutive board members?	No	0.0
Can shareholders remove members o	f the board of directors without cause before the end of their term?	Yes	1.0
Must the board of directors include a	separate audit committee exclusively comprising board members?	Yes	1.0
Must a potential acquirer make a tend	der offer to all shareholders upon acquiring 50% of Buyer?	Yes	1.0
Must Buyer pay declared dividends w	ithin a maximum period set by law?	No	0.0
Is a subsidiary prohibited from acquir	ing shares issued by its parent company?	Yes	1.0
Extent of corporate transparency index (0-7)			5.0
Must Buyer disclose direct and indirect	ct beneficial ownership stakes representing 5%?	Yes	1.0
Must Buyer disclose information abou companies?	t board members' primary employment and directorships in other	Yes	1.0
Must Buyer disclose the compensatio	n of individual managers?	No	0.0
Must a detailed notice of general mee	ting be sent 21 days before the meeting?	No	0.0
Can shareholders representing 5% of	Buyer's share capital put items on the general meeting agenda?	Yes	1.0
Must Buyer's annual financial stateme	ents be audited by an external auditor?	Yes	1.0
Must Buyer disclose its audit reports t	to the public?	Yes	1.0

# **[5]** Paying Taxes

This topic records the taxes and mandatory contributions that a medium-size company must pay or withhold in a given year, as well as the administrative burden of paying taxes and contributions and complying with postfiling procedures (VAT refund and tax audit). The most recent round of data collection for the project was completed in May 2019 covering for the Paying Taxes indicator calendar year 2018 (January 1, 2018 – December 31, 2018). See the methodology for more information.

#### What the indicators measure

# Tax payments for a manufacturing company in 2018 (number per year adjusted for electronic and joint filing and payment)

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

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

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

#### Total tax and contribution rate (% of commercial profits)

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

### **Postfiling Index**

- Time to comply with VAT refund (hours)
- Time to obtain VAT refund (weeks)
- Time to comply with a corporate income tax correction (hours)
- Time to complete a corporate income tax correction (weeks)

#### Case study assumptions

Using a case scenario, *Doing Business* records taxes and mandatory contributions a medium size company must pay in a year, and measures the administrative burden of paying taxes, contributions and dealing with postfiling processes. Information is also compiled on frequency of filing and payments, time taken to comply with tax laws, time taken to comply with the requirements of postfiling processes and time waiting.

To make data comparable across economies, several assumptions are used:

- TaxpayerCo is a medium-size business that started operations on January 1, 2017. It produces ceramic flowerpots and sells them at retail. All taxes and contributions recorded are paid in the second year of operation (calendar year 2018). Taxes and mandatory contributions are measured at all levels of government.

#### The VAT refund process:

- In June 2018, TaxpayerCo. makes a large capital purchase: the value of the machine is 65 times income per capita of the economy. Sales are equally spread per month (1,050 times income per capita divided by 12) and cost of goods sold are equally expensed per month (875 times income per capita divided by 12). The machinery seller is registered for VAT and excess input VAT incurred in June will be fully recovered after four consecutive months if the VAT rate is the same for inputs, sales and the machine and the tax reporting period is every month. Input VAT will exceed Output VAT in June 2018.

#### The corporate income tax audit process:

- An error in calculation of income tax liability (for example, use of incorrect tax depreciation rates, or incorrectly treating an expense as tax deductible) leads to an incorrect income tax return and a corporate income tax underpayment. TaxpayerCo. discovered the error and voluntarily notified the tax authority. The value of the underpaid income tax liability is 5% of the corporate income tax liability due. TaxpayerCo. submits corrected information after the deadline for submitting the annual tax return, but within the tax assessment period.

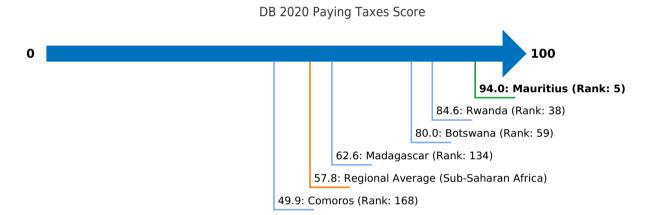
# **Paying Taxes - Mauritius**

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Payments (number per year)	8	36.6	10.3	3 (2 Economies)
Time (hours per year)	140	280.6	158.8	49 (3 Economies)
Total tax and contribution rate (% of profit)	22.2	47.3	39.9	26.1 (33 Economies)
Postfiling index (0-100)	98.3	54.7	86.7	None in 2018/19

Figure - Paying Taxes in Mauritius - Score

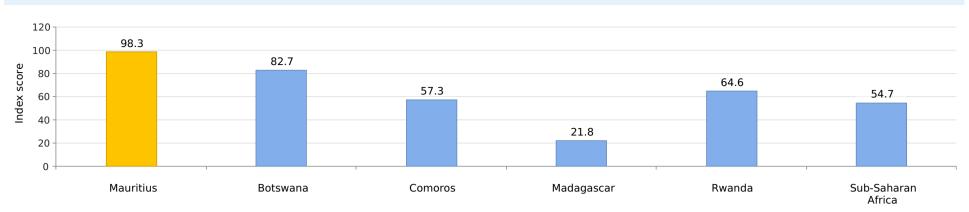


Figure - Paying Taxes in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of paying taxes is determined by sorting their scores for paying taxes. These scores are the simple average of the scores for each of the component indicators, with a threshold and a nonlinear transformation applied to one of the component indicators, the total tax and contribution rate. The threshold is defined as the total tax and contribution rate at the 15th percentile of the overall distribution for all years included in the analysis up to and including Doing Business 2015, which is 26.1%. All economies with a total tax and contribution rate below this threshold receive the same score as the economy at the threshold.

