



Ministerio de
Economía

PRONACOM
PROGRAMA NACIONAL DE COMPETITIVIDAD DE GUATEMALA

REPORTE DOING BUSINESS DEL BANCO MUNDIAL

Mejorando el clima de negocios
en Guatemala



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INDICADORES QUE APORTAN A LA PROMOCIÓN DE LA INVERSIÓN



Metodología que utiliza el Banco Mundial
para evaluar el indicador:

APERTURA DE UN NEGOCIO

El Banco Mundial formula un caso ficticio en el cual se analizan todos los procedimientos oficialmente requeridos o comúnmente realizados en la práctica, para que un empresario inicie y opere formalmente una empresa industrial o comercial en la ciudad con la economía más grande del país.

El caso presenta una serie de suposiciones sobre la sociedad a inscribir y los propietarios. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio que posteriormente es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa los **procedimientos, tiempos y costos asociados para la apertura y operación de la empresa**. Adicionalmente, considera el capital mínimo pagado para la inscripción de la nueva sociedad.





METODOLOGÍA

Los supuestos del caso ficticio que se realizan sobre la sociedad a inscribir y los propietarios, son los siguientes:

1. El Negocio

- Es una sociedad, la que tenga el mayor uso en Guatemala.
- Opera en la ciudad capital, realiza actividades generales de comercio como la compra y venta de bienes y servicios, excepto comercio exterior.
- No maneja productos relacionados a impuestos específicos, no califica para ningún incentivo o beneficio especial.
- Es 100% localmente controlada.
- Tiene cinco dueños, ninguno es una entidad legal. Un empresario posee el 30% de las acciones, dos propietarios tienen el 20% de las acciones cada uno y dos propietarios tienen el 15% cada uno. Es dirigida por un Gerente local, tiene entre 10 y 50 empleados un mes después del inicio de las operaciones, todos ellos de nacionalidad guatemalteca.
- Tiene un capital inicial de 10 veces el ingreso per cápita (Q 324,800.00).
- Arrienda la planta comercial u oficinas por una renta anual equivalente a un ingreso per cápita (Q 32,480.00). El espacio de la oficina es de aproximadamente 929 m² (10,000 pies cuadrados).
- Tiene una escritura social de 10 páginas.

2. Los dueños

- Son mayores de edad. Están en sus facultades mentales, son competentes, gozan de buena salud y no tienen antecedentes penales.
- Están casados, el matrimonio es monógamo y está registrado ante las autoridades.

LOS ELEMENTOS QUE EVALÚA SON:



Procedimientos

DESCRIPCIÓN

Número total de procedimientos necesarios que se debe efectuar para inscribir una sociedad. Se define procedimiento como interacción entre usuario con terceras personas.



Tiempo

DESCRIPCIÓN

Número total de días necesarios para inscribir una empresa.



Costo

DESCRIPCIÓN

El costo se registra como un porcentaje del **ingreso per cápita** de la economía. Incluye las tarifas oficiales y los honorarios por servicios legales.



Requisito de capital mínimo pagado

DESCRIPCIÓN

Importe que el empresario necesita depositar en un banco antes de la inscripción y hasta tres meses después de la constitución de la sociedad. Se computa como un porcentaje del ingreso per cápita de la economía.

Metodología que utiliza el Banco Mundial para evaluar el indicador:

MANEJO DE PERMISOS DE CONSTRUCCIÓN

El Banco Mundial formula un caso ficticio en el cual se analiza el proceso para que una empresa del sector de la construcción, construya una bodega de almacenamiento en la ciudad con la economía más grande del país.

El caso presenta una serie de suposiciones sobre la empresa constructora, el tipo de almacén que se construye y las conexiones de servicios necesarias. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa los **procedimientos, tiempos y costos requeridos para la construcción de la bodega de almacenamiento**. Adicionalmente, evalúa los índices de control de calidad de la construcción.





METODOLOGÍA

Los supuestos del caso ficticio que se realizan de la empresa constructora, el tipo de bodega de almacenamiento que se construye y las conexiones de servicios necesarias son los siguientes:

1. La empresa constructora

- Es una sociedad, la que tenga mayor uso en Guatemala. Es 100% de propiedad privada y sus dueños son empresarios locales.
- Tiene cinco propietarios, ninguno de los cuales es una persona jurídica. Dispone de todas las licencias y seguros para llevar a cabo proyectos de construcción.
- Cuenta con 60 constructores y otros empleados, todos ellos con la nacionalidad guatemalteca, con la pericia técnica y experiencia profesional necesarias para obtener permisos y licencias de construcción. Cuenta con un arquitecto y un ingeniero, ambos con licencia e inscritos en el colegio o asociación local de arquitectos o ingenieros respectivamente. No se asume que tenga otro tipo de empleados con conocimientos técnicos o licencias.
- Pagó todos los impuestos y se contrató todos los seguros necesarios para la actividad general de su negocio. Es propietaria del terreno sobre el que se va a edificar la bodega, la cual venderá una vez finalizada la construcción.

2. La bodega

- Se utilizará para actividades de almacenaje general, como almacenaje de libros o material de oficina. No se empleará para almacenar mercancías que requieran condiciones especiales. Tendrá dos plantas de altura, ambas sobre la superficie, con un área construida de aproximadamente 1,300.6 m². Cada piso tendrá una altura de 3 metros.
- Tendrá acceso por carretera y estará ubicada en la periferia urbana de la ciudad de Guatemala. No estará situada en una zona económica especial o industrial especial.
- Se ubicará en un terreno que cuenta con una extensión de 929 m². Está valuada en 50 veces el ingreso per cápita de la economía. (Q. 1,682,916.20)
- Es una obra nueva en un terreno sin construcciones previas, no hay árboles, fuentes naturales de agua, reservas naturales o monumentos históricos de ningún tipo.
- Contará con planos arquitectónicos y técnicos completos, preparados por un arquitecto y un ingeniero con licencias.
- Incluirá el equipamiento técnico necesario para ser plenamente operativo. Se emplearán 30 semanas en la construcción, sin incluir las demoras ocasionadas por las exigencias legales y administrativas.

3. Sobre las conexiones de servicios

- Se ubicará a 150 metros de la fuente de agua y la canalización de desagüe. Si no existe la infraestructura adecuada para proveer el servicio de agua, se excavará un pozo de sondeo. Si no hay infraestructura de drenaje, se construirá o instalará un tanque séptico del menor tamaño disponible.
- No requerirá agua con fines de prevención de incendios. Si por ley se exige un sistema húmedo de extinción, se entiende que el consumo de agua general también cubre la cantidad de agua necesaria para la prevención de incendios.
- El consumo promedio de agua será de 662 litros al día y tendrá un flujo promedio de desagüe de 568 litros al día. Su pico de consumo diario será de 1,325 litros diarios, mientras que el pico de desagüe alcanzará un flujo de 1,136 litros al día.
- Tendrá un nivel constante de demanda de agua y de flujo de desagüe a lo largo de todo el año. La conexión a la toma de agua será de 1 pulgada de diámetro y la conexión al drenaje será de 4 pulgadas.

LOS ELEMENTOS QUE EVALÚA SON:



Procedimientos

DESCRIPCIÓN

Número total de procedimientos necesarios para construir un almacén. Se define como cualquier interacción de los usuarios con terceras partes.



Tiempo

DESCRIPCIÓN

Número total de días necesarios para construir un almacén.



Costo

DESCRIPCIÓN

El costo se calcula como un porcentaje del ingreso per cápita de la economía. Se registran únicamente los costos oficiales.



Índice de control de calidad de la construcción

DESCRIPCIÓN

Evalúa: 1) los índices de calidad de las normas de construcción, 2) control de calidad antes 3) durante 4) después de la construcción, 5) regímenes de responsabilidad 6) seguros, y certificaciones profesionales. Punteo de 0 a 15, siendo 15 la meta.

Metodología que utiliza el Banco Mundial para evaluar el indicador:

OBTENCIÓN DE ELECTRICIDAD

El Banco Mundial formula un caso ficticio en el cual se analiza el proceso de conexión y suministro permanente de electricidad a un almacén estándar ubicado en la ciudad con la economía más grande del país.

El caso presenta una serie de suposiciones sobre el almacén, la conexión eléctrica y el consumo mensual de energía eléctrica. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa los **procedimientos, tiempos y costos requeridos para obtener una conexión y suministro permanente de electricidad del almacén**. Adicionalmente, evalúa el índice de fiabilidad del suministro de electricidad y la transparencia de las tarifas.



METODOLOGÍA

Los supuestos del caso ficticio que se realizan del almacén, las conexiones eléctricas y el consumo mensual de energía eléctrica, son los siguientes:

1. El almacén

- Es propiedad de un empresario local. Se ubica en el área de la Ciudad de Guatemala donde normalmente se encuentran almacenes de depósito. No es elegible para beneficiarse de un régimen especial de fomento a las inversiones. Está situado en un área sin obstáculos físicos.
- Es una obra nueva y se conecta a la electricidad por primera vez. Tiene dos plantas de altura, ambas sobre la superficie, con un área construida de aproximadamente 1,300.6 m². El área del terreno donde se encuentra construido el almacén, es de 929 m² y se usa para el almacenamiento de bienes.

2. La conexión eléctrica

- Es permanente. Es una instalación trifásica de cuatro cables (Y), de 140 kilovoltio-amperios (kVA) de capacidad contratada, con un factor de potencia de 1, cuando 1 kVA = 1 kilowatt (kW). El largo de la conexión es de 150 metros y su conexión a la red de distribución se realiza ya sea de voltaje medio y por aire, o según sea lo más común en el área.
- Se debe atravesar un camino de 10 metros (ya sea a través de una excavación o el tendido de líneas aéreas), en terrenos públicos. El almacén tiene acceso a una calle.
- Se colocó el cableado interno hasta el panel de control/tablero del cliente y la base del medidor, por lo que no requiere instalación interna.

3. El consumo mensual

- El almacén opera 30 días al mes, entre las 9 y las 17 horas, con equipos utilizados al 80% de su capacidad en promedio, sin cortes de electricidad.
- El consumo mensual es de 26,880 kWh y el consumo por hora es 112 kWh. El servicio lo presta la Empresa Eléctrica de Guatemala (EEGSA). Se utilizan las tarifas efectivas en enero del año en cuestión para calcular el precio de la electricidad para el almacén.

LOS ELEMENTOS QUE EVALÚA SON:



Procedimientos

DESCRIPCIÓN

Número de procedimientos para conseguir una conexión fija a la red de electricidad. Se define procedimiento como cualquier interacción de los empleados de la empresa, su electricista principal o ingeniero eléctrico (el que pudo haber realizado el cableado interno), con usuarios y terceras personas.



Tiempo

DESCRIPCIÓN

Número de días para obtener una conexión fija a la red eléctrica. El tiempo se registra en días calendario.



Costo

DESCRIPCIÓN

El costo se registra como un **porcentaje del ingreso per cápita** de la economía, sin incluir el impuesto al valor agregado. Se registran todas las tarifas y costos asociados para completar los procedimientos para conectar un almacén a la electricidad.



Índice de fiabilidad del suministro y transparencia de las tarifas

DESCRIPCIÓN

Doing Business utiliza el índice de duración de interrupción promedio del sistema (SAIDI) y el índice de frecuencia de interrupción promedio del sistema (SAIFI). Punteo de 0 a 8, siendo 8 la meta.

Metodología que utiliza el Banco Mundial
para evaluar el indicador:

REGISTRO DE PROPIEDADES

El Banco Mundial formula un caso ficticio en el cual se analiza el proceso completo en el que una sociedad, que desea expandir su negocio, celebra un contrato de compraventa de un bien inmueble con otra sociedad, el cual posteriormente debe registrarse.

El caso presenta una serie de suposiciones sobre las partes (vendedor-comprador) y el bien inmueble. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa los **procedimientos, tiempos y costos requeridos para el registro de la propiedad**. Adicionalmente, evalúa la calidad del sistema de administración de tierras.





METODOLOGÍA

Los supuestos del caso ficticio que se realizan sobre las partes (vendedor-comprador) y la propiedad, son los siguientes:

1. Las partes:

- Son sociedades, las que tengan el mayor uso en Guatemala.
- Están localizadas en el área periurbana de la Capital.
- Son 100% nacionales y privadas, y desarrollan actividades generales de comercio.

2. La Propiedad

- Tiene un valor de 50 veces el ingreso per cápita (Q 1,682,916.20).
- El vendedor ha sido el único propietario durante los últimos 10 años. No tiene hipotecas asociadas. Está ubicada en el área periurbana de la Capital.
- Está registrada en el catastro y en el registro, y se encuentra libre de disputas.
- Consiste en la venta del inmueble y el edificio.
- No estará sujeta a renovaciones o construcciones adicionales después de la compra.
- No tiene árboles, recursos hídricos (fuentes naturales de agua), no está ubicada en reserva natural, no tiene monumentos o cualquier otro tipo.
- No será utilizada para motivos especiales, no requiere ningún permiso adicional, como uso residencial, planta industrial o cualquier otro tipo.
- No tiene ocupantes y ninguna otra parte tiene interés legal en ella.

LOS ELEMENTOS QUE EVALÚA SON:



Procedimientos

DESCRIPCIÓN

Se define como el **número total de procedimientos** requeridos para registrar propiedades. Cualquier interacción del usuario con terceras personas.



Tiempo

DESCRIPCIÓN

Número total de días requeridos para registrar propiedades



Costo

DESCRIPCIÓN

El costo se registra como un **porcentaje del valor de la propiedad**, que se presume equivalente a 50 veces el ingreso per cápita. Sólo se utilizan los costos oficiales que exige la ley.



Índice de calidad

DESCRIPCIÓN

El índice de calidad de administración de bienes inmuebles tiene cinco dimensiones: la fiabilidad de la infraestructura, la transparencia de la información, la cobertura geográfica, la resolución de disputas sobre propiedades e igualdad en el acceso a los derechos de propiedad. Punteo de 0 a 30, siendo 30 la meta.

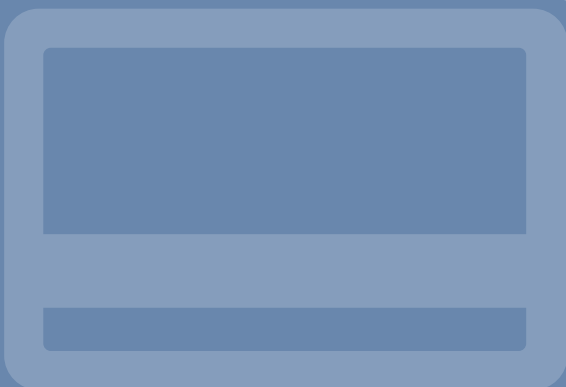
Metodología que utiliza el Banco Mundial para evaluar el indicador:

OBTENCIÓN DE CRÉDITO

El Banco Mundial formula un caso ficticio en el cual se analiza la fortaleza de los derechos de una entidad prestataria y un banco prestamista, derivados de un crédito bancario con garantía mobiliaria sin desplazamiento. Asimismo, evalúa las reglas y prácticas que afectan la cobertura, el alcance y la accesibilidad de información de crédito disponible a través de una agencia de información crediticia.

El caso presenta una serie de suposiciones sobre la entidad prestataria y el banco prestamista, y de la garantía mobiliaria que se otorga en el contrato de crédito bancario. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa el **índice de fortaleza de los derechos, índice de alcance de la información crediticia, la cobertura de registros públicos y la cobertura del registro de crédito.**





METODOLOGÍA

Los supuestos del caso ficticio que realizan en la entidad prestataria, el banco prestamista y la garantía mobiliaria, son los siguientes:

1. Sobre la entidad prestataria (ABC) y el banco prestamista (BizBank):

- ABC es una sociedad nacional, la de mayor uso en Guatemala.
- ABC tiene hasta 50 empleados.
- ABC tiene su sede y única base de operaciones en la Ciudad de Guatemala.
- Tanto ABC como BizBank son 100% de propiedad nacional.

2. Sobre la entidad prestataria (ABC) y el banco prestamista (BizBank):

- ABC concede a BizBank una garantía mobiliaria sin desplazamiento en una categoría. Por ejemplo, de su maquinaria o inventario.
- ABC quiere mantener tanto la posesión como la propiedad sobre el bien que se constituye la garantía.

LOS ELEMENTOS QUE EVALÚA SON:



Índice de fortaleza de los derechos legales

DESCRIPCIÓN

En este aspecto se evalúan:

1. Derechos de deudores y prestamistas en la ley de garantías mobiliarias (0-10)
2. La protección de los derechos de los acreedores, garantizados a través de leyes de quiebra (0-2)



Índice de alcance de la información crediticia

DESCRIPCIÓN

Se mide el alcance y accesibilidad de la información crediticia distribuida por agencias de información de crédito (0-8)



Cobertura de registros públicos

DESCRIPCIÓN

Número de individuos y empresas con datos en las agencias de información de crédito, expresado como **porcentaje de la población adulta**.



Cobertura de organismos privados

DESCRIPCIÓN

Número de individuos y empresas que figuran en el registro de crédito, expresado como **porcentaje de población adulta**.

Metodología que utiliza el Banco Mundial para evaluar el indicador:

PROTECCIÓN DE LOS INVERSIONISTAS MINORITARIOS

El Banco Mundial formula un caso ficticio en el cual se analiza la protección de los accionistas minoritarios en la compraventa de una flota de camiones no utilizados entre dos entidades privadas, donde el Presidente del Consejo de Administración de la entidad compradora, quien también posee el 60% de las acciones, es accionista del 90% de las acciones de la entidad vendedora.

El caso presenta una serie de suposiciones sobre la empresa compradora y la transacción. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa el **índice de grado de transparencia de información, índice de responsabilidad de los directores, índice sobre la facilidad de los accionistas para interponer demandas judiciales, índice de derechos de los accionistas, índice del grado de propiedad y control, y el índice de transparencia corporativa.**



METODOLOGÍA

Los supuestos del caso ficticio que se realizan sobre la empresa compradora y la transacción, son los siguientes:

La empresa (compradora):

- Es una sociedad que cotiza en el mercado de valores más importante de la economía. Si el número de empresas que cotizan en el mercado de valores es menor de 10, o si no existe un mercado de valores en la economía, se presume que la empresa “Compradora” es una sociedad privada de gran tamaño con numerosos accionistas.
- Cuenta con un Consejo de Administración y un Presidente del Consejo de Administración con capacidad legal para actuar en nombre de la empresa “Compradora”.
- Cuenta con un Consejo de Fiscalización en el que el 60% de los miembros electos por los accionistas fueron elegidos por el Sr. James. No adoptó estatutos o artículos de asociación que contravengan las normas mínimas obligatorias y no sigue ninguno de los códigos, principios, recomendaciones o directrices no obligatorios. Es una empresa manufacturera con su propia red de distribución.

La transacción:

- El Sr. James, el administrador con interés, posee el 60% de la empresa “Compradora”, y es miembro del Consejo de Administración. Eligió solo a dos miembros del Consejo de Administración de los cinco posibles.
- El Sr. James también es dueño del 90% de la empresa “Vendedora”, una empresa que opera una cadena de ferreterías minoristas. La empresa “Vendedora” recientemente cerró un gran número de sus tiendas. El Sr. James le propone a la “Compradora” que compre la flota de camiones sin uso de la “Vendedora”, situación con la que la “Compradora” está de acuerdo. El precio de compra equivale al 10% de los activos de la empresa “Compradora”, y es superior a su valor de mercado.
- La transacción propuesta forma parte del curso ordinario y principal de negocios de la empresa y por ende no se encuentra fuera de la autoridad de la misma. La “Compradora” inicia los trámites de la transacción. Se obtienen todas las autorizaciones necesarias y se realizan las divulgaciones exigidas.
- La transacción causa daños a la entidad “Compradora”. Los accionistas interponen una demanda en contra del Sr. James y de los ejecutivos y directores que aprobaron la transacción.