Figure - Paying Taxes in Mauritius and comparator economies - Measure of Quality



# **Details - Paying Taxes in Mauritius**

Tax or mandatory contribution	Payments (number)	Notes on Payments	Time (hours)	Statutory tax rate	Tax base	Total tax and contribution rate (% of profit)	Notes on TTCR
Corporate income tax	1.0	online	36.0	15%	taxable profit	10.30	
Employer paid - Contributions to National Pension Fund (NPF)	1.0	online	39.0	6%	gross salaries	4.61	
Property transfer tax	1.0			5%	sale price	3.03	
Employer paid - Contributions to National Savings Fund (NSF)	0.0	online and jointly		2.5%	gross salaries	1.92	
Employer paid - Training tax	0.0	online and jointly		1.5%	gross salaries	1.69	
Council tax	1.0			MUR 100,000	fixed fee	0.62	
Road tax	1.0			various rates		0.06	
Stamp duty	1.0			MUR 15 per page	number of pages of contract	0.00	small amount
Value added tax	1.0	online	65.0	15%	value added	0.00	not included
Employee paid - Contributions to National Pension Fund (NPF)	0.0	jointly		3%	gross salaries	0.00	withheld
Corporate social responsibility tax	0.0	jointly		2%	chargeable income of preceding year	0.00	
fuel tax	1.0				retail fuel price	0.00	small amount
Totals	8		140			22.2	

# **Details - Paying Taxes in Mauritius - Tax by Type**

Taxes by type	Answer
Profit tax (% of profit)	10.3
Labor tax and contributions (% of profit)	8.2
Other taxes (% of profit)	3.7

# **Details - Paying Taxes in Mauritius - Measure of Quality**

	Answer	Score
Postfiling index (0-100)		98.3
VAT refunds		
Does VAT exist?	Yes	
Does a VAT refund process exist per the case study?	Yes	
Restrictions on VAT refund process	none	
Percentage of cases exposed to a VAT audit (%)	0% - 24%	
Is there a mandatory carry forward period?	No	
Time to comply with VAT refund (hours)	2.0	97.0
Time to obtain VAT refund (weeks)	4.0	97.9
Corporate income tax audits		
Does corporate income tax exist?	Yes	
Percentage of cases exposed to a corporate income tax audit (%)	0% - 24%	
Time to comply with a corporate income tax correction (hours)	2.5	98.2
Time to complete a corporate income tax correction (weeks)	No tax audit per case study scenario	100

**Notes:** Names 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. 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.

The postfiling index is the average of the scores on time to comply with VAT refund, time to obtain a VAT refund, time to comply with a corporate income tax correction and time to complete a corporate income tax correction.

N/A = Not applicable.

# Trading across Borders

Doing Business records the time and cost associated with the logistical process of exporting and importing goods. Doing Business measures the time and cost (excluding tariffs) associated with three sets of procedures—documentary compliance, border compliance and domestic transport—within the overall process of exporting or importing a shipment of goods. The most recent round of data collection for the project was completed in May 2019. See the methodology for more information.

#### What the indicators measure

#### **Documentary compliance**

- Obtaining, preparing and submitting documents during transport, clearance, inspections and port or border handling in origin economy
- Obtaining, preparing and submitting documents required by destination economy and any transit economies
- Covers all documents required by law and in practice, including electronic submissions of information

#### **Border compliance**

- Customs clearance and inspections
- Inspections by other agencies (if applied to more than 20% of shipments)
- Handling and inspections that take place at the economy's port or border

#### **Domestic transport**

- Loading or unloading of the shipment at the warehouse or port/border
- Transport between warehouse and port/border
- Traffic delays and road police checks while shipment is en route

#### **Case study assumptions**

To make the data comparable across economies, a few assumptions are made about the traded goods and the transactions:

**Time:** Time is measured in hours, and 1 day is 24 hours (for example, 22 days are recorded as 22×24=528 hours). If customs clearance takes 7.5 hours, the data are recorded as is. Alternatively, suppose documents are submitted to a customs agency at 8:00a.m., are processed overnight and can be picked up at 8:00a.m. the next day. The time for customs clearance would be recorded as 24 hours because the actual procedure took 24 hours.

**Cost:** Insurance cost and informal payments for which no receipt is issued are excluded from the costs recorded. Costs are reported in U.S. dollars. Contributors are asked to convert local currency into U.S. dollars based on the exchange rate prevailing on the day they answer the questionnaire. Contributors are private sector experts in international trade logistics and are informed about exchange rates.

#### Assumptions of the case study:

- For all 190 economies covered by *Doing Business*, it is assumed a shipment is in a warehouse in the largest business city of the exporting economy and travels to a warehouse in the largest business city of the importing economy.
- It is assumed each economy imports 15 metric tons of containerized auto parts (HS 8708) from its natural import partner—the economy from which it imports the largest value (price times quantity) of auto parts. It is assumed each economy exports the product of its comparative advantage (defined by the largest export value) to its natural export partner—the economy that is the largest purchaser of this product. Shipment value is assumed to be \$50,000.
- The mode of transport is the one most widely used for the chosen export or import product and the trading partner, as is the seaport or land border crossing.
- All electronic information submissions requested by any government agency in connection with the shipment are considered to be documents obtained, prepared and submitted during the export or import process.
- A port or border is a place (seaport or land border crossing) where merchandise can enter or leave an economy.
- Relevant government agencies include customs, port authorities, road police, border guards, standardization agencies, ministries or departments of agriculture or industry, national security agencies and any other government authorities.

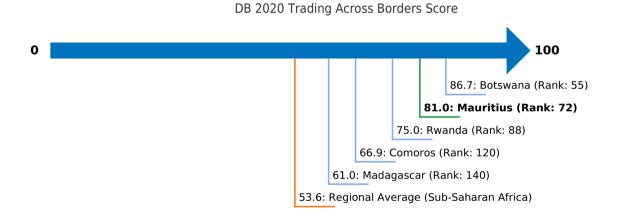
## **Trading across Borders - Mauritius**

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Time to export: Border compliance (hours)	24	97.1	12.7	1 (19 Economies)
Cost to export: Border compliance (USD)	303	603.1	136.8	0 (19 Economies)
Time to export: Documentary compliance (hours)	9	71.9	2.3	1 (26 Economies)
Cost to export: Documentary compliance (USD)	128	172.5	33.4	0 (20 Economies)
Time to import: Border compliance (hours)	41	126.2	8.5	1 (25 Economies)
Cost to import: Border compliance (USD)	372	690.6	98.1	0 (28 Economies)
Time to import: Documentary compliance (hours)	9	96.1	3.4	1 (30 Economies)
Cost to import: Documentary compliance (USD)	166	287.2	23.5	0 (30 Economies)

Figure - Trading across Borders in Mauritius - Score



Figure - Trading across Borders in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of trading across borders is determined by sorting their scores for trading across borders. These scores are the simple average of the scores for the time and cost for documentary compliance and border compliance to export and import.

Figure - Trading across Borders in Mauritius - Time and Cost



# **Details - Trading across Borders in Mauritius**

Characteristics	Export	Import
Product	HS 61 : Articles of apparel and clothing accessories, knitted or crocheted	HS 8708: Parts and accessories of motor vehicles
Trade partner	United Kingdom	Japan
Border	Port Louis port	Port Louis port
Distance (km)	5	5
Domestic transport time (hours)	2	2
Domestic transport cost (USD)	196	196

# **Details - Trading across Borders in Mauritius - Components of Border Compliance**

	Time to Complete (hours)	Associated Costs (USD)
Export: Clearance and inspections required by customs authorities	12.0	90.6
Export: Clearance and inspections required by agencies other than customs	0.0	0.0
Export: Port or border handling	24.0	212.0
Import: Clearance and inspections required by customs authorities	24.0	115.6
Import: Clearance and inspections required by agencies other than customs	0.0	0.0
Import: Port or border handling	38.0	256.5

# **Details - Trading across Borders in Mauritius - Trade Documents**

Export	Import
Bill of lading	Bill of lading
Commercial invoice	Cargo release order
Custom Export Declaration	Commercial invoice
Packing list	Customs import declaration
EUR 1 - Certificate of origin	Packing list
SOLAS certificate	SOLAS certificate

# m Enforcing Contracts

The enforcing contracts indicator measures the time and cost for resolving a commercial dispute through a local first-instance court, and the quality of judicial processes index, evaluating whether each economy has adopted a series of good practices that promote quality and efficiency in the court system. The most recent round of data collection was completed in May 2019. See the methodology for more information.

#### What the indicators measure

# Time required to enforce a contract through the courts (calendar days)

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

# Cost required to enforce a contract through the courts (% of claim value)

- Average attorney fees
- Court costs
- Enforcement costs

### Quality of judicial processes index (0-18)

- Court structure and proceedings (-1-5)
- Case management (0-6)
- Court automation (0-4)
- Alternative dispute resolution (0-3)

#### **Case study assumptions**

The dispute in the case study involves the breach of a sales contract between two domestic businesses. The case study assumes that the court hears an expert on the quality of the goods in dispute. This distinguishes the case from simple debt enforcement.

To make the data on the time and comparable across economies, several assumptions about the case are used:

- The dispute concerns a lawful transaction between two businesses (Seller and Buyer), both located in the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- The Buyer orders custom-made furniture, then fails to pay alleging that the goods are not of adequate quality.
- The value of the dispute is 200% of the income per capita or the equivalent in local currency of USD 5,000, whichever is greater.
- The Seller sues the Buyer before the court with jurisdiction over commercial cases worth 200% of income per capita or \$5,000 whichever is greater.
- The Seller requests the pretrial attachment of the defendant's movable assets to secure the claim.
- The claim is disputed on the merits because of Buyer's allegation that the quality of the goods was not adequate.
- The judge decides in favor of the seller; there is no appeal.
- The Seller enforces the judgment through a public sale of the Buyer's movable assets.

## **Enforcing Contracts - Mauritius**

#### **Standardized Case**

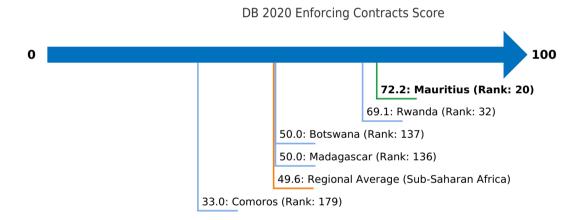
Claim value	MUR 736,776
Court name	Supreme Court of Mauritius, Commercial Division
City Covered	Port Louis

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Time (days)	490	654.9	589.6	120 (Singapore)
Cost (% of claim value)	25.0	41.6	21.5	0.1 (Bhutan)
Quality of judicial processes index (0-18)	13.5	6.9	11.7	None in 2018/19

Figure - Enforcing Contracts in Mauritius - Score



Figure - Enforcing Contracts in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of enforcing contracts is determined by sorting their scores for enforcing contracts. These scores are the simple average of the scores for each of the component indicators.