LOS ELEMENTOS QUE EVALÚA SON:



Índice de grado de transparencia

DESCRIPCIÓN

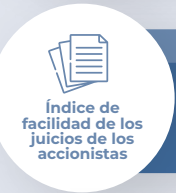
Mide el grado de divulgación, revisión y requisitos de aprobación para transacciones.
Punteo de 0 a 10, siendo 10 la meta.



Índice de responsabilidad de los directores

DESCRIPCIÓN

Mide la capacidad de los accionistas minoritarios para demandar y responsabilizar a los directores en transacciones perjudiciales, así como los recursos de impugnación disponibles.
Punteo de 0 a 10, siendo 10 la meta.



Índice de facilidad de los juicios de los accionistas

DESCRIPCIÓN

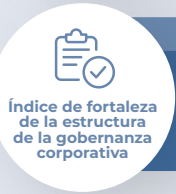
Mide el acceso de los accionistas minoritarios para la inspección de documentos corporativos.
Punteo de 0 a 10, siendo 10 la meta.



Índice de derechos de los accionistas

DESCRIPCIÓN

Evalúa diferentes derechos de los accionistas y su papel en las principales decisiones corporativas.
Punteo de 0 a 6, siendo 6 la meta.



Índice de fortaleza de la estructura de la gobernanza corporativa

DESCRIPCIÓN

Evalúa la gobernanza y salvaguardias que protegen a los accionistas minoritarios del control indebido de los órganos administrativos y/o superiores de la sociedad.
Punteo de 0 a 7, siendo 7 la meta.



Índice de transparencia corporativa

DESCRIPCIÓN

Evalúa la transparencia en las participaciones sociales o dividendos, compensación, auditorías y perspectivas financieras.
Punteo de 0 a 7, siendo 7 la meta.

Metodología que utiliza el Banco Mundial
para evaluar el indicador:

PAGO DE IMPUESTOS

El Banco Mundial formula un caso ficticio en el cual se analiza el pago de impuestos y contribuciones obligatorias anuales que debe realizar una empresa de tamaño mediano que se dedica a la venta de macetas al por menor. Dicha empresa, posteriormente, adquiere una máquina adicional para la manufactura de macetas. Asimismo, la empresa debe realizar una corrección en uno de los impuestos declarados.

El caso presenta una serie de suposiciones sobre la empresa, los impuestos, contribuciones, el proceso de reembolso del impuesto al valor agregado y el proceso de corrección de los impuestos sobre la renta de las empresas. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa el **número de pagos, tiempo, tasa de impuestos y contribuciones total, así como el índice posterior a la declaración de impuestos.**





METODOLOGÍA

Los supuestos del caso ficticio que se realizan sobre la empresa, los impuestos, el proceso de reembolso del impuesto al valor agregado y el proceso de corrección de los impuestos sobre la renta de las empresas, son los siguientes:

El negocio

- Es una sociedad, la que tenga mayor uso en Guatemala. Es 100% localmente controlada. Opera en la Ciudad de Guatemala e inició operaciones el 1 de enero de 2017. Para finales del año 2017 posee un capital inicial de 102 veces el ingreso per cápita (Q3,312,960.00). Reporta pérdidas el primer año de operación.
- Realiza actividades generales de comercio como la compra y venta de bienes y servicios. A principios del 2018, es propietaria de dos terrenos, un edificio, maquinaria, equipo de oficina, ordenadores y un camión; además alquila un camión. No califica para ningún incentivo fiscal.
- Al final del año que se responde el cuestionario, cuenta con un capital inicial de 120 veces el ingreso per cápita (Q3,897,600.00). Tiene una facturación de 1,050 veces el ingreso per cápita (Q34,104,000.00), y un margen bruto (previo al pago de impuesto) del 20%.
- Tiene 60 empleados – 4 manager, 8 asistentes y 48 trabajadores.

Impuestos y contribuciones

- Todos los impuestos y contribuciones son pagados en el segundo año de operaciones.
- El número de veces que la empresa paga impuestos y contribuciones en un año, es el número de impuestos o contribuciones multiplicado por la frecuencia de pago. En Guatemala se multiplica por uno, ya que por utilizar régimen electrónico se considera como declarado una sola vez.
- **Suposiciones relativas al proceso de corrección de los impuestos sobre la renta de las empresas**
Se cometió un error en el cálculo del impuesto sobre la renta (ISR), por lo que se presentó una declaración de impuestos incorrecta, lo que resulta en un pago insuficiente del ISR de las empresas. La sociedad notificó voluntariamente el error a la autoridad fiscal. Se envía la información corregida en fecha posterior a la declaración anual
El valor de la cantidad de impuestos no pagados equivale al 5% del valor de la cuantía debida en concepto del ISR.

Suposiciones relativas al proceso de reembolso del IVA. Estas suposiciones no son aplicables en Guatemala, según la legislación nacional.



Pagos

DESCRIPCIÓN

Evalúa el **número total de impuestos y contribuciones pagadas o retenidas (por año)** así como el método y frecuencia del llenado y pago.



Tiempo

DESCRIPCIÓN

Tiempo que se requiere para preparar, presentar y pagar (o retener) el impuesto sobre los ingresos de sociedades, el impuesto sobre el valor agregado y las contribuciones a la seguridad social (**en horas al año**).



Tasa de impuestos y contribuciones total

DESCRIPCIÓN

Mide el importe de impuestos y contribuciones obligatorias que debe pagar una empresa durante su segundo año de actividad, expresada como **porcentaje de los beneficios comerciales**.



Índice posterior a la declaración de impuestos

DESCRIPCIÓN

Evalúa elementos tales como:

- Tiempo para cumplir con la devolución del IVA (horas)
- Tiempo para obtener la devolución del IVA (semanas)
- Tiempo para cumplir con una corrección del impuesto sobre la renta corporativo (horas)
- Tiempo para completar una corrección del impuesto sobre la renta de las empresas (semanas)
- Punteo de 0 a 100, siendo 100 la meta.

Metodología que utiliza el Banco Mundial para evaluar el indicador:

COMERCIO TRANSFRONTERIZO

El Banco Mundial formula un caso ficticio en el cual se analiza el tiempo y el costo asociados con el proceso logístico de importación de un contenedor de 15 toneladas con piezas para vehículos. Para el proceso de exportación se analiza el tiempo y costo asociado al proceso logístico de exportación del producto con mayor ventaja comparativa del país. La empresa, para ambas operaciones, se encuentra en un almacén en la ciudad más importante para los negocios en la economía. Adicional, se importa del país más común y se exporta a su socio de exportación natural.

El caso presenta una serie de suposiciones sobre las mercancías comercializadas y las operaciones a realizar (cargamento, medio de transporte y documentación). Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa el **tiempo y costos del cumplimiento documental, el tiempo y costo del cumplimiento fronterizo y el transporte interno** en el proceso de importación y exportación de la empresa.





METODOLOGÍA

Los supuestos del caso ficticio que realizan las mercancías comercializadas y las operaciones (cargamento, medio de transporte y documentación), son los siguientes:

- Para la exportación se asume que el cargamento se encuentra en un almacén en la ciudad más importante para los negocios en la economía exportadora y se traslada hasta un almacén en la ciudad más importante para los negocios en la economía importadora. Se exporta el producto de su ventaja comparativa a su socio de exportación natural.
- Para la importación se utiliza un cargamento estandarizado en un contenedor de 15 toneladas con piezas para vehículos (HS 8708), de su socio de importación natural de piezas para vehículos. Los cargamentos de importación de piezas para vehículos se transportan en contenedores.
- Las tasas se determinan según el valor del cargamento, US\$50,000.00. El producto es nuevo, no es mercancía usada ni de segunda mano. La empresa exportadora/importadora contrata y paga a un agente de aduanas, así como todos los costos relacionados con el transporte interno, el despacho de aduanas y las inspecciones obligatorias de aduanas y otros organismos gubernamentales, el manejo en puertos o fronteras, los gastos de cumplimiento documental, entre otros.
- El medio de transporte es el más utilizado para el producto de exportación o importación, ya sea un puerto marítimo, un aeropuerto o un cruce fronterizo terrestre.
- Todas las presentaciones electrónicas de la información solicitada por organismos gubernamentales en relación con el cargamento se consideran documentos obtenidos, preparados y presentados durante el proceso de exportación o importación.



Exportación

Tiempo para exportar: *Cumplimiento fronterizo (horas)*

Evalúa el tiempo para la obtención, preparación y presentación de documentos.*

Costo para exportar: *Cumplimiento fronterizo (USD)*

Evalúa el costo para la obtención, preparación y presentación de documentos*.

Tiempo para exportar: *Cumplimiento documental (horas)*

Incluye el tiempo y el costo de la obtención, preparación, procesamiento y presentación de documentos.

Costo para exportar: *Cumplimiento documental (USD)*

Incluye el tiempo y el costo de la obtención, preparación, procesamiento y presentación de documentos.



Importación

Tiempo para importar: *Cumplimiento fronterizo (horas)*

Incluye el tiempo para la obtención, preparación y presentación de documentos*.

Costo para importar: *Cumplimiento fronterizo (USD)*

El costo para el cumplimiento fronterizo incluye el tiempo y costo para la obtención, preparación y presentación de documentos*.

Tiempo para importar: *Cumplimiento documental (horas)*

El tiempo del cumplimiento documental incluye el tiempo de la obtención, preparación, procesamiento y presentación de documentos.

Costo para importar: *Cumplimiento documental (USD)*

El costo incluye la obtención, preparación, procesamiento y presentación de documentos.

Fuente: <https://espanol.doingbusiness.org/es/methodology/trading-across-borders>
* Considera el tiempo/costo durante el manejo en puertos o fronteras, el despacho de aduanas y los procedimientos de inspección.

Metodología que utiliza el Banco Mundial para evaluar el indicador:

CUMPLIMIENTO DE CONTRATOS

El Banco Mundial formula un caso ficticio en el cual se analiza la disputa comercial en un juzgado de primera instancia, entre dos empresas locales ubicadas en la ciudad con la economía más grande del país. La disputa se deriva del incumplimiento de un contrato de compraventa.

El caso presenta una serie de suposiciones sobre el objeto y proceso de disputa. Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador **evalúa el tiempo y costo** para resolver la disputa comercial a través de un tribunal de primera instancia local. Adicionalmente, evalúa el **índice de calidad de los procesos judiciales** del país.



METODOLOGÍA

Los supuestos del caso ficticio que se realizan sobre el objeto y proceso de disputa, son los siguientes:

- La disputa se refiere a una transacción legal entre dos empresas (Vendedor y Comprador), ambas ubicadas en la ciudad de negocios más grande de la economía.
- El comprador ordena muebles hechos a medida y luego no paga alegando que los bienes no son de la calidad adecuada.
- El valor de la controversia es el 200% del ingreso per cápita (Q.64,960.00).
- El vendedor demanda al comprador ante el tribunal con jurisdicción sobre casos comerciales por valor del 200% de ingreso per cápita (Q.64,960.00).
- El vendedor solicita el embargo preventivo de los bienes muebles del demandado como parte de las peticiones de la reclamación.
- La controversia se enfoca sobre el fondo del litigio, debido a la posición del comprador que expresa que la calidad de los bienes no era adecuada. Por lo que es necesario convocar un peritaje sobre la calidad de las mercancías.
- Con base en la opinión de expertos, el juez resuelve a favor del vendedor; no se apela.
- El vendedor hace cumplir la sentencia a través de una subasta pública de los activos del comprador.



Tiempo

DESCRIPCIÓN

1. Tiempo que se requiere para presentar y notificar el caso. (incluye tiempos sobre elaboración de la demanda, recopilación de documentos, presentación ante la corte y notificaciones)
2. Tiempo requerido para que se desarrolle el proceso hasta obtener la sentencia. (incluye tiempos de audiencias, diligencias durante el juicio, tiempo para dictar sentencia y el límite de tiempo para apelación)
3. Tiempo requerido para hacer cumplir la sentencia.

Ponderación medida en días.



Costo

DESCRIPCIÓN

1. Honorarios promedio de abogados (costos de honorarios que el demandante debe facilitar a abogados)
2. Costos judiciales
3. Costo de ejecución expresado como **porcentaje del valor del caso.**



Índice de calidad de los procesos judiciales

DESCRIPCIÓN

1. Estructura judicial y procedimientos (1-5)
 2. Gestión de casos (0-6)
 3. Automatización de la corte (0-4)
 4. Resolución alternativa de controversias (0-3)
- Punteo de 0 a 18, siendo 18 la meta.**

Metodología que utiliza el Banco Mundial para evaluar el indicador:

RESOLUCIÓN DE LA INSOLVENCIA

El Banco Mundial formula un caso ficticio en el cual analiza los procedimientos de insolvencia que afectan a un hotel que presenta complicaciones de liquidez. El hotel cuenta con un contrato de crédito por diez años con un banco local, el cual se encuentra garantizado con una hipoteca sobre la propiedad del hotel. El hotel se enfrenta a una situación de insolvencia, que le imposibilita pagar el préstamo bancario, pero genera suficientes ingresos para continuar operando.

El caso presenta una serie de suposiciones sobre la empresa, la situación de insolvencia y las partes involucradas (hotel y entidad bancaria). Con el fin de que los datos sean comparables en las diferentes economías, el Banco Mundial emite un cuestionario sobre el caso ficticio el cual, posteriormente, es remitido a los expertos elegidos en cada país, quienes deberán responder según su experiencia y conocimiento.

El indicador evalúa **tiempo, costo y resultado del procedimiento de insolvencia**, los cuales son utilizados para calcular la tasa de recuperación de los acreedores garantizados. Adicionalmente, evalúa la fortaleza del marco jurídico aplicable a los procedimientos de liquidación y reorganización judicial.





METODOLOGÍA

Los supuestos del caso ficticio que se realizan sobre la empresa, la operación y las partes involucradas son los siguientes:

Empresa:

- Es una sociedad, la que tenga mayor uso en el país. Opera en la Ciudad de Guatemala.
- Es 100% propiedad privada y local. El socio fundador, Presidente del Consejo de Administración, es titular del 51% de las acciones (ningún otro accionista posee más del 5% de las acciones). Tiene un valor de mercado, operando como negocio en funcionamiento, de 100 veces el ingreso per cápita o US\$200.000.00, cualquiera que sea mayor. El valor de mercado de los activos de la compañía, si son vendidos por partes, corresponde al 70% del valor de mercado de la empresa.
- Es propietaria del inmueble en el que opera un hotel, el cual es su activo principal. Cuenta con 201 empleados. Debe dinero a cada uno de sus 50 proveedores. Cuenta con un contrato de préstamo por diez años con un banco local, garantizado con una garantía hipotecaria sobre la propiedad del hotel. Cumplió con el calendario de pagos y todas las condiciones restantes del préstamo.

El caso de insolvencia:

- La empresa experimenta problemas de liquidez. Las pérdidas de la compañía en 2018 redujeron su valor neto a una cifra negativa. No cuenta con dinero para pagar el interés bancario ni el monto principal en su totalidad en el plazo establecido. En consecuencia, la empresa incurre en mora en su préstamo; la gerencia considera que también habrá pérdidas en los años 2019 y 2020. Sin embargo, se espera que en 2019 los flujos de caja cubran todos los gastos de funcionamiento, pero no el pago principal o los intereses sobre el préstamo al banco. El importe adecuado por el contrato de préstamo equivale exactamente al valor de mercado del negocio hotelero y representa el 74% de la deuda total de la empresa. El 26% restante de la deuda corresponde a acreedores no garantizados (proveedores, empleados y autoridades tributarias).
- La empresa no puede negociar una solución extrajudicial. Las opciones disponibles son: un procedimiento judicial destinado a la rehabilitación o reorganización de la empresa que permita la continuidad de su actividad; un procedimiento judicial de liquidación o disolución de la empresa o bien un procedimiento judicial de ejecución de la garantía hipotecaria.

Sobre las partes

- El banco desea recuperar todo lo que sea posible de su préstamo, con rapidez y con el menor costo posible.
- Los acreedores no garantizados harán todo lo que esté permitido por la ley aplicable para evitar una venta por partes de los activos de la empresa. El accionista mayoritario quiere que la empresa siga operando bajo su control. La gerencia quiere mantener la empresa en funcionamiento y conservar los puestos de trabajo. Todas las partes son entidades o ciudadanos locales.



Tasa de recuperación

DESCRIPCIÓN

Se mide en función del tiempo, costo y resultado de un proceso de insolvencias. El resultado evalúa si el deudor sigue operando, se vende como negocio en marcha o se vende por partes.



Tiempo

DESCRIPCIÓN

El tiempo se mide en los años en que los acreedores recuperan su deuda, desde el impago hasta el pago indebido al banco.



Costo

DESCRIPCIÓN

El costo de los procedimientos se registra como un **porcentaje de los valores de los bienes del deudor**. El costo incluye los costos judiciales, tasas gubernamentales, honorarios de los administradores, subastadores y abogados, así como cualquier costo adicional.



Resultado

DESCRIPCIÓN

Si la empresa se vende como una empresa completa la calificación es 1, si se vende por partes el resultado es 0.



Fortaleza

DESCRIPCIÓN

Se evalúan 4 componentes:

1. La facilidad de dar inicio a las diligencias judiciales (0-3)
 2. La regulación en torno a la administración de los bienes del deudor (0-6)
 3. El proceso de reorganización (0-3)
 4. La participación de los acreedores (0-4)
- Punteo de 0 a 16, siendo 16 la meta.**

REFORMAS IMPLEMENTADAS Y BUENAS PRÁCTICAS IDENTIFICADAS

DOING BUSINESS

REFORMAS IMPLEMENTADAS



MANEJO DE PERMISOS DE CONSTRUCCIÓN

BIAWEB MARN

Se habilitó el sistema Biaweb dentro de la plataforma del MARN para la gestión de Resoluciones Ambientales de Instrumentos de Bajo Impacto Categoría C "Bajo impacto ambiental" y CR "Categoría de registro". Lo anterior, permite reducir 2 nuevos procedimientos del indicador.

Reducción de procedimientos

Reduce 2 pasos

COSTOS DE INSTRUMENTOS AMBIENTALES C Y CR

Se redujo el costo para la gestión de Resoluciones Ambientales de Instrumentos de Bajo Impacto Categoría C y CR, de conformidad con el Acuerdo Gubernativo 137-2016 "Reglamento de evaluación, control y seguimiento ambiental" y reformas.

Reducción de costos

Reducción de Q.23,050.00 a Q.100.00 compuesto por Q.50.00 por licencia y Q.50.00 por ingreso de documento.

Impacto de las reformas en este indicador



118 a 90*

96 a 95*

* Todas las condiciones permanecen constantes (Ceteris paribus)



EXPLICACIÓN

Reducción en el número de procedimientos y costos



REDUCCIÓN DE PROCEDIMIENTOS

Anteriormente se tenían 11, con las reformas se tendrán 9



REDUCCIÓN DE COSTO GLOBAL

Anteriormente el costo total era de Q102,132.00, con la reforma será de Q79,232.00



Buenas prácticas: Habilitación de pagos en línea de la Ventanilla Única de la Municipalidad de Guatemala.

www.biaweb.marn.gob.gt



REGISTRO DE PROPIEDADES

CERTIFICACIONES EN LÍNEA

- Formulario virtual para solicitar diferentes tipos de certificaciones al Registro General de la Propiedad.
- El aumento en su uso generaría un impacto en el indicador.