# Figure - Enforcing Contracts in Mauritius - Time and Cost

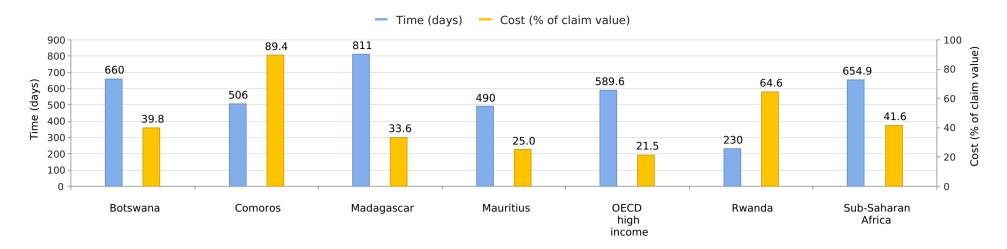
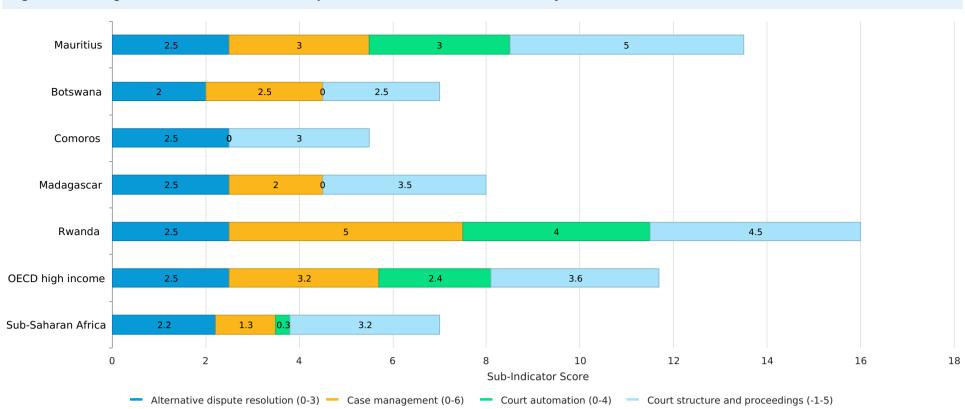


Figure - Enforcing Contracts in Mauritius and comparator economies - Measure of Quality



## **Details - Enforcing Contracts in Mauritius**

Indicator
490
15
325
150
25.0
22
2
1
13.5
5.0
3.0
3.0
2.5

# **Details - Enforcing Contracts in Mauritius - Measure of Quality**

	Answer	Score
Quality of judicial processes index (0-18)		13.5
Court structure and proceedings (-1-5)		5.0
1. Is there a court or division of a court dedicated solely to hearing commercial cases?	Yes	1.5
2. Small claims court		1.5
2.a. Is there a small claims court or a fast-track procedure for small claims?	Yes	
2.b. If yes, is self-representation allowed?	Yes	
3. Is pretrial attachment available?	Yes	1.0
4. Are new cases assigned randomly to judges?	Yes, automatic	1.0
5. Does a woman's testimony carry the same evidentiary weight in court as a man's?	Yes	0.0
Case management (0-6)		3.0
1. Time standards		0.0
1.a. Are there laws setting overall time standards for key court events in a civil case?	Yes	
1.b. If yes, are the time standards set for at least three court events?	No	
1.c. Are these time standards respected in more than 50% of cases?	Yes	
2. Adjournments		0.0
2.a. Does the law regulate the maximum number of adjournments that can be granted?	No	
2.b. Are adjournments limited to unforeseen and exceptional circumstances?	No	
2.c. If rules on adjournments exist, are they respected in more than 50% of cases?	n.a.	
3. Can two of the following four reports be generated about the competent court: (i) time to disposition report; (ii) clearance rate report; (iii) age of pending cases report; and (iv) single case progress report?	Yes	1.0
4. Is a pretrial conference among the case management techniques used before the competent court?	No	0.0
5. Are there any electronic case management tools in place within the competent court for use by judges?	Yes	1.0
6. Are there any electronic case management tools in place within the competent court for use by lawyers?	Yes	1.0
Court automation (0-4)		3.0
1. Can the initial complaint be filed electronically through a dedicated platform within the competent court?	Yes	1.0
2. Is it possible to carry out service of process electronically for claims filed before the competent court?	No	0.0
3. Can court fees be paid electronically within the competent court?	Yes	1.0
4. Publication of judgments		1.0
4.a Are judgments rendered in commercial cases at all levels made available to the general public through publication in official gazettes, in newspapers or on the internet or court website?	Yes	
4.b. Are judgments rendered in commercial cases at the appellate and supreme court level made available to the general public through publication in official gazettes, in newspapers or on the internet or court website?	Yes	
Alternative dispute resolution (0-3)		2.5
1. Arbitration		1.5
1.a. Is domestic commercial arbitration governed by a consolidated law or consolidated chapter or section of the applicable code of civil procedure encompassing substantially all its aspects?	Yes	
1.b. Are there any commercial disputes—aside from those that deal with public order or public policy—that cannot be submitted to arbitration?	No	
1.c. Are valid arbitration clauses or agreements usually enforced by the courts?	Yes	

Doing Business 2020	Mauritius		
2. Mediation/Conciliation			1.0
2.a. Is voluntary mediation or	conciliation available?	Yes	
2.b. Are mediation, conciliation or both governed by a consolidated law or consolidated chapter or section of the applicable code of civil procedure encompassing substantially all their aspects (for example, definition, aim and scope of application, desig		Yes	
	ves for parties to attempt mediation or conciliation (i.e., if mediation or fund of court filing fees, income tax credits or the like)?	No	



# Resolving Insolvency

Doing Business studies the time, cost and outcome of insolvency proceedings involving domestic legal entities. These variables are used to calculate the recovery rate, which is recorded as cents on the dollar recovered by secured creditors through reorganization, liquidation or debt enforcement (foreclosure or receivership) proceedings. To determine the present value of the amount recovered by creditors, Doing Business uses the lending rates from the International Monetary Fund, supplemented with data from central banks and the Economist Intelligence Unit. The most recent round of data collection was completed in May 2019. See the methodology for more information.

#### What the indicators measure

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

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

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

- Measured as percentage of estate value
- Court fees
- Fees of insolvency administrators
- Lawyers' fees
- Assessors' and auctioneers' fees
- Other related fees

#### Outcome

 Whether business continues operating as a going concern or business assets are sold piecemeal

#### **Recovery rate for creditors**

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

# Strength of insolvency framework index (0-16)

- Sum of the scores of four component indices:
- Commencement of proceedings index (0-3)
- Management of debtor's assets index (0-6)
- Reorganization proceedings index (0-3)
- Creditor participation index (0-4)

#### **Case study assumptions**

To make the data on the time, cost and outcome comparable across economies, several assumptions about the business and the case are used:

- A hotel located in the largest city (or cities) has 201 employees and 50 suppliers. The hotel experiences financial difficulties.
- The value of the hotel is 100% of the income per capita or the equivalent in local currency of USD 200,000, whichever is greater.
- The hotel has a loan from a domestic bank, secured by a mortgage over the hotel's real estate. The hotel cannot pay back the loan, but makes enough money to operate otherwise.

In addition, Doing Business evaluates the quality of legal framework applicable to judicial liquidation and reorganization proceedings and the extent to which best insolvency practices have been implemented in each economy covered.

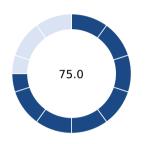
# **Resolving Insolvency - Mauritius**

Indicator	Mauritius	Sub-Saharan Africa	OECD high income	Best Regulatory Performance
Recovery rate (cents on the dollar)	67.4	20.5	70.2	92.9 (Norway)
Time (years)	1.7	2.9	1.7	0.4 (Ireland)
Cost (% of estate)	14.5	22.8	9.3	1.0 (Norway)
Outcome (0 as piecemeal sale and 1 as going concern)	1			
Strength of insolvency framework index (0-16)	12.0	6.5	11.9	None in 2018/19

Figure - Resolving Insolvency in Mauritius - Score

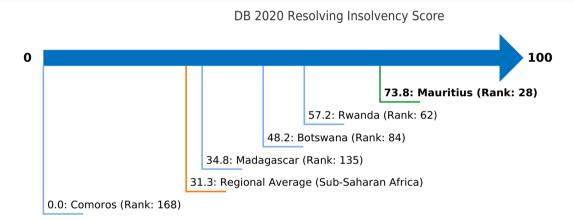


Recovery rate



Strength of insolvency framework index

Figure - Resolving Insolvency in Mauritius and comparator economies - Ranking and Score



Note: The ranking of economies on the ease of resolving insolvency is determined by sorting their scores for resolving insolvency. These scores are the simple average of the scores for the recovery rate and the strength of insolvency framework index.

Figure - Resolving Insolvency in Mauritius - Time and Cost

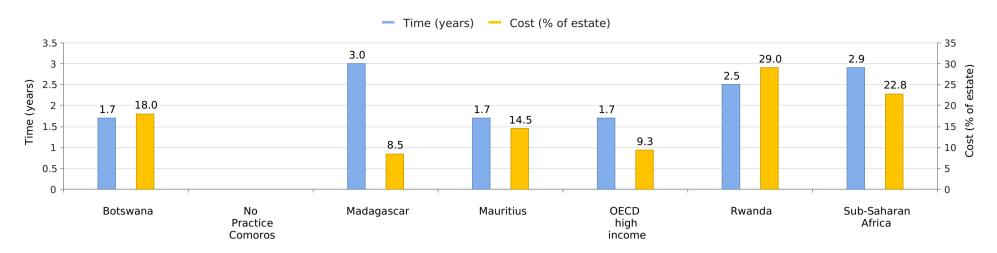
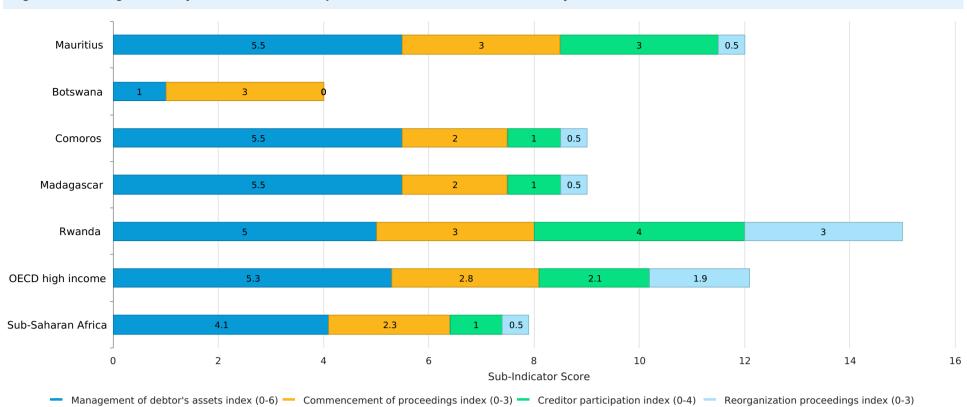
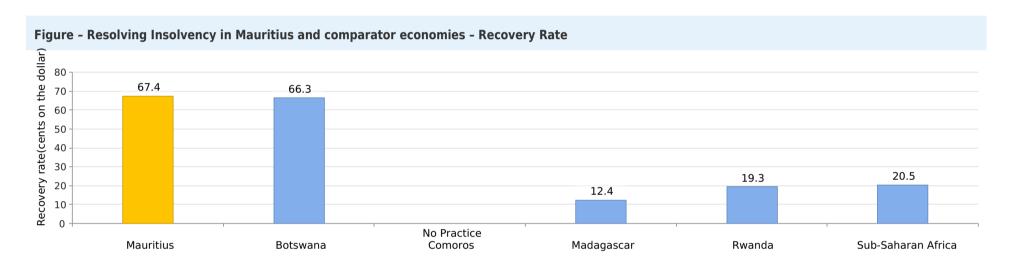


Figure - Resolving Insolvency in Mauritius and comparator economies - Measure of Quality



Note: Even if the economy's legal framework includes provisions related to insolvency proceedings (liquidation or reorganization), the economy receives 0 points for the strength of insolvency framework index, if time, cost and outcome indicators are recorded as "no practice."