Reducción de tiempo

Reduce 0.5 días

VENTANILLA DE VALORES

- Herramienta para obtener el valor registral, catastral y de matrícula fiscal (del municipio de Guatemala) de propiedades.
- El aumento en el uso generaría un impacto en el indicador.

Reducción de Procedimientos

Reduce 1 paso

AVISO NOTARIAL ELECTRÓNICO

Es un formulario virtual a disposición de los notarios para el envío electrónico de avisos notariales a la Dirección de Catastro y Avalúo de Bienes Inmuebles del Ministerio de Finanzas Públicas y a la Municipalidad de Guatemala, en un sólo trámite administrativo.

Reducción de Procedimientos

Reduce 2 pasos

Reducción de tiempo

Reduce 10 días

Impacto de las reformas en este indicador



89 a 54*

96 a 94*

* Todas las condiciones permanecen constantes (Ceteris paribus)



EXPLICACIÓN

Reducción en el número de procedimientos y tiempo



REDUCCIÓN DE PROCEDIMIENTOS

Anteriormente se tenían 7 procedimientos, con las reformas se tendrán 4



REDUCCIÓN DE TIEMPO

Anteriormente el tiempo total era de 24 días, con la reforma será de 13.5 días



El Registro General de la Propiedad ha implementado las siguientes prácticas para la atención de sus usuarios:

- Aviso por ingreso de documentos (vía correo).
- APP Registro General de la Propiedad.
- Durante la pandemia, el Registro General de la Propiedad habilitó la posibilidad de generar citas previas para atención (medida temporal).

www.rgp.org.gt



PAGO DE IMPUESTOS

Impacto de las reformas en este indicador

PLANILLA ELECTRÓNICA DEL INSTITUTO GUATEMALTECO DE SEGURIDAD SOCIAL -IGSS-

Es una herramienta informática cuyo objetivo es agilizar y facilitar a las empresas la presentación y pago de planillas de la Seguridad Social. Lo anterior, permite reducir tiempos en el pago de este impuesto.

Reducción de tiempo

Se estima una reducción de 126 horas a 24 horas en el procedimiento de pago de impuestos del seguro social.



EXPLICACIÓN

Reducción en el número de horas requeridas



REDUCCIÓN DE TIEMPO

Anteriormente se tenía un total de 248 horas con la reforma se tendrá 146 horas

* Todas las condiciones permanecen constantes (Ceteris paribus)

www.igssgt.org/servicios-electronicos/planilla-electronica

BUENAS PRÁCTICAS



OBTENCIÓN DE ELECTRICIDAD

EEGSA desarrolló canales de comunicación para los usuarios:

- Canales digitales de atención al cliente. WhatsApp, Chatbot, Sitio Web.
- Vídeo atención.
- Ampliación de centros de atención.

Reducción de costos (de traslado y tiempo)

Reduce el costo en el que incurre el usuario al momento de requerir un servicio en EEGSA.

EEGSA desarrolló una serie de mecanismos que le permiten brindar un mejor servicio, entre los cuales resaltan:

- Tarifa horaria y medición inteligente.
- Nuevos esquemas de contratación en alumbrado y arbolado.

Reducción de costos

Reduce el costo en el que incurre el usuario al momento de recibir y utilizar el servicio.

EEGSA implementó acciones que promueven la mejora de la calidad del servicio, entre las que se resaltan:

- Instalación de automatismo en la red.
- Contratación de mediano plazo de energía.
- Plan de estandarización de materiales.

Confiabilidad y transparencia

Mejora la calidad del servicio prestado al usuario.

www.eegsa.com



OBTENCIÓN DE CRÉDITO

Habilitación de pago en línea de aranceles por parte del Registro de Garantías Mobiliarias.

Cobertura del registro crediticio

A través de estas herramientas se brinda un mejor servicio a los usuarios.

Modernización del portal web institucional que facilitó la realización de trámites durante la pandemia.

Incorporación de firma electrónica en resoluciones emitidas por el Registro de Garantías Mobiliarias.

Cobertura del registro crediticio

Promueve la seguridad y certeza jurídica de las certificaciones e inscripciones realizadas por el Registro de Garantías Mobiliarias.

www.rgm.gob.gt



PROTECCIÓN DE LOS INVERSIONISTAS MINORITARIOS:

DERECHOS DE LOS ACCIONISTAS:

- i. Participar y votar en las Asambleas; ii. Derecho preferente en la suscripción y emisión de nuevas acciones; iii. Participación en el reparto de utilidades; iv. Elegir y remover a los administradores; v. Examinar por sí mismos o delegados que designen, la contabilidad y documentos de la sociedad. (Art.34, 101, 105, 116 y 119)
- Para el caso de una categoría específica de accionistas, las decisiones que afecten ese tipo de acciones deben de ser aprobadas por la asamblea especial de dicha categoría. (Art. 155)
- Los administradores con interés directo en un negocio deben manifestarlo y abstenerse de participar en la deliberación. De no hacerlo son responsables ilimitadamente por los daños y perjuicios ocasionados y podrán ser obligados a reintegrar el patrimonio a la sociedad, además de ser removido de su cargo. (Art. 52,169 -171 y 174)
- El órgano de administración está obligado a dar cuenta a los socios anualmente del detalle de sus remuneraciones. (Art. 55 y 145)
- Los accionistas con interés contrario al de la sociedad, no tienen derecho a votar. Quien contravenga esta disposición, será responsable de los daños y perjuicios ocasionados. (Art. 130 y 155)

Todos los artículos del Código de Comercio de Guatemala, Decreto 2-70 del Congreso de la República de Guatemala.

Economy Profile
Guatemala

Doing Business 2020

Comparing Business
Regulation in
190 Economies



Economy Profile of Guatemala

*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.

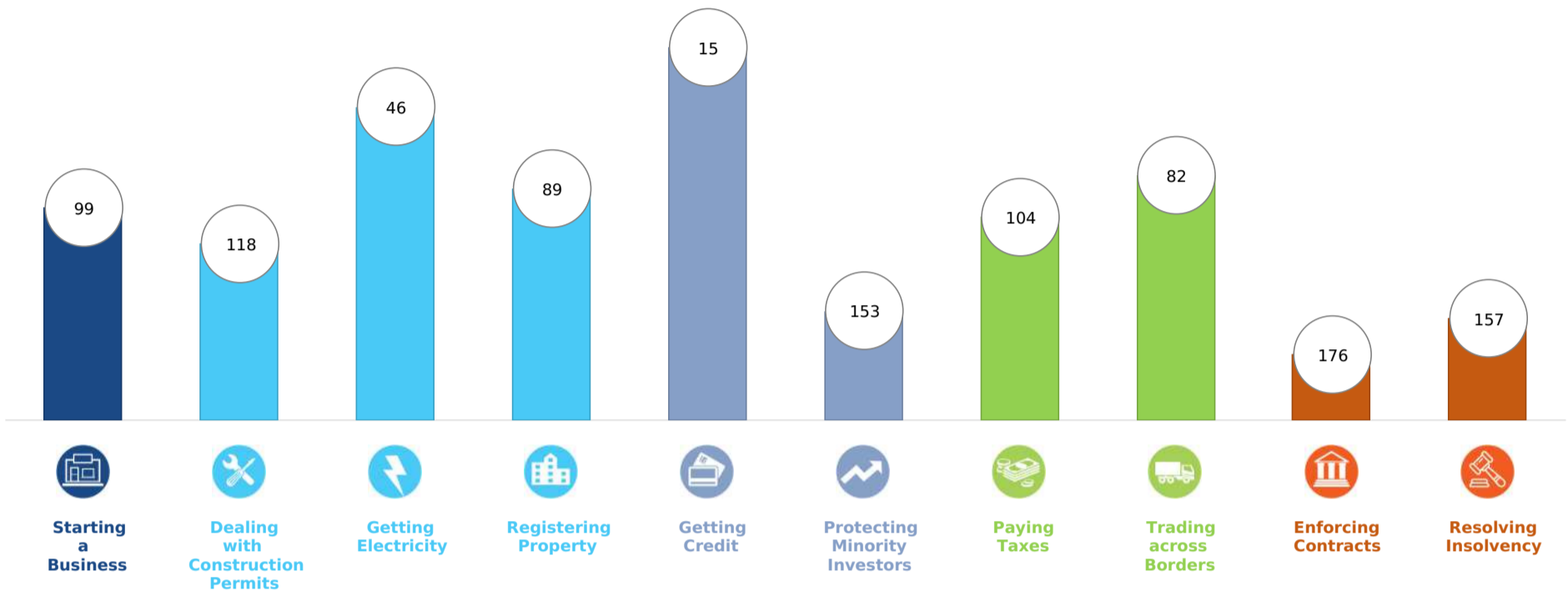
In addition, *Doing Business* offers detailed [subnational studies](#), which exhaustively cover business regulation and reform in different cities and regions within a nation. These studies provide data on the ease of doing business, rank each location, and recommend reforms to improve performance in 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 Guatemala 	Region	Latin America & Caribbean	DB RANK	DB SCORE
	Income Category	Upper middle income	96	62.6
	Population	17,247,807		
	City Covered	Guatemala City		

Rankings on Doing Business topics - Guatemala



Topic Scores



Starting a Business (rank)	99
Score of starting a business (0-100)	86.8
Procedures (number)	6
Time (days)	15
Cost (number)	17.3
Paid-in min. capital (% of income per capita)	0.6
Dealing with Construction Permits (rank)	118
Score of dealing with construction permits (0-100)	65.3
Procedures (number)	11
Time (days)	226
Cost (% of warehouse value)	6.1
Building quality control index (0-15)	11.0
Getting Electricity (rank)	46
Score of getting electricity (0-100)	84.2
Procedures (number)	5
Time (days)	44
Cost (% of income per capita)	477.3
Reliability of supply and transparency of tariff index (0-8)	7
Registering Property (rank)	89
Score of registering property (0-100)	64.9
Procedures (number)	7
Time (days)	24
Cost (% of property value)	3.6
Quality of the land administration index (0-30)	13.5

Getting Credit (rank)	15
Score of getting credit (0-100)	85.0
Strength of legal rights index (0-12)	9
Depth of credit information index (0-8)	8
Credit registry coverage (% of adults)	22.8
Credit bureau coverage (% of adults)	37.1
Protecting Minority Investors (rank)	153
Score of protecting minority investors (0-100)	30.0
Extent of disclosure index (0-10)	3.0
Extent of director liability index (0-10)	2.0
Ease of shareholder suits index (0-10)	5.0
Extent of shareholder rights index (0-6)	3.0
Extent of ownership and control index (0-7)	1.0
Extent of corporate transparency index (0-7)	1.0
Paying Taxes (rank)	104
Score of paying taxes (0-100)	70.3
Payments (number per year)	8
Time (hours per year)	248
Total tax and contribution rate (% of profit)	35.2
Postfiling index (0-100)	33.0

Trading across Borders (rank)	82
Score of trading across borders (0-100)	77.2
<i>Time to export</i>	
Documentary compliance (hours)	48
Border compliance (hours)	36
<i>Cost to export</i>	
Documentary compliance (USD)	105
Border compliance (USD)	310
<i>Time to export</i>	
Documentary compliance (hours)	32
Border compliance (hours)	72
<i>Cost to export</i>	
Documentary compliance (USD)	37
Border compliance (USD)	405
Enforcing Contracts (rank)	176
Score of enforcing contracts (0-100)	34.5
Time (days)	1,402
Cost (% of claim value)	26.5
Quality of judicial processes index (0-18)	6.0
Resolving Insolvency (rank)	157
Score of resolving insolvency (0-100)	27.6
Recovery rate (cents on the dollar)	28.1
Time (years)	3.0
Cost (% of estate)	14.5
Outcome (0 as piecemeal sale and 1 as going concern)	0
Strength of insolvency framework index (0-16)	4.0

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	Case study assumptions
<p>Procedures to legally start and formally operate a company (number)</p> <ul style="list-style-type: none"> • 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 	<p>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.</p>
<p>Time required to complete each procedure (calendar days)</p> <ul style="list-style-type: none"> • 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 	<p>The business:</p> <ul style="list-style-type: none"> -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.
<p>Cost required to complete each procedure (% of income per capita)</p> <ul style="list-style-type: none"> • Official costs only, no bribes • No professional fees unless services required by law or commonly used in practice 	<p>The owners:</p> <ul style="list-style-type: none"> -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.
<p>Paid-in minimum capital (% of income per capita)</p> <ul style="list-style-type: none"> • Funds deposited in a bank or with third party before registration or up to 3 months after incorporation 	

Starting a Business - Guatemala

Standardized Company

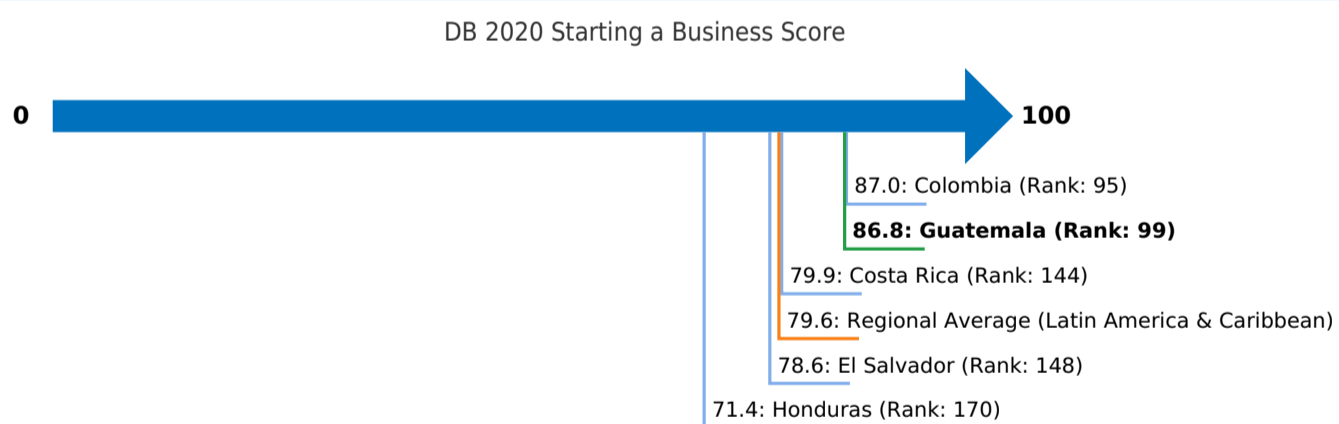
Legal form	Sociedad Anónima (SA) - Corporation
Paid-in minimum capital requirement	GTQ 200
City Covered	Guatemala City

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Procedure - Men (number)	6	8.1	4.9	1 (2 Economies)
Time - Men (days)	15	28.8	9.2	0.5 (New Zealand)
Cost - Men (% of income per capita)	17.3	31.4	3.0	0.0 (2 Economies)
Procedure - Women (number)	6	8.1	4.9	1 (2 Economies)
Time - Women (days)	15	28.8	9.2	0.5 (New Zealand)
Cost - Women (% of income per capita)	17.3	31.4	3.0	0.0 (2 Economies)
Paid-in min. capital (% of income per capita)	0.6	0.4	7.6	0.0 (120 Economies)

Figure - Starting a Business in Guatemala - Score

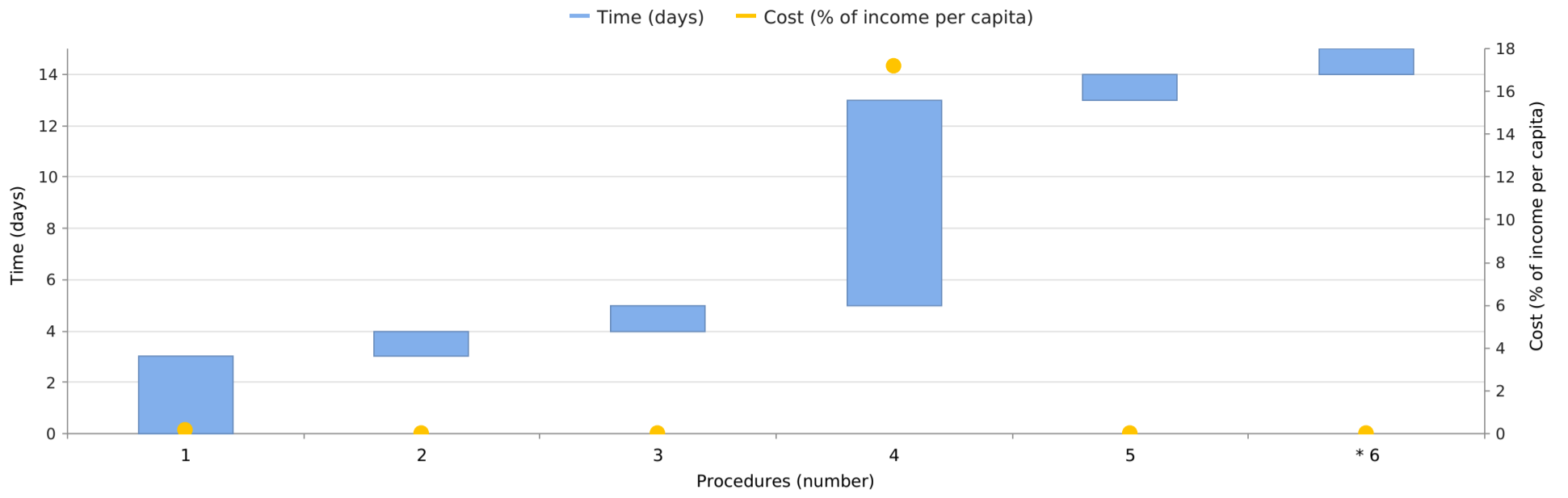


Figure - Starting a Business in Guatemala and comparator economies - Ranking and Score



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 Guatemala - 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.

Details - Starting a Business in Guatemala - Procedure, Time and Cost

No.	Procedures	Time to Complete	Associated Costs
1	<p>Check uniqueness and reserve the company name <i>Agency</i>: Notary Public The notary has to conduct a company name availability search on the website of the Mercantile Registry of Guatemala.</p> <p>The company name can be also checked directly at the Registry.</p>	3 days	GTQ 50 for each name
2	<p>Deposit the subscribed capital <i>Agency</i>: Bank or administrator The legal representative opens a bank account and deposits the subscribed capital. The bank will require a bill of any public service with the address of the new company. The deposit slip is presented to the notary.</p> <p>Some banks require a statement letter from the Notary with the general information about the corporation (name, legal representative, commercial name and initial subscribed capital).</p> <p>Companies with a capital lower than GTQ 2,000, have the option to deposit the capital at the bank or with an administrator.</p>	1 day	no charge
3	<p>A notary public draws the deed of constitution <i>Agency</i>: Notary Public The notary issues a certified copy of the deed and draws the appointment of the legal representative (Sole Administrator or members of the Board), who has to be personally registered before the Tax Authorities</p>	1 day	included in procedure 4
4	<p>Registration and payment of the fees online by a notary, publication of the edict on the Registry's website and opposition period for affected third parties <i>Agency</i>: MiNegocio (Commercial Registry) The notary completes the forms required by the Commercial Registry (Registro Mercantil) online (https://minegocio.gt/).</p> <p>The following forms are required by the Commercial Registry:</p> <ul style="list-style-type: none"> a- certified copy of the deed of constitution b- appointment of legal representative c- bank receipt if the capital is superior than GTQ 499.999. <p>The notary also pays online the amount required by the Registry. The fees are as follow: GTQ 5,000 average notarial fees + GTQ 250 stamp tax + GTQ 300 notarial stamp tax for the certified copy + GTQ 30 edict + GTQ 200 publication of the edict.</p> <p>Then the registry will proceed to the company's incorporation, tax registration, issuance of commercial license (patente) and edict publication.</p>	8 days	see procedure details
5	<p>Register the company's employees at the Guatemalan Social Security Institute (IGSS) <i>Agency</i>: Guatemalan Social Security Institute (IGSS) Entrepreneur must go to the Guatemalan Social Security Institute (IGSS) offices to register the company's employees in the system. Registration is mandatory for companies with 3 or more employees and it is made at the Sección de Inscripciones en la División de Registro de Patronos y Trabajadores. The following documents are required: certificate of company registration, appointment of representative, company deeds, identification document of the representative and the list of employees to be registered.</p>	1 day	no charge
⇒ 6	<p>Register the employees' contracts with the Ministry of Labor <i>Agency</i>: Ministry of Labor According to the Labor Code, companies with more than 3 employees need to register the contracts of the employees with the Ministry of Labor.</p>	1 day, simultaneous with previous procedure	No charge

⇒ 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.

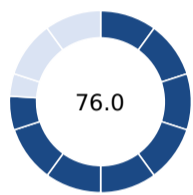
Dealing with Construction Permits - Guatemala

Standardized Warehouse

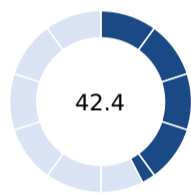
Estimated value of warehouse	GTQ 1,682,916.20
City Covered	Guatemala City

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Procedures (number)	11	15.5	12.7	None in 2018/19
Time (days)	226	191.2	152.3	None in 2018/19
Cost (% of warehouse value)	6.1	3.6	1.5	None in 2018/19
Building quality control index (0-15)	11.0	9.0	11.6	15.0 (6 Economies)

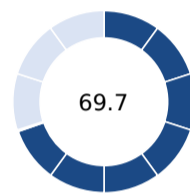
Figure - Dealing with Construction Permits in Guatemala - Score



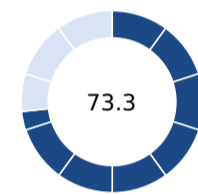
Procedures



Time

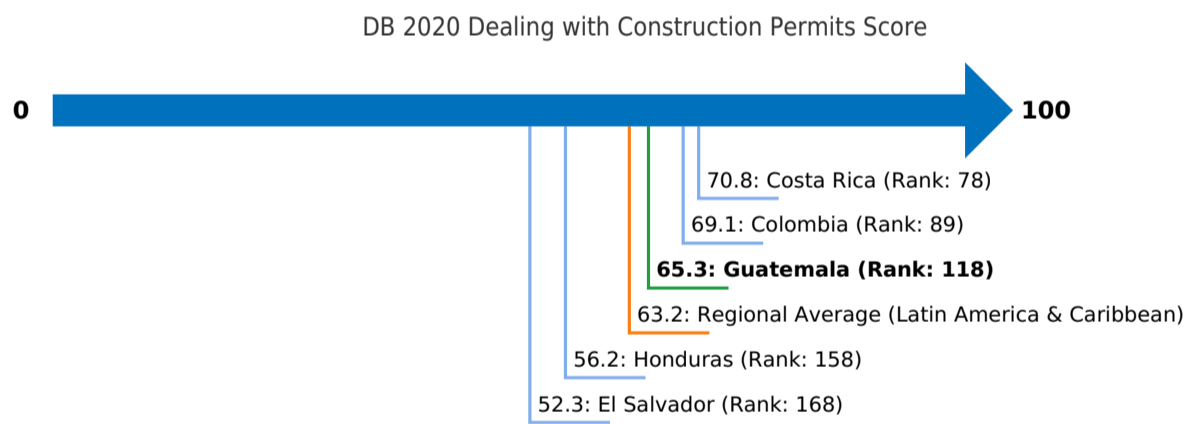


Cost



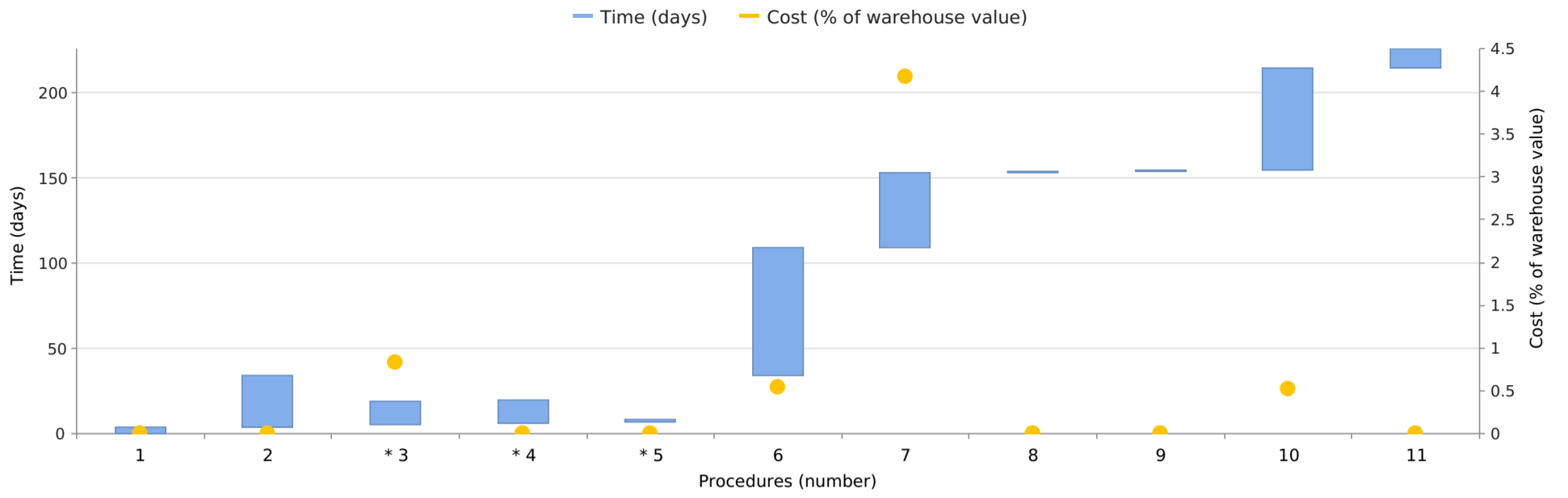
Building quality control index

Figure - Dealing with Construction Permits in Guatemala 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.

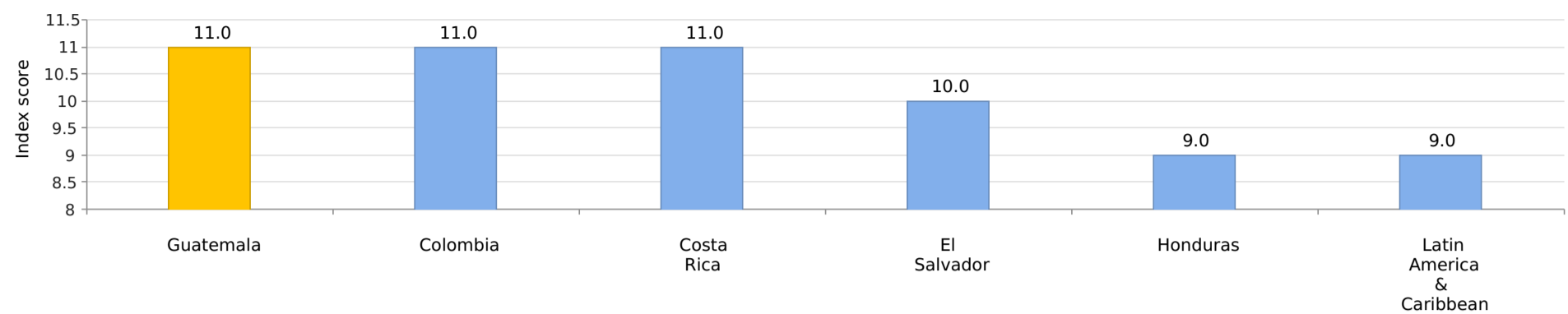
Figure - Dealing with Construction Permits in Guatemala - Procedure, Time and Cost



*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 Guatemala and comparator economies - Measure of Quality



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

No.	Procedures	Time to Complete	Associated Costs
1	<p>Request and obtain certificate of land ownership</p> <p><i>Agency:</i> Property Registry (Registro General de la Propiedad de Guatemala)</p> <p>The application is done at the Property Registry (Registro General de la Propiedad de Guatemala). Applicants fill out the application form for certification of inscriptions, providing all necessary information pertaining to the property, as well as their contact information. Payment is made in the respective bank, according to the established fees (from 1 to 10 sheets GTQ 50.00). A proof of payment is obtained, which provides the password for the receipt and the expected date of delivery is also indicated on this receipt.</p>	4 days	GTQ 50
2	<p>Obtain project approval from the Ministry of Health</p> <p><i>Agency:</i> Ministry of Health</p> <p>The Health Code of Guatemala (1997) requires that all constructions in Guatemala City need a clearance from the Ministry of Health to obtain a construction license. This requirement was never implemented in practice until 2016.</p>	30 days	no charge
⇒ 3	<p>Hire an environmental specialist and obtain an environmental assessment of minimum impact</p> <p><i>Agency:</i> Independent Specialist</p> <p>The environmental assessment of minimum impact is generally prepared by a professional (engineer or architect) authorized to do so. BuildCo hires the professional and the cost will vary depending on the project's characteristics.</p> <p>According to Administrative Ruling ("Resolución Administrativa") 001-2018/DIGARN/OBT, the warehouse of the case study falls under Category c): "Low potential environmental impact"</p>	14 days	GTQ 14,000
⇒ 4	<p>Verify compliance with Standard for Disaster Reduction Two (NDR-2 Norma de Reduccion de Desastres Numero Dos)</p> <p><i>Agency:</i> National Coordinator for Disaster Reduction (CONRED)</p> <p>Since October 2013, the National coordinating agency for disaster reduction (Coordinadora Nacional para la Reducción de Desastres, CONRED) is required to verify that each building is in compliance with Agreement N. 04-2011-Standard for Disaster Reduction Number Two (Acuerdo Número 04-2011 Normas de Reducción de Desastres Número Dos-NDR-2).</p> <p>BuildCo. must submit an application including affidavits of the detailed building plans.</p>	14 days	no charge
⇒ 5	<p>Submit a brief or simple industrial report</p> <p><i>Agency:</i> One-Stop Shop under the Municipality of Guatemala City</p> <p>This is a simple form obtained at the Municipality and completed by the architect. It must be submitted in the request for a building permit. The report contains an affidavit on storage use and any industrial processes to be carried out in the warehouse.</p>	1 day	no charge
6	<p>Submit environmental assessment of minimum impact and receive approval from MARN (Ministerio de Ambiente y Recursos Naturales)</p> <p><i>Agency:</i> One-Stop Shop under the Municipality of Guatemala City</p> <p>According to Administrative agreement (Resolución Administrativa) 001-2018/DIGARN from the Ministry of the Environment and Natural Resources (MARN), the warehouse falls under Category c): low potential environmental impact. The environmental assessment along with the application is submitted to the one-stop shop. Required documents include:</p> <ol style="list-style-type: none"> 1. Initial environmental impact form 2. Project profile 3. Building plans 4. Photocopy of identity card or DPI 5. Deed of affidavit from proposer 6. Legal entity status (if applicable) 7. Certified copy of land ownership certificate 8. Certified copy of the firm's business license 9. Copy of NIT 10. Digital copies of the environmental document 11. Copy of the environmental document 	75 days	GTQ 9,050

7	<p>Request and obtain a construction license</p> <p><i>Agency:</i> One-Stop Shop under the Municipality of Guatemala City</p> <p>On January 2009, the Municipality of Guatemala City introduced a new Land Management Plan (Plan de Ordenamiento Territorial- "POT") and other legislation regulating the construction permit issuance. According to this, the new zoning regimes are established according to general use of land which among others introduced mixed use of zoning regimes.</p> <p>Under the new implementing regulations of POT, this mechanism is based on three stages: Simplified Procedure (Precedimiento Directo); Approval of Land Management Council (Junta de Ordenamiento Territorial); Approval of Land Management Council and Neighbors' Consent. BuildCo's case would fall into the 'Simplified Procedure' scheme and does not require the subsequent procedure with Land Management Council and neighbors.</p> <p>BuildCo must submit the corresponding form with all the requested specifics, together with all the requirements in the previous procedures, photocopies of the identification cards of its legal agent and the professional responsible for the construction, and a photocopy of the latest Single Real Estate Tax (Impuesto Unico sobre Inmueble) receipt and any other required receipts. An architect or engineer must be responsible for the construction work, signing the submitted form and the plans. All the information to obtain the construction license can be submitted in a digital form.</p>	44 days	GTQ 70,232
8	<p>Request water and sewage connection and receive requirements from EMPAGUA</p> <p><i>Agency:</i> EMPAGUA</p> <p>Once the construction is finalized, BuildCo must fill out the application at the one-stop shop and receive the requirements from the Water and Sewerage Authority (Empresa Municipal de Agua, EMPAGUA). EMPAGUA will notify BuildCo of the fee to be paid as a deposit to cover the completion of the procedure and a service feasibility study that must be carried out by EMPAGUA. EMPAGUA will start the feasibility study within about 15 days.</p> <p>In 2007 the Municipality of Guatemala unified the application forms and relevant requirements for EMPAGUA, Department of Urban Construction Control (Departamento de Control de Construcción Urbana) and Infrastructure Directorate (Dirección de Infraestructura).</p> <p>Another change is that the approvals from all these entities are given simultaneously. However, this has not had any practical impact on the ground.</p>	1 day	no charge
9	<p>Notify the Construction Licensing Department upon construction completion and return the license</p> <p><i>Agency:</i> Construction Licensing Department (Departamento de Licencias de Construcción)</p> <p>The license must be returned to the Construction Licensing Department who performs the final inspection. If the construction work conforms to approved specifications, the occupancy permit is issued. When the license is returned, the Municipality notifies the Cadastre Office about the construction and its cost. Within 7 -- 14 days, the Municipality visits the site to verify that the building complies with the approved specifications.</p>	1 day	no charge
10	<p>Receive final connection to water and sewage</p> <p><i>Agency:</i> Municipality/EMPAGUA</p> <p>This procedure entails the reception of the water connection.</p>	60 days	GTQ 8,800
11	<p>Receive final inspection and obtain occupancy permit</p> <p><i>Agency:</i> One-Stop Shop under the Municipality of Guatemala City</p> <p>According to Plan de Ordenamiento Territorial (COM 30-2008), upon completion of the construction work, BuildCo. requests a final inspection from the Construction Licensing Department at the one-stop shop. This inspection shall be performed by the supervisor in charge, who shall record the result on an inspection card. If no objections are raised during the inspection (meaning that every part of the construction is authorized as complying with the plans submitted to the Construction Licensing Department), the professional in charge of the inspection immediately provide the applicant with the certificate of conformity.</p>	11 days	no charge

⇒ Takes place simultaneously with previous procedure.

Details - Dealing with Construction Permits in Guatemala - Measure of Quality

	Answer	Score
Building quality control index (0-15)		11.0
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 architect; 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 in-house engineer.	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, final inspection is done by government agency; 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)		1.0
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)	Architect or engineer; Professional in charge of the supervision; Construction company; Owner or investor.	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)	No party is required by law to obtain insurance .	0.0
Professional certifications index (0-4)		2.0
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)	University degree in architecture or engineering; Being a registered architect or engineer.	1.0
What are the qualification requirements for the professional who supervises the construction on the ground? (0-2)	University degree in engineering, construction or construction management; Being a registered architect or engineer.	1.0

⚡ 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 - Guatemala

Standardized Connection

Name of utility	Empresa Electrica de Guatemala, S.A
Price of electricity (US cents per kWh)	20.1
City Covered	Guatemala City

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Procedures (number)	5	5.5	4.4	3 (28 Economies)
Time (days)	44	66.8	74.8	18 (3 Economies)
Cost (% of income per capita)	477.3	407.2	61.0	0.0 (3 Economies)
Reliability of supply and transparency of tariff index (0-8)	7	4.4	7.4	8 (26 Economies)

Figure - Getting Electricity in Guatemala - Score

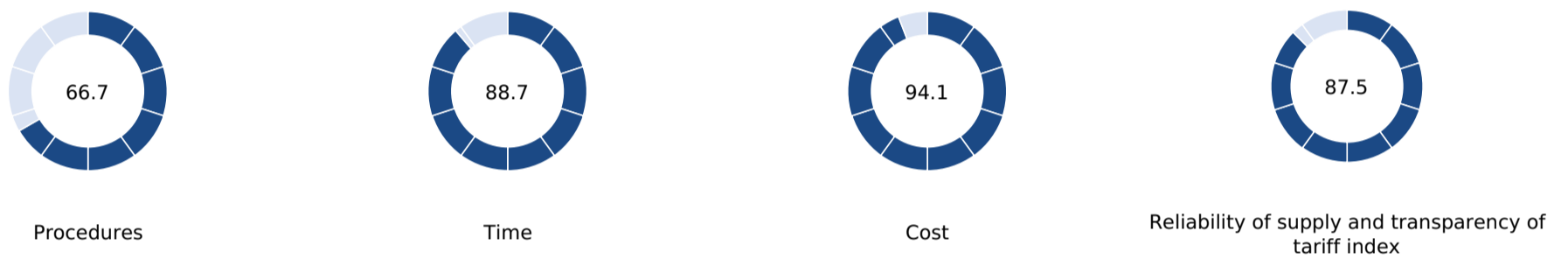
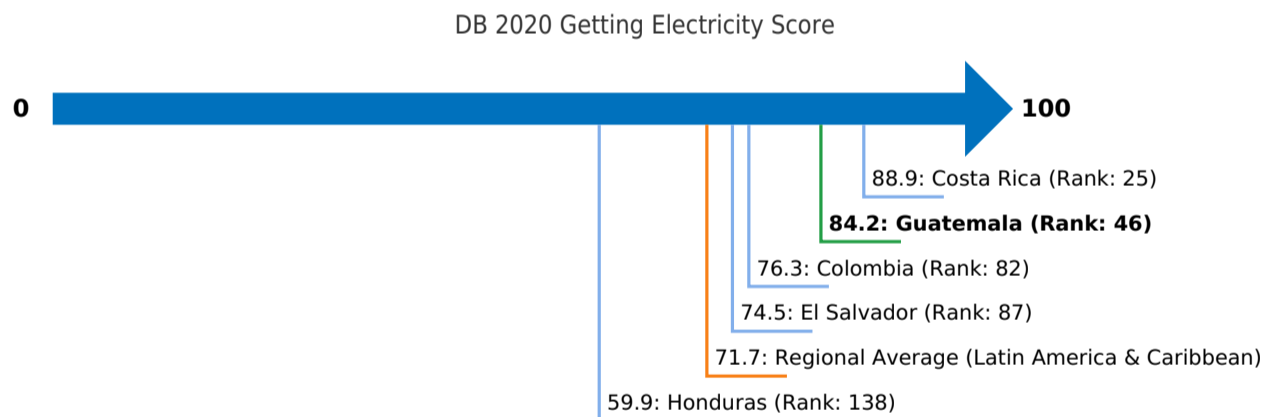
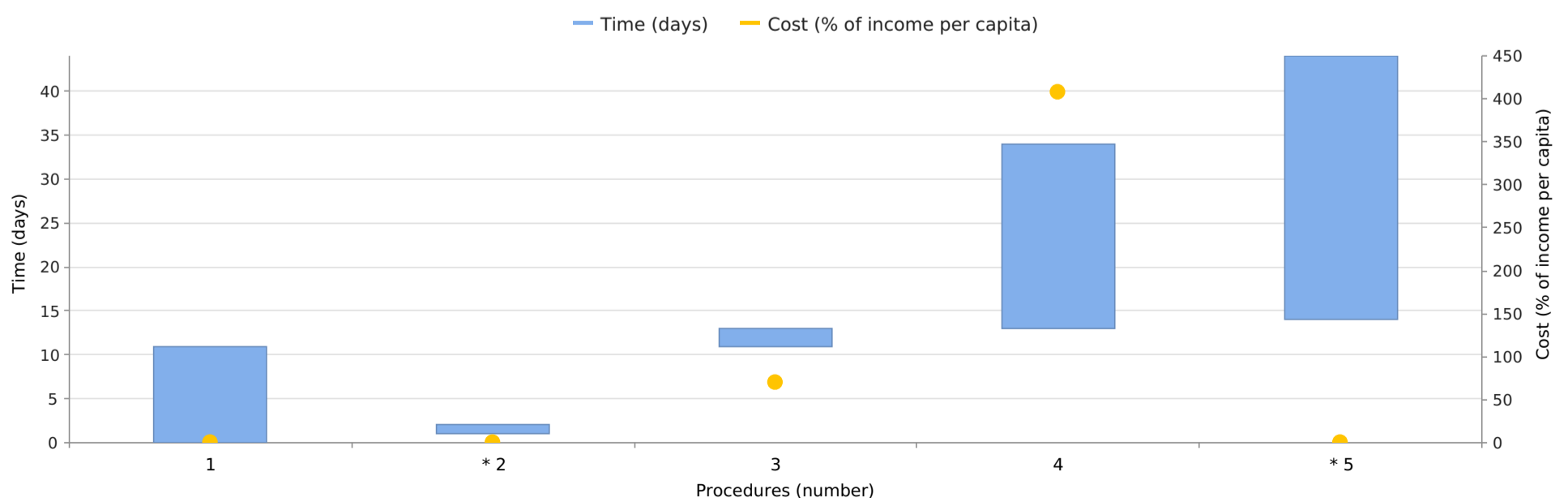


Figure - Getting Electricity in Guatemala and comparator economies - Ranking and Score



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.