# **Details - Resolving Insolvency in Mauritius**

Indicator	Answer	Score
Proceeding	receivership	BizBank has a floating charge on all assets of Mirage, in addition to the hotel itself as security for the loan. BizBank, in its capacity of chargee, can appoint a receiver if the charge document allows it to do so, or alternatively, make an application for the court to appoint a receiver over the assets of Mirage (Sections 185 and 186 of the Insolvency Act). Under section 204 of the Insolvency Act, BizBank, as secured creditor, will be reimbursed after payment of receiver's fees. The receiver has the power, as per section 190 of the Insolvency Act, to sell the hotel and reimburse Bizbank after reimbursing the receiver's fees (section 204 of the Insolvency Act). It is worth noting that liquidation is not in the interest of BizBank because it will take longer to recoup the amount due by Mirage. In addition, in liquidation, the provisions of the Fourth Schedule of the Insolvency Act would apply, whereby the creditors would be paid according to their rank. BizBank would be paid 5th.
Outcome	going concern	According to the Eighth Schedule of the Insolvency Act (section 1), further to the recovery of the hotel by the receiver, the latter may sell the asset in order to reimburse Bizbank and the buyer will be able to continue operating the business.
Time (in years)	1.7	According to our estimations, it takes 20 months to complete the receivership procedure in Port Louis. The main steps are as follows: (i) The receiver will communicate its appointment through the press 7 days after its appointment and inform the regulators; (ii) The directors are required to submit to the receiver the statement of accounts of Mirage 14 days after the notice by the receiver. Within 28 days after receipt of the above statement of accounts, the receiver will submit a copy of the statement of accounts to the Director of the Insolvency Service; (iii) The receiver prepares its first report 2 months after its appointment. Then, it will submit the report to the regulator; (iv) Within 2 months after his appointment, the receiver prepares his report on the state of affairs with respect to the property in receivership; (v) Every 6 months, the receiver will prepare a further report after the first report stating the revenues and payments as well as other steps undertaken during the period; (vi) The receiver will find a buyer and negotiate the sale. It must also agree with the buyer to take over the employees; (vii) The sale of the business as a going concern will take place; (viii) At the end of the receivership, the receiver shall notify in writing to the regulator and the Director of the Insolvency Service that the receivership has ceased, not later than 10 working days after the receivership ceases.
Cost (% of estate)	14.5	According to our estimations, the receivership procedure will cost 15% of the value of Mirage´s estate. Major expenses include: fees of lawyers (5%), fees of the receiver (5%), fees of auctioneers, accountants and other professionals (4%), and other costs – notification and publication costs, court fees – (1%).
Recovery rate (cents on the dollar)		67.4

# **Details - Resolving Insolvency in Mauritius - Measure of Quality**

	Answer	Score
Strength of insolvency framework index (0-16)		12.0
Commencement of proceedings index (0-3)		3.0
What procedures are available to a DEBTOR when commencing insolvency proceedings?	(a) Debtor may file for both liquidation and reorganization	1.0
Does the insolvency framework allow a CREDITOR to file for insolvency of the debtor?	(a) Yes, a creditor may file for both liquidation and reorganization	1.0
What basis for commencement of the insolvency proceedings is allowed under the insolvency framework? (a) Debtor is generally unable to pay its debts as they mature (b) The value of debtor's liabilities exceeds the value of its assets	(a) Debtor is generally unable to pay its debts as they mature	1.0
Management of debtor's assets index (0-6)		5.5
Does the insolvency framework allow the continuation of contracts supplying essential goods and services to the debtor?	Yes	1.0
Does the insolvency framework allow the rejection by the debtor of overly burdensome contracts?	Yes	1.0
Does the insolvency framework allow avoidance of preferential transactions?	Yes	1.0
Does the insolvency framework allow avoidance of undervalued transactions?	Yes	1.0
Does the insolvency framework provide for the possibility of the debtor obtaining credit after commencement of insolvency proceedings?	Yes	1.0
Does the insolvency framework assign priority to post-commencement credit?	(a) Yes over all pre- commencement creditors, secured or unsecured	0.5
Reorganization proceedings index (0-3)		0.5
Which creditors vote on the proposed reorganization plan?	(a) All creditors	0.5
Does the insolvency framework require that dissenting creditors in reorganization receive at least as much as what they would obtain in a liquidation?	No	0.0
Are the creditors divided into classes for the purposes of voting on the reorganization plan, does each class vote separately and are creditors in the same class treated equally?	No	0.0
Creditor participation index (0-4)		3.0
Does the insolvency framework require approval by the creditors for selection or appointment of the insolvency representative?	Yes	1.0
Does the insolvency framework require approval by the creditors for sale of substantial assets of the debtor?	Yes	1.0
Does the insolvency framework provide that a creditor has the right to request information from the insolvency representative?	No	0.0
Does the insolvency framework provide that a creditor has the right to object to decisions accepting or rejecting creditors' claims?	Yes	1.0

**Note:** Even if the economy's legal framework includes provisions related to insolvency proceedings (liquidation or reorganization), the economy receives 0 points for the strength of insolvency framework index, if time, cost and outcome indicators are recorded as "no practice."