Figure - Getting Electricity in Guatemala - Procedure, Time and Cost

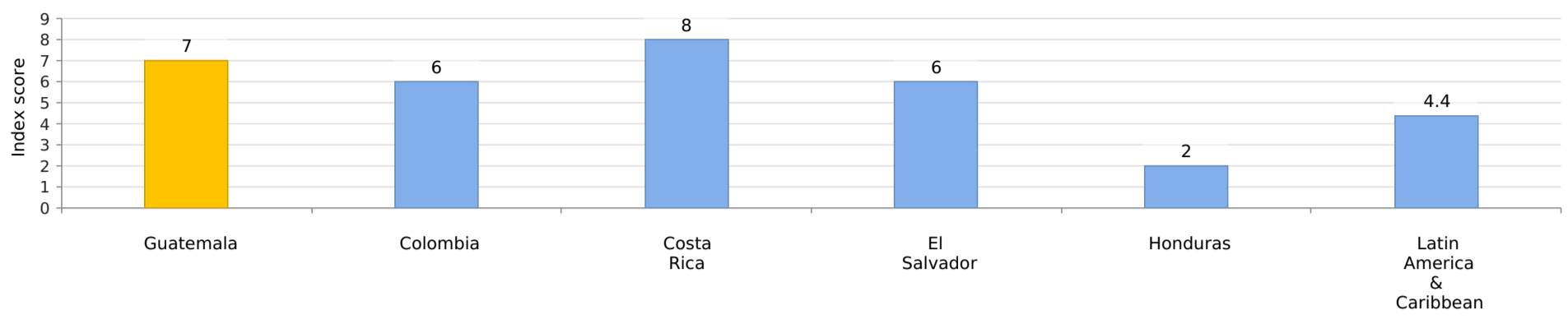


*This symbol is shown beside procedure numbers that take place simultaneously with the previous procedure.

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 - Getting Electricity in Guatemala and comparator economies - Measure of Quality



Details - Getting Electricity in Guatemala - Procedure, Time and Cost

No.	Procedures	Time to Complete	Associated Costs
1	<p>Submit application request to EEGSA and await estimate <i>Agency</i>: Empresa Eléctrica de Guatemala S.A. (EEGSA) The client requests the connection to the grid via online or in person. The application must include:</p> <ul style="list-style-type: none"> A. A simple copy of the notarized legal representation document. B. The local identity card (ID) of the legal representative. C. Notarized proof of ownership of the property or lease contract. D. List of technical data of the load required. E. Electrical design of the connection F. Plot plan <p>The utility will perform a feasibility study to verify the conditions of the new connection point and will confirm that the network has the capacity requested by the client.</p> <p>It will also verify that the electrical design and the plot plan comply with the technical conditions stipulated by EEGSA.</p>	11 calendar days	GTQ 0
⇒ 2	<p>Await external inspection by EEGSA <i>Agency</i>: Empresa Eléctrica de Guatemala S.A. (EEGSA) EEGSA performs an external inspection. The utility that the electrician in charge of the internal installations is present to clarify technical details. The visit consists of reviewing EEGSA's network and its interactions with the new user. There is no review of the user's internal wiring installation.</p> <p>During the inspection, the utility will verify that the voltage, capacity, and distance comply with the safety regulations.</p> <p>After EEGSA performs the external visit and checks the suitability of the connection's technical conditions, it will deliver a letter to the customer specifying the amount to be paid as a guarantee deposit and will confirm that the technical conditions are adequate to connect the warehouse to the grid.</p>	1 calendar day	GTQ 0
3	<p>Pay deposit and sign supply contract <i>Agency</i>: Empresa Eléctrica de Guatemala S.A. (EEGSA) EEGSA will only provide its services once the client has signed the contract and paid the guarantee deposit. For loads above 100 kW, the deposit is not paid in cash but is covered by a bond issued by a guarantee agency in Guatemala. The guarantee deposit will be refunded when the customer no longer requires the service of the power supply (according to the General Electricity Law).</p> <p>As soon as the customer pays the deposit, he is able to sign the supply contract.</p>	2 calendar days	GTQ 23,500
4	<p>Hire private company to construct transformer post and install transformer <i>Agency</i>: Private company For EEGSA to make the connection, it is needed that the civil works are completed. EEGSA is only responsible for the measuring equipment and therefore does not supervise the construction and laying of the cables, so the customer should contract the services of an independent engineer for this part of the works.</p> <p>The electrical engineer hired by the client installs the transformer, the pipe onto the post, the meter box, and the underground wiring to the main board.</p>	21 calendar days	USD 17,970
⇒ 5	<p>Receive external works, meter installation and final connection <i>Agency</i>: Empresa Eléctrica de Guatemala S.A. (EEGSA) When the civil works are completed, the internal wiring are ready and the contract is signed, EEGSA installs the meter, transformers and connects the internal wiring to the transformers. The physical installation is performed by the Distributor (EEGSA) although subcontractors do the job. The electricity distribution company has a sufficient stock of materials. The customer does not buy any materials for the external connection. The meter installation is simultaneous with the connection and the electricity begins to flow from the moment the connection is made. It is necessary to mount the transformer station, which involves installing a post and installing the metering equipment, all of this is paid by EEGSA.</p>	30 calendar days	GTQ 0

⇒ Takes place simultaneously with previous procedure.

Details - Getting Electricity in Guatemala - Measure of Quality

	Answer
Reliability of supply and transparency of tariff index (0-8)	7
Total duration and frequency of outages per customer a year (0-3)	2
System average interruption duration index (SAIDI)	4.0
System average interruption frequency index (SAIFI)	2.7
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)	1
Does a regulator—that is, an entity separate from the utility—monitor the utility's performance on reliability of supply?	Yes
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://www.cnee.gob.gt/Calculadora/pliegos.php
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 two-story 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.

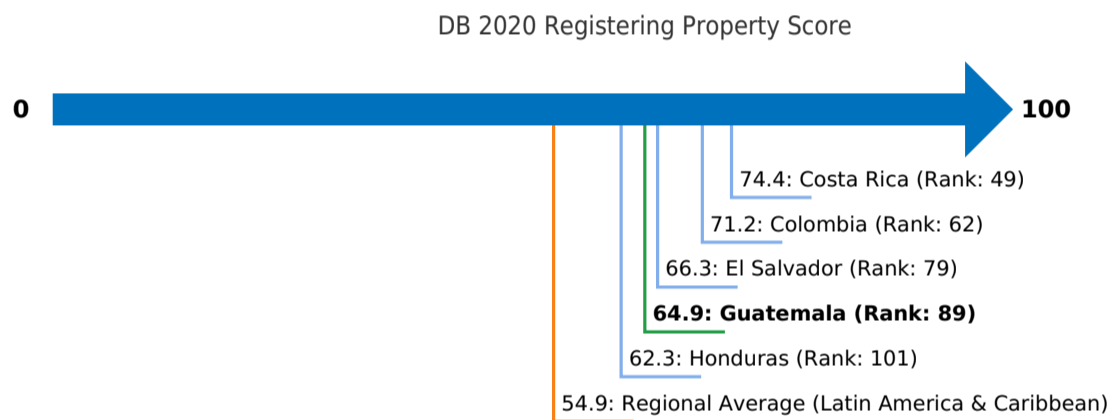
Registering Property - Guatemala

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Procedures (number)	7	7.4	4.7	1 (5 Economies)
Time (days)	24	63.7	23.6	1 (2 Economies)
Cost (% of property value)	3.6	5.9	4.2	0.0 (Saudi Arabia)
Quality of the land administration index (0-30)	13.5	12.0	23.2	None in 2018/19

Figure - Registering Property in Guatemala - Score

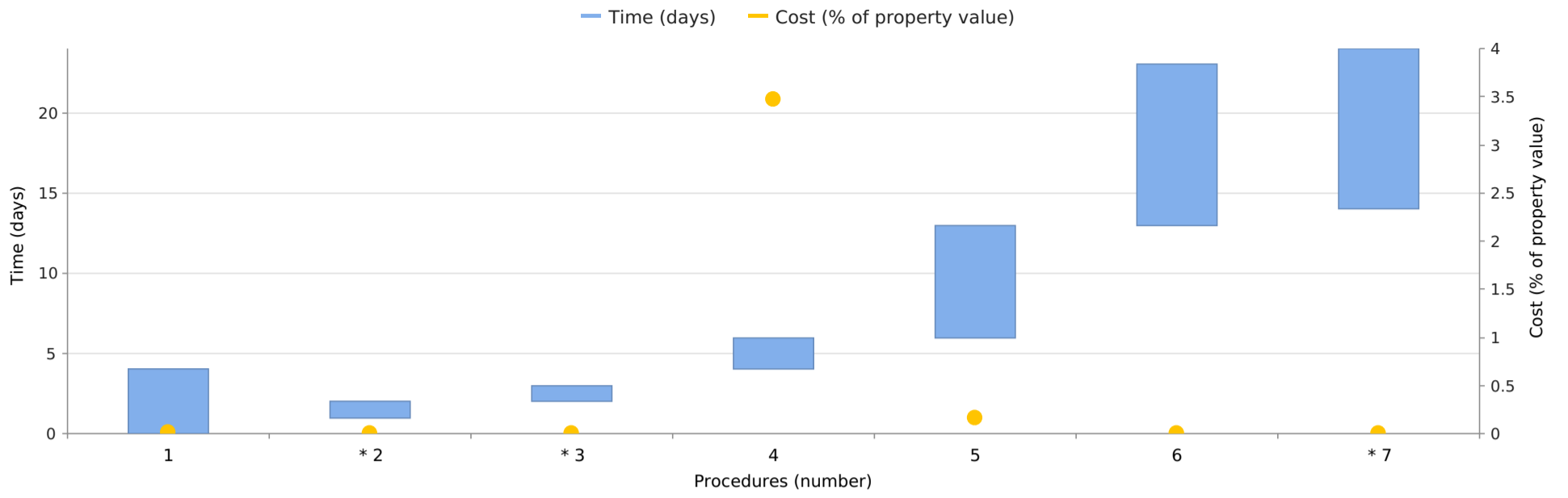


Figure - Registering Property in Guatemala and comparator economies - Ranking and Score



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.

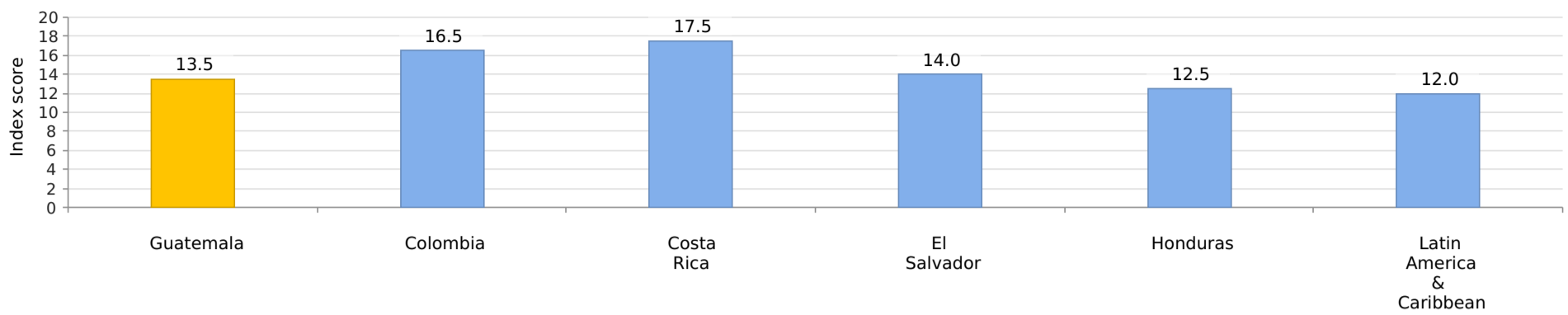
Figure - Registering Property in Guatemala - Procedure, Time and Cost



*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 - Registering Property in Guatemala and comparator economies - Measure of Quality



Details - Registering Property in Guatemala - Procedure, Time and Cost

No.	Procedures	Time to Complete	Associated Costs
1	<p>Obtain a property certificate ("Certificacion del historial de la finca") and the cadastral value certificate ("Valor de matricula")</p> <p><i>Agency:</i> Property Registry (Registro General de la Propiedad de Guatemala) (www.rgp.org.gt)</p> <p>The seller obtains a certificate at the Property Registry in which the buyer can verify that the property is free from mortgages and encumbrances, and to verify that the property is owned by the seller. In order to obtain the certificate, the buyer needs to know the registry numbers where the property is registered. Usually this information is provided by the seller and it is usually the lawyer who verifies the books at the registry and obtains this information. This updated certificate of the property will be used later by the Notary to prepare the public deed.</p> <p>This information can be searched online on www.rgp.org.gt, however only the physical, paper certificate, has legal value.</p>	4 days	GTQ 214; (Non-encumbrance certificate QTG 50 (for first 10 pages, each additional page +QTG 5) + Legal Fees QTG 164. Average number of pages: 10)
⇒ 2	<p>Obtain the cadastral value of the property from DICABI (Dirección de Catastro y Avalúo de Bienes Inmuebles)</p> <p><i>Agency:</i> National Cadastre (Dirección de Catastro y Avalúo de Bienes Inmuebles, DICABI)</p> <p>In parallel to requesting a non-encumbrance certificate at the Property Registry, the Notary must obtain a certificate from the National Cadastre (Dirección de Catastro y Avalúo de Bienes Inmuebles, DICABI) indicating the cadastral value of the property.</p> <p>DICABI is a national institution containing information based on a "personal registry type" on all the regional registries in the country. Pursuant to amendments in Tax Law (Article 171 Decree 10-2012), authorized valuation of property and declaration of value of the real estate are mandatory.</p> <p>The request can be either submitted online, or at a specific counter of the Superintendencia de Impuestos located in the Property Registry in Guatemala City. The most common practice by Notaries is to request all the certificates necessary to proceed with the property transfer physically at the different counters located in the Property Registry building.</p> <p>It is common for Notaries to pick up the DICABI certificate once the non-encumbrance certificate has been issued by the Property Registry.</p>	1 day	no charge
⇒ 3	<p>Obtain the cadastral value from the Municipality of Guatemala</p> <p><i>Agency:</i> Municipality of Guatemala</p> <p>A certificate of the cadastral value can be obtained online; however it is more common to submit a paper form at the Municipality of Guatemala and obtain the certificate on the same day. This certificate is necessary as the Stamp Duty will be determined based on the highest value between the sale price, the cadastral value from DICABI and the cadastral value from the Municipality. For taxation purposes, the sale price cannot be smaller than the cadastral value of the property.</p>	1 day	no charge

4	<p>Lawyer/notary prepares the sale agreement and notarizes it, along with the public deed <i>Agency</i> : Lawyer / notary The lawyer/notary (in Guatemala, the lawyer is also a notary public) prepares the sale and purchase agreement and notarizes it by redacting the agreement on a public deed. The deed is read by the Notary and then ratified and signed by the parties, thus accepting the transaction.</p> <p>There is a scale in the Notary Act that regulates the fees and one will likely pay between \$800 and \$1000 for such a transaction. The notary will oversee buying the State stamps for the Stamp Duty tax of 3% charged to second and subsequent sales of properties (this is assumed to be the case in the Doing Business scenario). For the first sale of a property a VAT payment of 12% of the property value is paid. Stamps are adhered to the Public Deed. Payments of registration fees (GTQ.160.00 plus GTQ 1.5 for each GTQ 1,000 of transaction value) are made to the notary, who will then pay the property registry.</p> <p>The documentation requested by the notary shall include:</p> <ul style="list-style-type: none"> (i) Updated non-encumbrance certificate of the property issued by the Property Registry (Obtained in Procedure 1); (ii) Photocopy of the ID of seller and buyer (passport or local ID). In case the seller/buyer is a Company, a photocopy of the appointment in which the Company gives sufficient faculties to proceed with the transfer of property is necessary. In some cases, a Board of Director's resolution may be required; (iii) Cadastral value obtained at DICABI (Obtained in Procedure 2); (iv) Last receipt of payment of the property tax (Impuesto Único Sobre Inmuebles, IUSI); (v) Cadastral value obtained at the Municipality of Guatemala (Obtained in procedure 3). 	2 days	GTQ 58,337.49; (3% of the property value for Stamp Duty (2nd or subsequent transfer) and between QTG 6500 - QTG 8200 for notary fees plus QTG 500 (tax stamps, copies, and others))
5	<p>Public deed is delivered to the Property Registry for its recording <i>Agency</i> : Property Registry (Registro General de la Propiedad de Guatemala) (www.rgp.org.gt) The public deed is delivered to the Property Registry to be recorded under the name of the buyer. It is also advisable to obtain a certificate at the Property Registry to verify that the change of ownership has been properly recorded after registration is completed.</p> <p>The internal procedures conducted by the Property Registry are as follows:</p> <ul style="list-style-type: none"> (1) All incoming cases are scanned and then randomly assigned to the officials (Operadores). (2) The official registers the property electronically; issues the case file (Expediente) and if the legal requirements are met, registers the transaction (Inscripción); (3) The Accounting Department verifies the payment of fees; (4) The Registrar or auxiliary registrars approve and sign the registration certificate. With Decree 42-2006, electronic signatures from auxiliary registrars are legally valid. Each one is assigned a unique number by which they can electronically sign, facilitating the registration process; (5) The Archives Department prints the Inscription of the Property Transfer and prepares it for the user. <p>It is also possible to verify the authenticity of the inscription of the transaction through www.rgp.org.gt (section "Validar razones registrales"). The buyer accesses to this information through a verifying code and a reference code previously given by the Property Registry.</p>	7 days	GTQ 2,684.37; (QTG 160 + 0.15% of transaction value (registration fees))
6	<p>Notify the Municipality of the transaction <i>Agency</i> : Municipality of Guatemala Once the transaction is concluded the notary notifies the Municipality of Guatemala City of the change in ownership.</p> <p>This step is important to update the cadastral value of the property for tax collection purposes. There is a small fine if this procedure is not fulfilled, but it has no effect on the validity of the registration of the property transfer obtained in the previous step. The notary needs to provide a copy of the title deed together with the notice. She/he will follow up with the municipality until they receive a statement of the updated records showing the updated information regarding the ownership of the property.</p> <p>Notaries can notify the registration of property transfers to the Municipality of Guatemala City online. However, the majority of Notaries are still communicating property transfers by courier to the Municipality.</p>	10 days	no charge
→ 7	<p>Notify the National Cadastre and Valuation Agency (DICABI) of the transaction <i>Agency</i> : National Cadastre (Dirección de Catastro y Avalúo de Bienes Inmuebles, DICABI) The National Cadastre and Valuation Agency (DICABI) must also be notified of the change of ownership. This notification is presented simultaneously with the notification provided to the municipality.</p> <p>Notaries can notify the registration of property transfers to DICABI online. However, the majority of Notaries are still communicating property transfers by courier to DICABI.</p>	10 days	no charge

→ Takes place simultaneously with previous procedure.

Details - Registering Property in Guatemala - Measure of Quality

	Answer	Score
Quality of the land administration index (0-30)		13.5
Reliability of infrastructure index (0-8)		4.0
Type of land registration system in the economy:	Deed Registration System	
What is the institution in charge of immovable property registration?	Registro General de la Propiedad	
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/Scanned	1.0
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:	Guatemala Municipality	
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?	Separate databases	0.0
Do the immovable property registration agency and cadastral or mapping agency use the same identification number for properties?	No	0.0
Transparency of information index (0-6)		4.5
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 available—and if so, how?	Yes, online	0.5
Link for online access:	https://www.rgp.org.gt/web/registro/solicitud-de-certificaciones https://www.rgp.org.gt/web/registro/ingreso-y-devolucion-de-documentos	
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:	https://www.rgp.org.gt/web/registro/solicitud-de-certificaciones https://www.rgp.org.gt/web/registro/ingreso-y-devolucion-de-documentos	
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:	https://www.rgp.org.gt/web/registro/cat%C3%A1logo-de-servicios-registrales	
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

Contact information:	Fiscalía de Delitos contra el Registro de la Propiedad, Ministerio Publico located at 15 Avenida 15-16, Zona 1 Edificio Gerona Ciudad de Guatemala, teléfonos 2411-9903 https://www.rgp.org.gt/index.php/seguridad-registral ; Oficina de Acceso a la Información Pública y Procedimientos Jurídicos (Ocursos)	
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:	11,719 in 2018	
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, in person	0.0
Link for online access:		
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?	No	0.0
Link for online access:		
Is there a specific and independent mechanism for filing complaints about a problem that occurred at the cadastral or mapping agency?	No	0.0
Contact information:		
Geographic coverage index (0-8)		0.0
Are all privately held land plots in the largest business city formally registered at the immovable property registry?	No	0.0
Are all privately held land plots in the economy formally registered at the immovable property registry?	No	0.0
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)		5.0
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:	Código Civil, decreto Ley 106, del 14 de septiembre de 1963. Articles 1125 and 1148	
Is the system of immovable property registration subject to a state or private guarantee?	Yes	0.5
Type of guarantee:	State guarantee	
Legal basis:	Constitución Política de la República de Guatemala; Código Civil (Articles 1125 and 1148); Decreto Ley 106 del 14 de Septiembre de 1963.	
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:		

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?	Registrar; 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?	Registrar; 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?	Juzgado de Primera Instancia Civil y Mercantil	
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?	No	0.0
Number of land disputes in the economy in 2018:		
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.

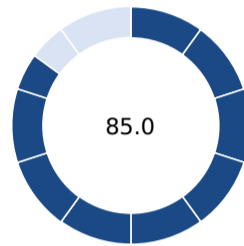
The case scenarios also involve assumptions. In case A, as collateral for the loan, ABC grants BizBank a nonpossessory security interest in one category of movable assets, for example, its machinery or its inventory. ABC wants to keep both possession and ownership of the collateral. In economies where 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 - Guatemala

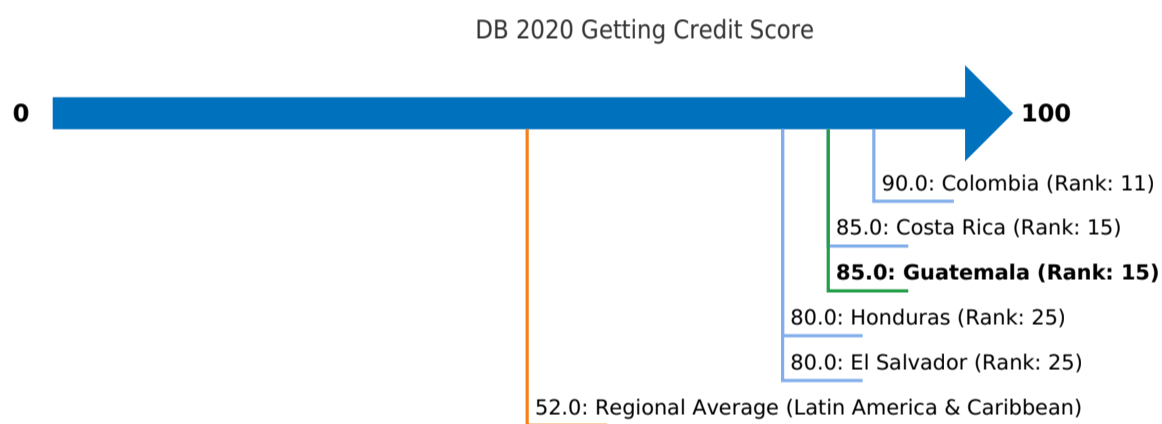
Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Strength of legal rights index (0-12)	9	5.3	6.1	12 (5 Economies)
Depth of credit information index (0-8)	8	5.1	6.8	8 (53 Economies)
Credit registry coverage (% of adults)	22.8	14.6	24.4	100.0 (2 Economies)
Credit bureau coverage (% of adults)	37.1	47.6	66.7	100.0 (14 Economies)

Figure - Getting Credit in Guatemala - Score



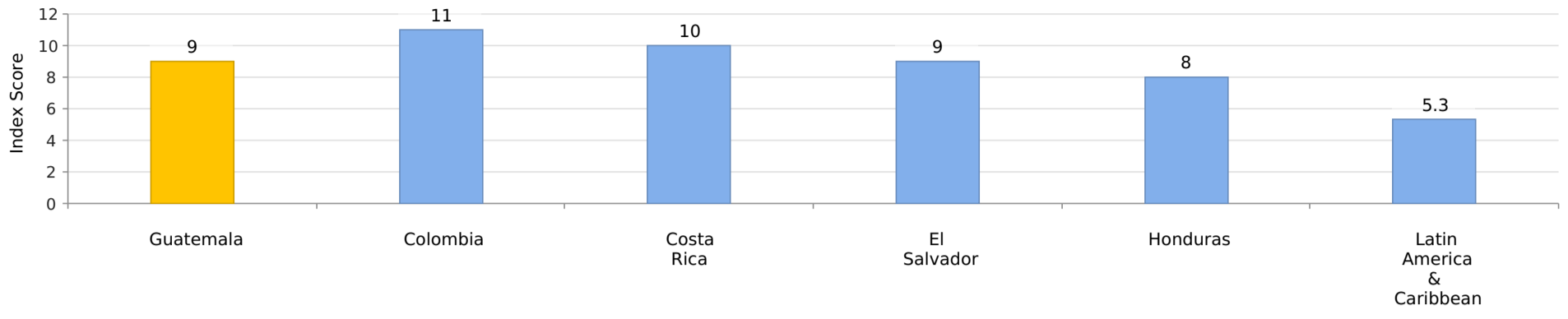
Score - Getting Credit

Figure - Getting Credit in Guatemala 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 Guatemala and comparator economies



Details - Legal Rights in Guatemala

Strength of legal rights index (0-12)

9

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? Yes

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? No

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? Yes

Does a modern collateral registry exist in which registrations, amendments, cancellations and searches can be performed online by any interested third party? No

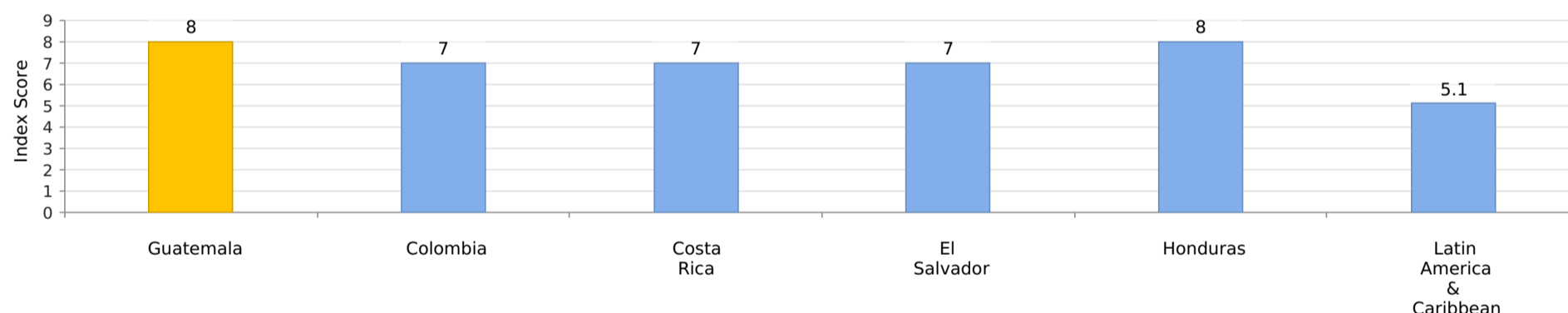
Are secured creditors paid first (i.e. before tax claims and employee claims) when a debtor defaults outside an insolvency procedure? Yes

Are secured creditors paid first (i.e. before tax claims and employee claims) when a business is liquidated? Yes

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

Figure - Credit Information in Guatemala and comparator economies



Details - Credit Information in Guatemala

Depth of credit information index (0-8)	Credit bureau	Credit registry	Score
Are data on both firms and individuals distributed?	Yes	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?	Yes	No	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.)	Yes	Yes	1
Are data on loan amounts below 1% of income per capita distributed?	Yes	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)?	Yes	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?	Yes	No	1

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	3,854,994	2,364,980
Number of firms	30,654	22,637
Total	3,885,648	2,387,617
Percentage of adult population	37.1	22.8

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.

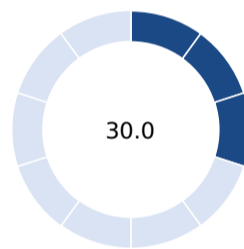
Protecting Minority Investors - Guatemala

Stock exchange information

Stock exchange	Bolsa Nacional de Valores
Stock exchange URL	http://www.bvnsa.com.gt
Listed firms with equity securities	17
City Covered	Guatemala City

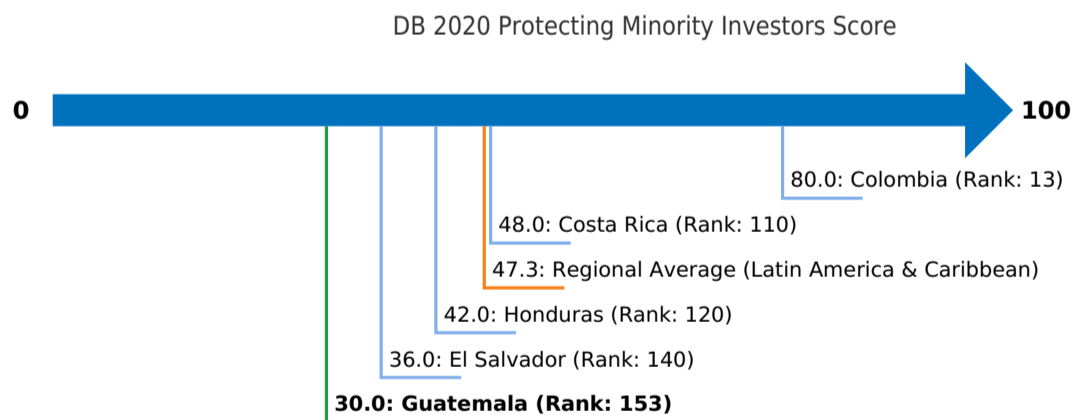
Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Extent of disclosure index (0-10)	3.0	4.1	6.5	10 (13 Economies)
Extent of director liability index (0-10)	2.0	5.2	5.3	10 (3 Economies)
Ease of shareholder suits index (0-10)	5.0	6.7	7.3	10 (Djibouti)
Extent of shareholder rights index (0-6)	3.0	3.0	4.7	6 (19 Economies)
Extent of ownership and control index (0-7)	1.0	2.3	4.5	7 (9 Economies)
Extent of corporate transparency index (0-7)	1.0	2.3	5.7	7 (13 Economies)

Figure - Protecting Minority in Guatemala - Score



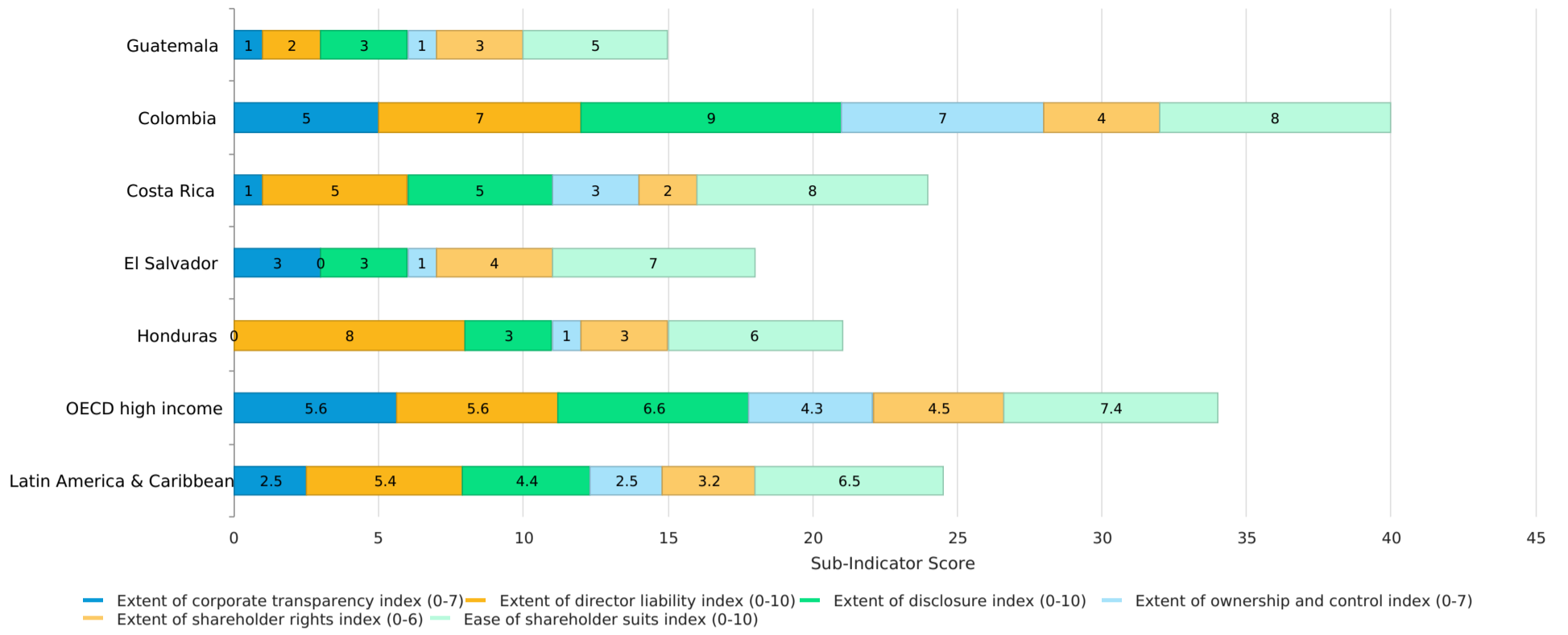
Score - Protecting Minority Investors

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



Details - Protecting Minority Investors in Guatemala - Measure of Quality

	Answer	Score
Extent of conflict of interest regulation index (0-30)		
Extent of disclosure index (0-10)		3.0
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)	No	0.0
Must Mr. James disclose his conflict of interest to the board of directors? (0-2)	Existence of a conflict without any specifics	1.0
Must Buyer disclose the transaction in periodic filings (e.g. annual reports)? (0-2)	No disclosure obligation	0.0
Must Buyer immediately disclose the transaction to the public? (0-2)	No disclosure obligation	0.0
Extent of director liability index (0-10)		2.0
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)	Not liable	0.0
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)	No	0.0
Must Mr. James repay profits made from the transaction upon a successful claim by shareholders? (0-1)	No	0.0
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)	Only in case of fraud or bad faith	0.0
Ease of shareholder suits index (0-10)		5.0
Before suing, can shareholders representing 10% of Buyer's share capital inspect the transaction documents? (0-1)	No	0.0
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)	No	0.0
Can the plaintiff directly question the defendant and witnesses at trial? (0-2)	Preapproved questions only	1.0
Is the level of proof required for civil suits lower than that of criminal cases? (0-1)	No	0.0
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)		3.0
Does the sale of 51% of Buyer's assets require shareholder approval?	No	0.0
Can shareholders representing 10% of Buyer's share capital call for a meeting of shareholders?	No	0.0
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?	Yes	1.0
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?	No	0.0
Extent of ownership and control index (0-7)		1.0
Is it forbidden to appoint the same individual as CEO and chairperson of the board of directors?	No	0.0

Must the board of directors include independent and nonexecutive board members?	No	0.0
Can shareholders remove members of 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?	No	0.0
Must a potential acquirer make a tender offer to all shareholders upon acquiring 50% of Buyer?	No	0.0
Must Buyer pay declared dividends within a maximum period set by law?	No	0.0
Is a subsidiary prohibited from acquiring shares issued by its parent company?	No	0.0
Extent of corporate transparency index (0-7)		1.0
Must Buyer disclose direct and indirect beneficial ownership stakes representing 5%?	No	0.0
Must Buyer disclose information about board members' primary employment and directorships in other companies?	No	0.0
Must Buyer disclose the compensation of individual managers?	No	0.0
Must a detailed notice of general meeting 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?	No	0.0
Must Buyer's annual financial statements be audited by an external auditor?	Yes	1.0
Must Buyer disclose its audit reports to the public?	No	0.0

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.