# **Employing Workers**

Doing Business presents detailed data for the employing workers indicators on the Doing Business website (http://www.doingbusiness.org). The study does not present rankings of economies on these indicators or include the topic in the aggregate ease of doing business score or ranking on the ease of doing business.

The most recent round of data collection was completed in May 2019. See the methodology for more information.

#### What the indicators measure

#### Hiring

(i) whether fixed-term contracts are prohibited for permanent tasks; (ii) maximum cumulative duration of fixed-term contracts; (iii) length of the maximum probationary period; (iv) minimum wage;(v) ratio of minimum wage to the average value added per worker.

#### **Working hours**

(i) maximum number of working days allowed per week; (ii) premiums for work: at night, on a weekly rest day and overtime; (iii) whether there are restrictions on work at night, work on a weekly rest day and for overtime work; (iv) length of paid annual leave.

#### **Redundancy rules**

(i) whether redundancy can be basis for terminating workers; (ii) whether employer needs to notify and/or get approval from third party to terminate 1 redundant worker and a group of 9 redundant workers; (iii) whether the law requires employer to reassign or retrain a worker before making worker redundant; (iv) whether priority rules apply for redundancies and reemployment.

## **Redundancy cost**

(i) notice period for redundancy dismissal; (ii) severance payments, and (iii) penalties due when terminating a redundant worker. Data on the availability of unemployment protection for a worker with one year of employment is also collected.

#### **Case study assumptions**

To make the data comparable across economies, several assumptions about the worker and the business are used.

#### The worker:

- Is a cashier in a supermarket or grocery store, age 19, with one year of work experience.
- Is a full-time employee.
- Is not a member of the labor union, unless membership is mandatory.

#### The business:

- Is a limited liability company (or the equivalent in the economy).
- Operates a supermarket or grocery store in the economy's largest business city. For 11 economies the data are also collected for the second largest business city.
- Has 60 employees.
- Is subject to collective bargaining agreements if such agreements cover more than 50% of the food retail sector and they apply even to firms that are not party to them.
- Abides by every law and regulation but does not grant workers more benefits than those mandated by law, regulation or (if applicable) collective bargaining agreements.

# **Employing Workers - Mauritius**

# **Details - Employing Workers in Mauritius**

	Answer
Hiring	
Fixed-term contracts prohibited for permanent tasks?	No
Maximum length of a single fixed-term contract (months)	24.0
Maximum length of fixed-term contracts, including renewals (months)	24.0
Minimum wage applicable to the worker assumed in the case study (US\$/month)	244.4
Ratio of minimum wage to value added per worker	0.2
Maximum length of probationary period (months)	n.a.
Working hours	
Standard workday	8.0
Maximum number of working days per week	6.0
Premium for night work (% of hourly pay)	0.0
Premium for work on weekly rest day (% of hourly pay)	100.0
Premium for overtime work (% of hourly pay)	50.0
Restrictions on night work?	No
Restrictions on weekly holiday?	No
Restrictions on overtime work?	No
Paid annual leave for a worker with 1 year of tenure (working days)	17.0
Paid annual leave for a worker with 5 years of tenure (working days)	17.0
Paid annual leave for a worker with 10 years of tenure (working days)	17.0
Paid annual leave (average for workers with 1, 5 and 10 years of tenure, in working days)	17.0
Redundancy rules	
Dismissal due to redundancy allowed by law?	Yes
Third-party notification if one worker is dismissed?	Yes
Third-party approval if one worker is dismissed?	No
Third-party notification if nine workers are dismissed?	Yes
Third-party approval if nine workers are dismissed?	No
Retraining or reassignment obligation before redundancy?	No
Priority rules for redundancies?	Yes
Priority rules for reemployment?	No
Redundancy cost	
Notice period for redundancy dismissal for a worker with 1 year of tenure (weeks of salary)	4.3
Notice period for redundancy dismissal for a worker with 5 years of tenure (weeks of salary)	4.3
Notice period for redundancy dismissal for a worker with 10 years of tenure (weeks of salary)	4.3
Notice period for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure, in weeks of salary)	4.3
Severance pay for redundancy dismissal for a worker with 1 year of tenure (weeks of salary)	0.9
Severance pay for redundancy dismissal for a worker with 5 years of tenure (weeks of salary)	4.3

Doing Business 2020	Mauritius	
Severance pay for redundancy dism	issal for a worker with 10 years of tenure (weeks of salary)	8.7
Severance pay for redundancy dism	issal (average for workers with 1, 5 and 10 years of tenure, in weeks of salary)	4.6
Unemployment protection after one	year of employment?	Yes

#### **Business Reforms in Mauritius**

From May 2, 2018 to May 1, 2019, 115 economies implemented 294 business regulatory reforms across the 10 areas measured by Doing Business. Reforms inspired by Doing Business have been implemented by economies in all regions. The following are reforms implemented since Doing Business 2008.

 $\checkmark$  = Doing Business reform making it easier to do business.  $\times$  = Change making it more difficult to do business.

#### DB2020

- ✓ **Dealing with Construction Permits:** Mauritius streamlined the process of dealing with construction permits by simplifying the process of plan approvals from utilities and reducing the time to apply for wastewater connection.
- Registering Property: Mauritius made property registration faster by making it easier to check for encumbrances. Mauritius also improved the quality of its land administration system by publishing official service standards and court statistics on land disputes for the previous calendar year.
- Enforcing Contracts: Mauritius made enforcing contracts easier by publishing performance measurement reports for the commercial division of the Supreme Court.
- Resolving Insolvency: Mauritius made resolving insolvency easier by improving the continuation of the debtor's business during insolvency proceedings.