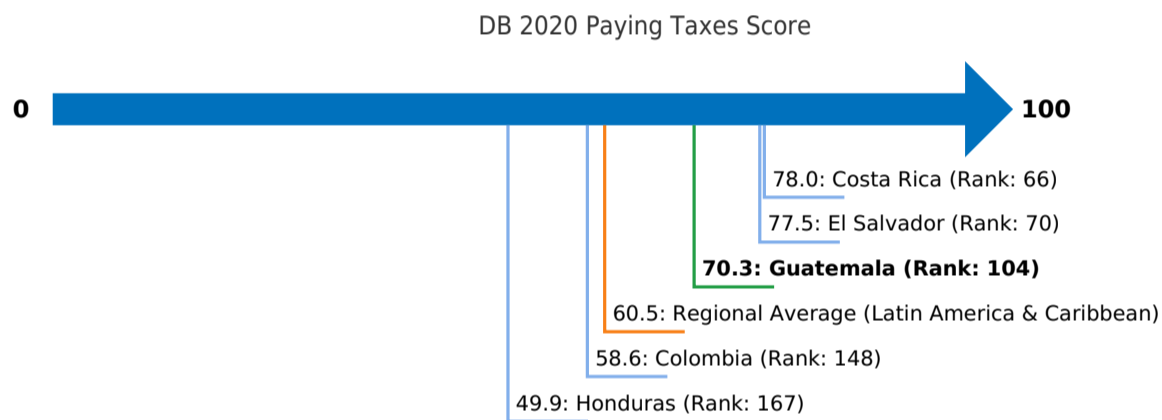
Paying Taxes - Guatemala

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Payments (number per year)	8	28.2	10.3	3 (2 Economies)
Time (hours per year)	248	317.1	158.8	49 (3 Economies)
Total tax and contribution rate (% of profit)	35.2	47.0	39.9	26.1 (33 Economies)
Postfiling index (0-100)	33.0	47.5	86.7	None in 2018/19

Figure - Paying Taxes in Guatemala - Score

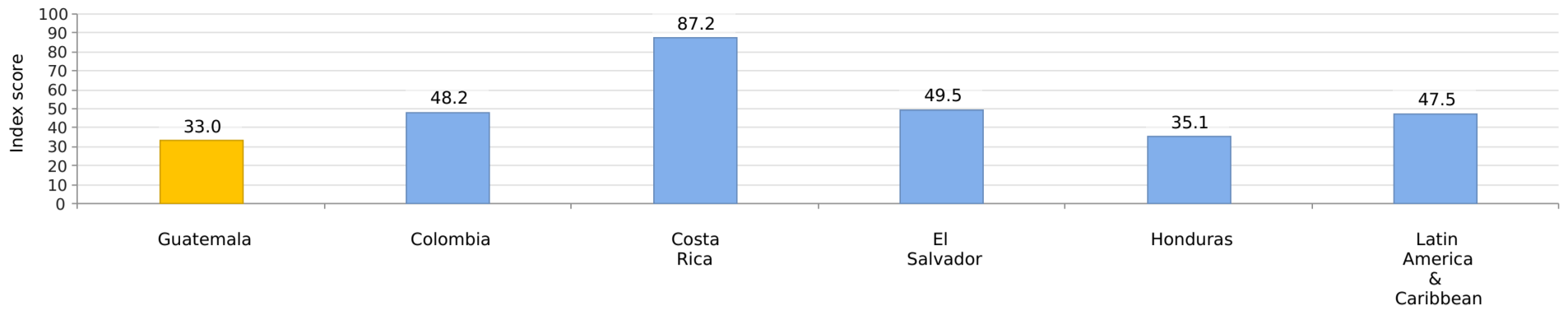


Figure - Paying Taxes in Guatemala and comparator economies - Ranking and Score



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 Guatemala and comparator economies - Measure of Quality



Details - Paying Taxes in Guatemala

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	23.0	25% or 7%	taxable profits or gross income	19.65	
Solidarity tax (ISO)	1.0	online		1%	net asset or gross income	17.68	included in other taxes
Employer paid - Social security contributions	1.0	online	126.0	12.67%	gross salaries	14.29	
Capital Gains Tax	1.0	online		10%	capital gains	0.51	
Property tax	1.0	online		0.9%	property value	0.45	
Tax on interest	1.0			10%	interest income	0.26	
Advertising tax	1.0			0.5%	advertising expenses	0.01	
Employee paid - Social security contributions	0.0	jointly		4.83%	gross salaries	0.00	withheld
Value added tax (VAT)	1.0	online	99.0	12%	value added and land sale	0.00	not included
Totals	8		248			35.2	

Details - Paying Taxes in Guatemala - Tax by Type

Taxes by type	Answer
Profit tax (% of profit)	20.2
Labor tax and contributions (% of profit)	14.3
Other taxes (% of profit)	0.7

Details - Paying Taxes in Guatemala - Measure of Quality

	Answer	Score
Postfiling index (0-100)		33.0
VAT refunds		
Does VAT exist?	Yes	
Does a VAT refund process exist per the case study?	No	
Restrictions on VAT refund process	Restricted to international traders and others	
Percentage of cases exposed to a VAT audit (%)	Not applicable	
Is there a mandatory carry forward period?	No	
Time to comply with VAT refund (hours)	No VAT refund per case study scenario	0.0
Time to obtain VAT refund (weeks)	No VAT refund per case study scenario	0.0
Corporate income tax audits		
Does corporate income tax exist?	Yes	
Percentage of cases exposed to a corporate income tax audit (%)	50% - 74%	
Time to comply with a corporate income tax correction (hours)	15.0	75.2
Time to complete a corporate income tax correction (weeks)	13.8	56.9

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 $22 \times 24 = 528$ 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 - Guatemala

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Time to export: Border compliance (hours)	36	55.3	12.7	1 (19 Economies)
Cost to export: Border compliance (USD)	310	516.3	136.8	0 (19 Economies)
Time to export: Documentary compliance (hours)	48	35.7	2.3	1 (26 Economies)
Cost to export: Documentary compliance (USD)	105	100.3	33.4	0 (20 Economies)
Time to import: Border compliance (hours)	72	55.6	8.5	1 (25 Economies)
Cost to import: Border compliance (USD)	405	628.4	98.1	0 (28 Economies)
Time to import: Documentary compliance (hours)	32	43.2	3.4	1 (30 Economies)
Cost to import: Documentary compliance (USD)	37	107.3	23.5	0 (30 Economies)

Figure - Trading across Borders in Guatemala - Score

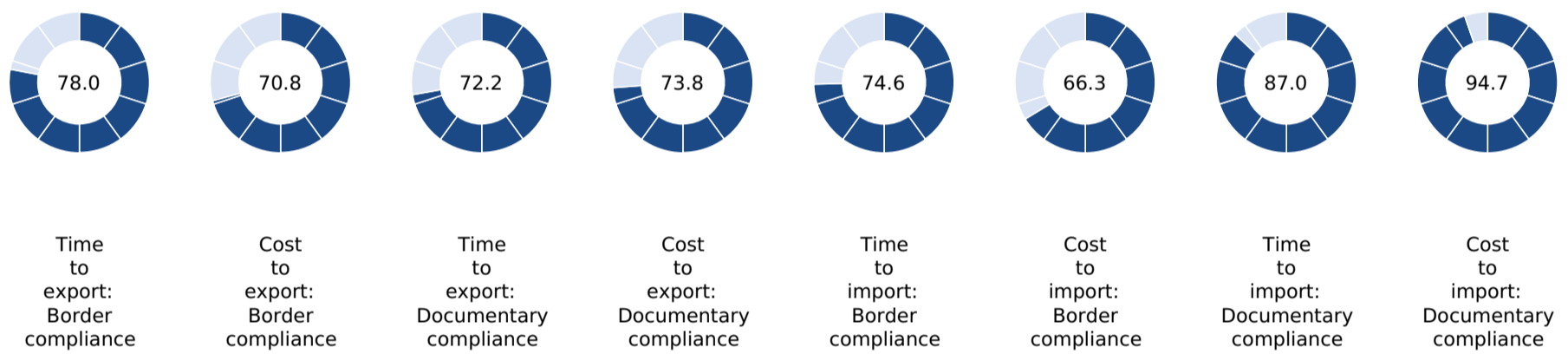
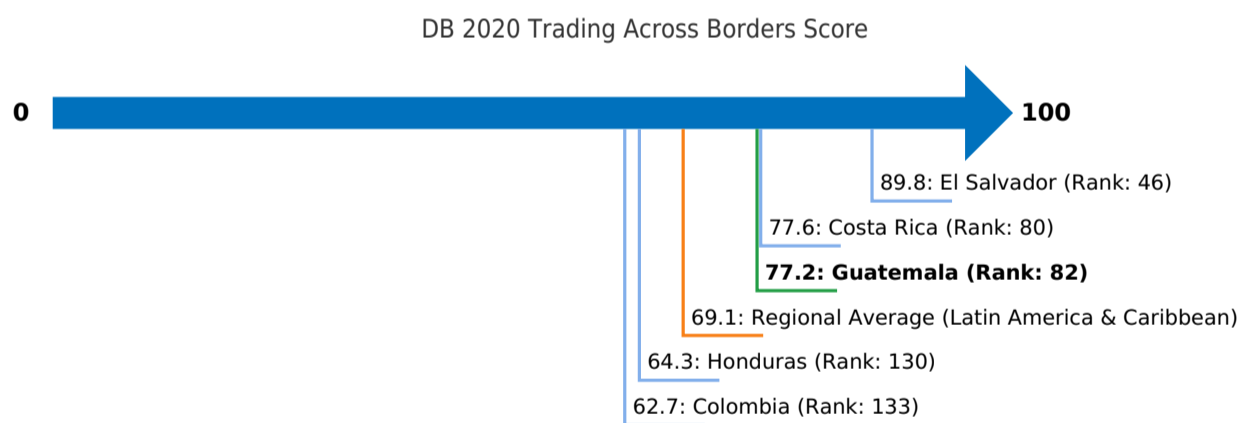
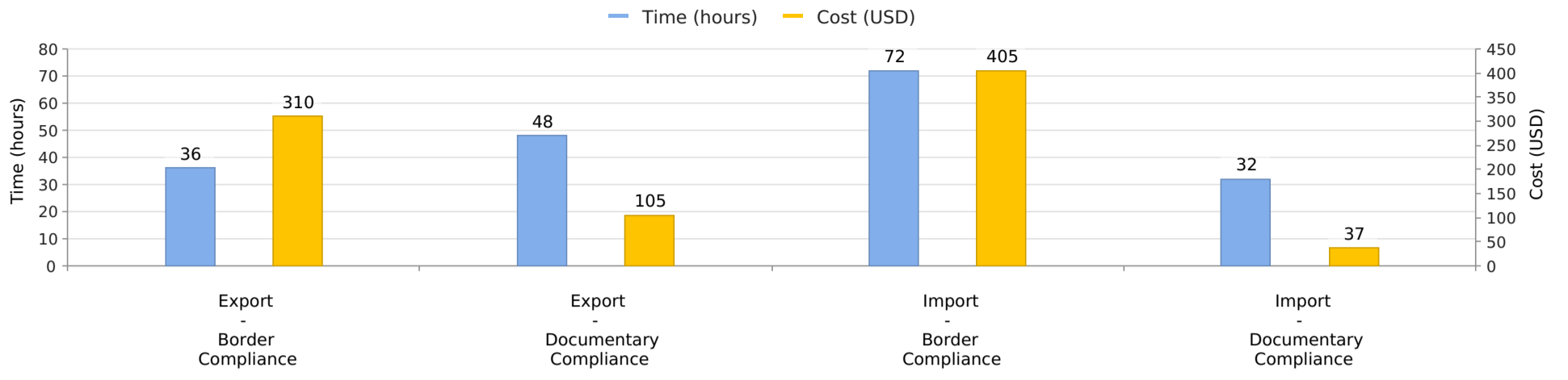


Figure - Trading across Borders in Guatemala and comparator economies - Ranking and Score



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 Guatemala - Time and Cost



Details - Trading across Borders in Guatemala

Characteristics	Export	Import
Product	HS 09 : Coffee, tea, mati and spices	HS 8708: Parts and accessories of motor vehicles
Trade partner	United States	United States
Border	Santo Tomás de Castilla port	Santo Tomás de Castilla port
Distance (km)	298	298
Domestic transport time (hours)	8	8
Domestic transport cost (USD)	750	750

Details - Trading across Borders in Guatemala - Components of Border Compliance

	Time to Complete (hours)	Associated Costs (USD)
Export: Clearance and inspections required by customs authorities	33.3	105.0
Export: Clearance and inspections required by agencies other than customs	8.0	0.0
Export: Port or border handling	28.0	205.0
Import: Clearance and inspections required by customs authorities	72.0	200.0
Import: Clearance and inspections required by agencies other than customs	0.0	0.0
Import: Port or border handling	72.0	205.0

Details - Trading across Borders in Guatemala - Trade Documents

Export

Phytosanitary Certificate

Export Permit /Permiso de la Asociacion Nacional del Café

Commercial Invoice

Bill of Lading

Customs Export Declaration

Packing List

Terminal Handling Receipts

Inspection Report

Certificate of Origin

SOLAS certificate

Import

Customs Import Declaration

Bill of Lading

Commercial Invoice

Packing List

Certificate of Origin

Terminal Handling Receipts

SOLAS certificate

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 - Guatemala

Standardized Case

Claim value	GTQ 64,540
Court name	Guatemala City Court of First Instance
City Covered	Guatemala City

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Time (days)	1402	774.2	589.6	120 (Singapore)
Cost (% of claim value)	26.5	32.0	21.5	0.1 (Bhutan)
Quality of judicial processes index (0-18)	6.0	8.8	11.7	None in 2018/19

Figure - Enforcing Contracts in Guatemala - Score

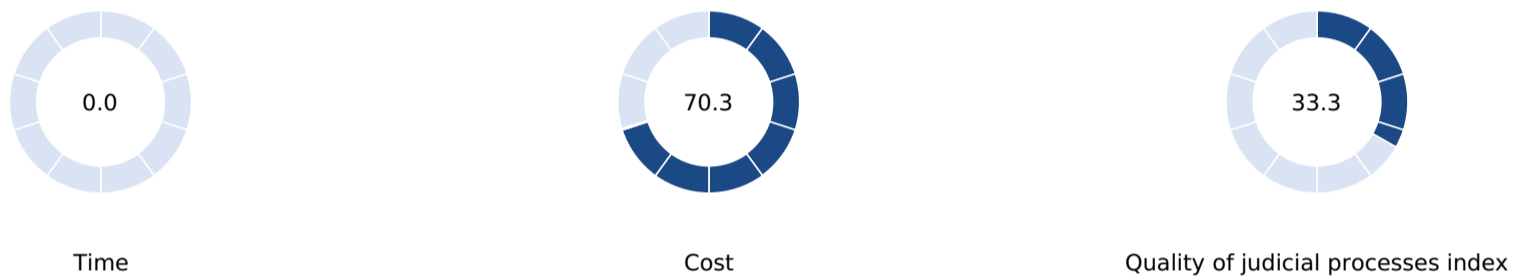


Figure - Enforcing Contracts in Guatemala and comparator economies - Ranking and Score



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 Guatemala - Time and Cost

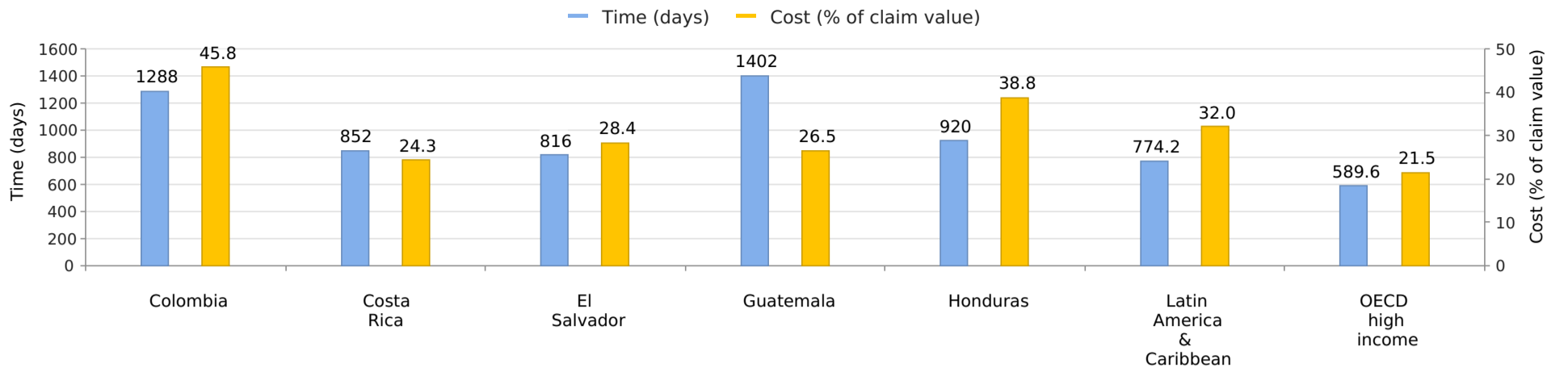
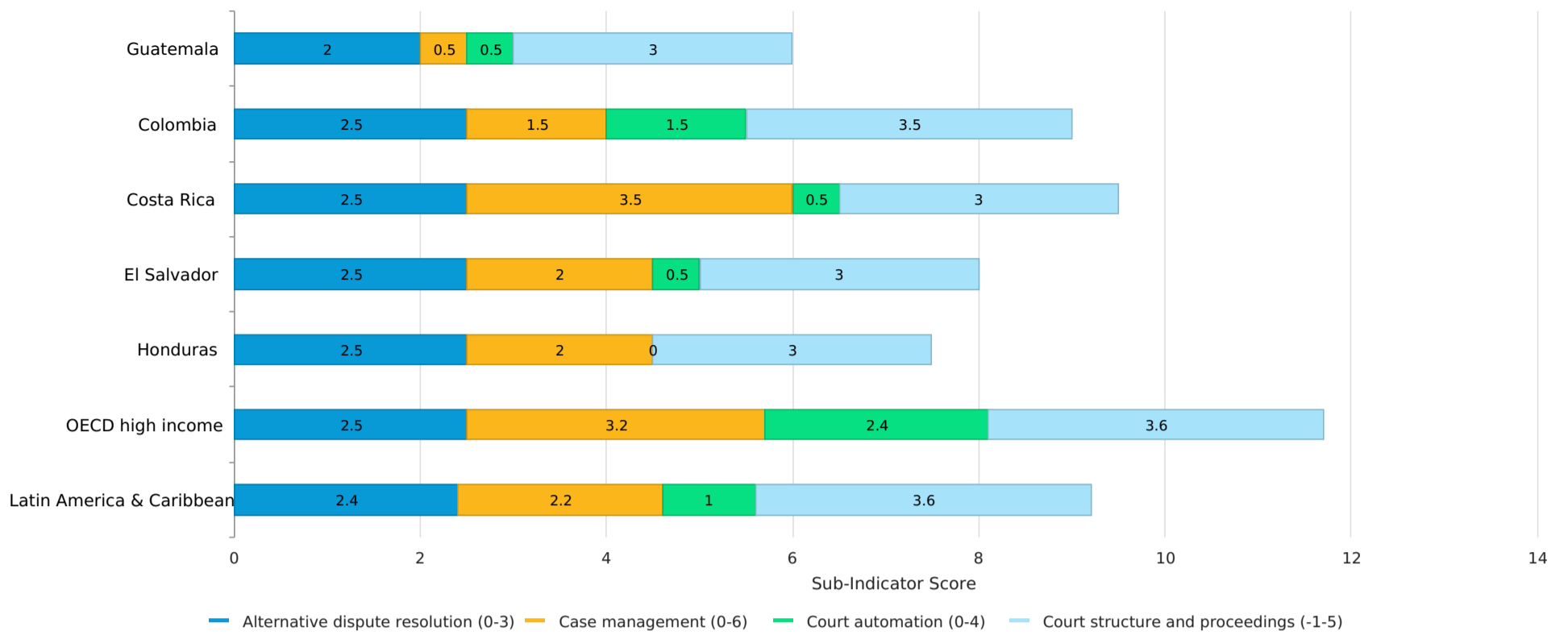


Figure - Enforcing Contracts in Guatemala and comparator economies - Measure of Quality



Details - Enforcing Contracts in Guatemala

	Indicator
Time (days)	1402
Filing and service	66
Trial and judgment	796
Enforcement of judgment	540
Cost (% of claim value)	26.5
Attorney fees	15
Court fees	6.5
Enforcement fees	5
Quality of judicial processes index (0-18)	6.0
Court structure and proceedings (-1-5)	3.0
Case management (0-6)	0.5
Court automation (0-4)	0.5
Alternative dispute resolution (0-3)	2.0

Details - Enforcing Contracts in Guatemala - Measure of Quality

	Answer	Score
Quality of judicial processes index (0-18)		6.0
Court structure and proceedings (-1-5)		3.0
1. Is there a court or division of a court dedicated solely to hearing commercial cases?	No	0.0
2. Small claims court		1.0
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?	No	
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)		0.5
1. Time standards		0.5
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?	Yes	
1.c. Are these time standards respected in more than 50% of cases?	No	
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?	No	0.0
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?	No	0.0
6. Are there any electronic case management tools in place within the competent court for use by lawyers?	No	0.0
Court automation (0-4)		0.5
1. Can the initial complaint be filed electronically through a dedicated platform within the competent court?	No	0.0
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?	No	0.0
4. Publication of judgments		0.5
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?	No	
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)		2.0
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	

2. Mediation/Conciliation	0.5
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, design)?	No
2.c. Are there financial incentives for parties to attempt mediation or conciliation (i.e., if mediation or conciliation is successful, a refund 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:

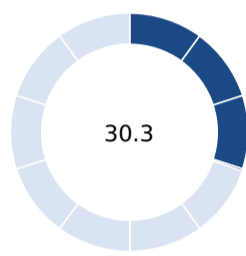
- A hotel located in the largest city (or cities) has 201 employees and 50 suppliers. The hotel experiences financial difficulties.
- The value of the hotel is 100% of the income per capita or the equivalent in local currency of USD 200,000, whichever is greater.
- The hotel has a loan from a domestic 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.