#### DB2019

- Starting a Business: Mauritius made starting a business easier by linking the database of the business registry with the database of the social security office. Mauritius also eliminated the requirement for married women to provide a marriage certificate when applying for a national identity card.
- Registering Property: Mauritius made registering property easier by increasing the transparency of the land administration system.
- Protecting Minority Investors: Mauritius strengthened minority investors protections by clarifying ownership and control structures and requiring greater corporate transparency.
- **Paying Taxes:** Mauritius made paying taxes easier by introducing an expedited processing system for value added tax refunds and by upgrading its online platform to allow for the online submission of invoices and amended corporate income tax returns.
- imes **Trading across Borders:** Mauritius made exporting easier by introducing a risk-based management system.

# DB2018

- Starting a Business: Mauritius made starting a business easier by exempting trade fees for licenses below MUR 5,000 and introducing the electronic certificate of incorporation.
- ✓ **Dealing with Construction Permits:** Mauritius made dealing with construction permits faster by outsourcing the design and construction of sewerage connection works.
- Getting Electricity: Mauritius made the process of getting electricity faster by increasing its manpower, decentralizing its regional offices and investing in additional material equipment and meters for a electrical connections.
- Registering Property: Mauritius made it easier to transfer property by eliminating the transfer tax and registration duty, implementing a complaint mechanism and publishing service standards.
- Trading across Borders: Mauritius made trading across borders easier by improving the Cargo Community System, introducing advanced electronic document submission and updating the risk-based inspection system.

## DB2017

Registering Property: Mauritius improved the quality of land administration by formally registering all the privately held land plots at the national level and digitizing its land records.

# DB2016

✓ **Dealing with Construction Permits:** In Mauritius the time required for dealing with construction permits was reduced by the hiring of a more efficient subcontractor to establish sewerage connections.

## DB2015

- Starting a Business: Mauritius made starting a business easier by reducing trade license fees.
- Enforcing Contracts: Mauritius made enforcing contracts easier by introducing an electronic filing system for court users.

Employing Workers: Mauritius reduced the maximum duration of fixed-term contracts.

#### DB2014

- Getting Credit: Mauritius improved access to credit information by expanding the scope of credit information and increasing the coverage of the historical data distributed from 2 years to 3.
- Enforcing Contracts: Mauritius made enforcing contracts easier by liberalizing the profession of court ushers, including by allowing registered ushers to serve as bailiffs in carrying out enforcement proceedings.
- Resolving Insolvency: Mauritius made resolving insolvency easier by introducing guidelines for out-of-court restructuring and standardizing the process of registration, suspension and removal of insolvency practitioners.

#### DB2013

- Registering Property: Mauritius made property transfers faster by implementing an electronic information management system at the Registrar-General's Department.
- ✓ **Getting Credit:** Mauritius improved access to credit information by starting to collect payment information from retailers and beginning to distribute both positive and negative information.

#### DB2011

- > Paying Taxes: Mauritius introduced a new corporate social responsibility tax.
- Enforcing Contracts: Mauritius speeded up the resolution of commercial disputes by recruiting more judges and adding more courtrooms.

#### DB2010

- Registering Property: Mauritius made registering property easier by setting a statutory time limit of 15 days for issuance of the final property title by the land registry.
- ✓ **Getting Credit:** Mauritius improved access to credit information by allowing the licensing of private credit information bureaus and by expanding the coverage of the Mauritius Credit Information Bureau to all institutions offering credit facilities.
- ✓ **Trading across Borders:** Mauritius reduced the time for trading across borders by introducing electronic submission for customs declarations and bills of lading with no requirement for physical copies.
- Enforcing Contracts: Mauritius made enforcing contracts easier by setting up a specialized commercial division in its supreme court.
- Resolving Insolvency: Mauritius enhanced its insolvency system through a new law introducing a rehabilitation procedure for companies as an alternative to winding up, defining the rights and obligations of creditors and debtors and setting out sanctions for those who abuse the system.

**Employing Workers:** Mauritius increased mandatory paid annual leave, eliminated the requirement to seek prior approval for redundancy dismissals and reduced redundancy costs.

## DB2009

- Starting a Business: Mauritius made starting a business easier by further simplifying the registration process, including through online facilities, and streamlining formalities.
- Registering Property: Mauritius made transferring property easier by abolishing 2 procedures previously required—obtaining a clearance certificate from the Waste Water Authority and obtaining a tax clearance certificate for municipal taxes.
- ✓ **Getting Credit:** Mauritius's public credit registry eliminated the minimum threshold for credits that must be reported to its database—and now captures information on all credits extended by the financial system.

## DB2008

- ✓ Starting a Business: Mauritius made business start-up faster by implementing a centralized database linking the company registry with tax, social security and local authorities.
- ✓ **Dealing with Construction Permits:** Mauritius made dealing with construction permits easier by combining procedures for getting a development permit and building permit and by setting an official time limit for processing the dual permit application.
- Registering Property: Mauritius made registering property less costly by reducing the property registration fee.
- ✓ Paying Taxes: Mauritius made paying taxes less costly for companies by reducing the corporate income tax rate.
- ✓ **Trading across Borders:** Mauritius made trading across borders easier by implementing a new computerized risk management system for customs inspections.
- Resolving Insolvency: Mauritius enhanced its insolvency process through legislation making the process of sale of immovable property after default on a credit agreement more efficient and less susceptible to abuse by creditors.

Doing Business 2020 is the 17th in a series
of annual studies investigating the regulations
that enhance business activity and those that
constrain it. It provides quantitative indicators covering
12 areas of the business environment in 190 economies. The
goal of the Doing Business series is to provide objective data for
use by governments in designing sound business regulatory policies
and to encourage research on the important dimensions of the regulatory
environment for firms.

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