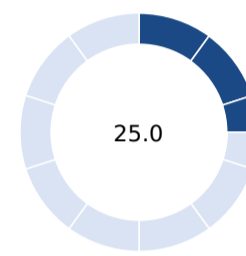
Resolving Insolvency - Guatemala

Indicator	Guatemala	Latin America & Caribbean	OECD high income	Best Regulatory Performance
Recovery rate (cents on the dollar)	28.1	31.2	70.2	92.9 (Norway)
Time (years)	3.0	2.9	1.7	0.4 (Ireland)
Cost (% of estate)	14.5	16.8	9.3	1.0 (Norway)
Outcome (0 as piecemeal sale and 1 as going concern)	0
Strength of insolvency framework index (0-16)	4.0	7.2	11.9	None in 2018/19

Figure - Resolving Insolvency in Guatemala - Score

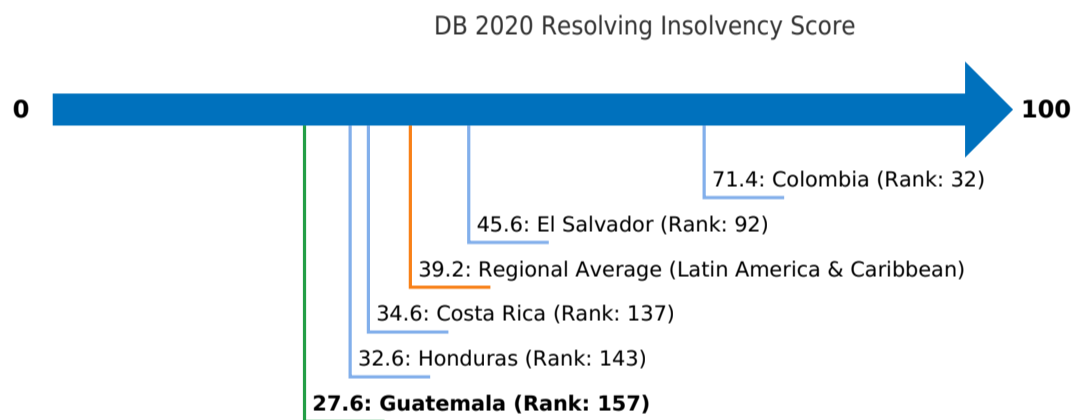


Recovery rate



Strength of insolvency framework index

Figure - Resolving Insolvency in Guatemala 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 Guatemala - Time and Cost

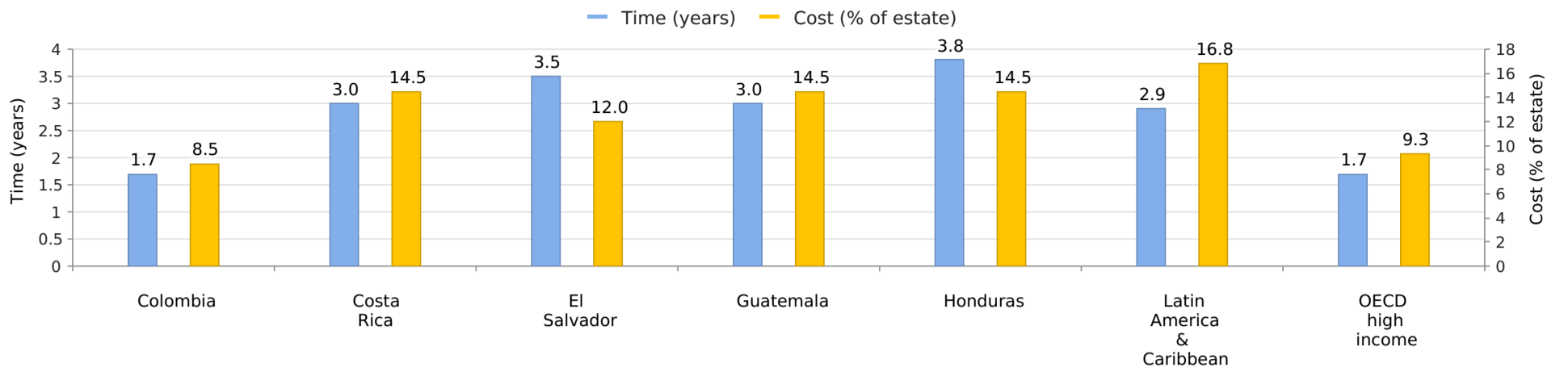
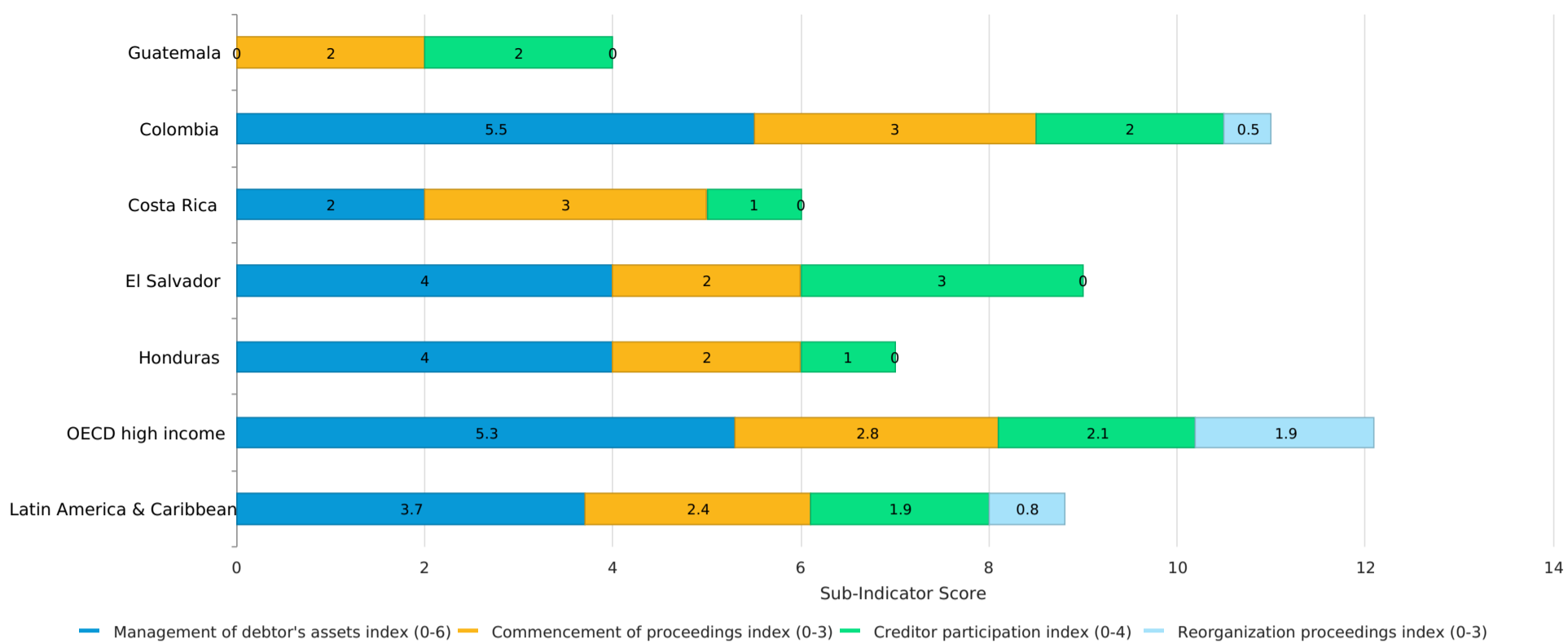
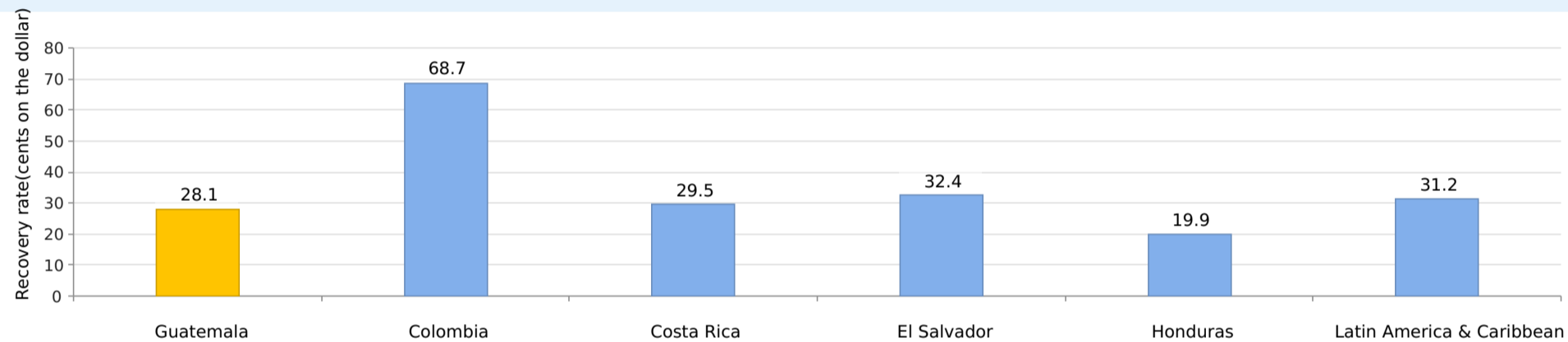


Figure - Resolving Insolvency in Guatemala and comparator economies - Measure of Quality



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."

Figure - Resolving Insolvency in Guatemala and comparator economies - Recovery Rate



Details - Resolving Insolvency in Guatemala

Indicator	Answer	Score
Proceeding	foreclosure	A foreclosure would probably be the most likely procedure to apply, based on the Civil Procedure code, the Commercial Code and Decree 107 (Art. 294). In general, collective insolvency proceedings are less frequent than foreclosures in Guatemala. The foreclosure proceeding would take around 3 years. It would start with the creditor filing a claim before the court for the enforcement of the sale of the property used as a collateral. The debtor has to be personally notified about the claim. The debtor will have the opportunity to counter-claim. The claim has to be sent to the debtor's home and he has to personally acknowledge the receipt of the claim. This can take a while, delays at this stage are very common. Once the debtor is finally reached, he has three days to object. Several rounds of objections are very common. Even though in "via de apremio" there are limits to the objections the debtor can make, it is common to face a lot of delays because of the objections. After that, it will take about 1.5 years until the approval to initiate foreclosure is handed down by the Court. Once the debtor finally accepts the claim, after several rounds of objections, the judge sets a time and date for the public auction. It can take around from 6 months to 1 year to organize and complete the auction. Also, it is not uncommon to organize several auctions because the hotel is not sold in the first one. Also, it is common that the debtor opposes how the hotel was valued. The public auction has to be published in the Diario Oficial at least three times, and also at the court (this will take a minimum of one month).
Outcome	piecemeal sale	Because of the sale of the property through a public auction, the hotel won't be able to continue operating and its assets will be sold piecemeal.
Time (in years)	3.0	The foreclosure proceeding will take approximately 3 years in Guatemala from the moment of Mirage's default until the debt is repaid to the secured creditor. It will take 1.5 years until the approval to initiate foreclosure is handed down by the Court, including the notification period and the debtor's counter-claim. After that stage, it will take 1 year for the auction to take place (including the necessary time to appoint an auctioneer, the scheduling of the auction and the sale of the real estate). It will take additional 6 months for the judge to approve the sale and have it registered.
Cost (% of estate)	14.5	The cost for a foreclosure proceeding as described above would amount approximately to 15% of the value of Mirage's estate. The main component of this expenditure would be the attorney's fees, which would amount 8% of the value of Mirage's estate. The rest would be the costs of the custodian and property appraisal which would amount to 5% of the value of Mirage's estate. The rest of the cost would be judicial and notification expenses. Article 396 of the Procedural Civil and Commercial Code of Guatemala provides that in no case the total fees of all professionals involved in the insolvency process may not exceed 12% of the value of the claim. However, this article does not apply to foreclosures. They can be calculated according to the professional schedules for arbitrators, attorneys, judicial leaders, experts, auditors and trustees. (Decree 111-96)
Recovery rate (cents on the dollar)		28.1

Details - Resolving Insolvency in Guatemala - Measure of Quality

	Answer	Score
Strength of insolvency framework index (0-16)		4.0
Commencement of proceedings index (0-3)		2.0
What procedures are available to a DEBTOR when commencing insolvency proceedings?	(b) Debtor may file for liquidation only	0.5
Does the insolvency framework allow a CREDITOR to file for insolvency of the debtor?	(b) Yes, but a creditor may file for liquidation only	0.5
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)		0.0
Does the insolvency framework allow the continuation of contracts supplying essential goods and services to the debtor?	No	0.0
Does the insolvency framework allow the rejection by the debtor of overly burdensome contracts?	No	0.0
Does the insolvency framework allow avoidance of preferential transactions?	No	0.0
Does the insolvency framework allow avoidance of undervalued transactions?	No	0.0
Does the insolvency framework provide for the possibility of the debtor obtaining credit after commencement of insolvency proceedings?	No	0.0
Does the insolvency framework assign priority to post-commencement credit?	(c) No priority is assigned to post-commencement creditors	0.0
Reorganization proceedings index (0-3)		0.0
Which creditors vote on the proposed reorganization plan?	N/A	0.0
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)		2.0
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?	No	0.0
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 - Guatemala

Details - Employing Workers in Guatemala

	Answer
Hiring	
Fixed-term contracts prohibited for permanent tasks?	Yes
Maximum length of a single fixed-term contract (months)	No limit
Maximum length of fixed-term contracts, including renewals (months)	No limit
Minimum wage applicable to the worker assumed in the case study (US\$/month)	457.4
Ratio of minimum wage to value added per worker	0.8
Maximum length of probationary period (months)	2.0
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)	50.0
Premium for overtime work (% of hourly pay)	50.0
Restrictions on night work?	Yes
Restrictions on weekly holiday?	Yes
Restrictions on overtime work?	Yes
Paid annual leave for a worker with 1 year of tenure (working days)	15.0
Paid annual leave for a worker with 5 years of tenure (working days)	15.0
Paid annual leave for a worker with 10 years of tenure (working days)	15.0
Paid annual leave (average for workers with 1, 5 and 10 years of tenure, in working days)	15.0
Redundancy rules	
Dismissal due to redundancy allowed by law?	Yes
Third-party notification if one worker is dismissed?	No
Third-party approval if one worker is dismissed?	No
Third-party notification if nine workers are dismissed?	No
Third-party approval if nine workers are dismissed?	No
Retraining or reassignment obligation before redundancy?	No
Priority rules for redundancies?	No
Priority rules for reemployment?	No
Redundancy cost	
Notice period for redundancy dismissal for a worker with 1 year of tenure (weeks of salary)	0.0
Notice period for redundancy dismissal for a worker with 5 years of tenure (weeks of salary)	0.0
Notice period for redundancy dismissal for a worker with 10 years of tenure (weeks of salary)	0.0
Notice period for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure, in weeks of salary)	0.0
Severance pay for redundancy dismissal for a worker with 1 year of tenure (weeks of salary)	5.1
Severance pay for redundancy dismissal for a worker with 5 years of tenure (weeks of salary)	25.3

Severance pay for redundancy dismissal for a worker with 10 years of tenure (weeks of salary)	50.6
Severance pay for redundancy dismissal (average for workers with 1, 5 and 10 years of tenure, in weeks of salary)	27.0
Unemployment protection after one year of employment?	No

Business Reforms in Guatemala

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.

✓ = *Doing Business* reform making it easier to do business. ✗ = Change making it more difficult to do business.

DB2019

✓ **Starting a Business:** Guatemala made starting a business easier by reducing the minimum capital requirement, reducing the registration fees and streamlining registration procedures.

DB2018

✗ **Dealing with Construction Permits:** Guatemala made dealing with construction permits more complicated and expensive by expanding the classification of projects requiring an environmental impact assessment.

DB2017

✓ **Paying Taxes:** Guatemala made paying taxes less costly by reducing the rate of corporate income tax.

DB2016

✓ **Paying Taxes:** Guatemala made paying taxes less costly for companies by reducing the corporate income tax rate.

✓ **Trading across Borders:** Guatemala reduced the documentary and border compliance time for importing by making electronic submission of documents compulsory and eliminating the need for many hard-copy documents.

DB2015

✓ **Starting a Business:** Guatemala made starting a business easier by eliminating certain registration fees and reducing the time to publish a notice of incorporation.

✓ **Paying Taxes:** Guatemala made paying taxes easier and less costly for companies by enhancing the electronic system for filing and paying corporate income tax and VAT and by reducing the capital gains and corporate income tax rates. On the other hand, it also made paying taxes more complicated by introducing a new form for capital gains tax.

DB2014

✓ **Dealing with Construction Permits:** Guatemala made dealing with construction permits easier by streamlining procedures through the creation of a one-stop shop, backed by agreements between institutions and agencies involved in the permitting process.

✓ **Paying Taxes:** Guatemala made paying taxes easier for companies by introducing a new electronic filing and payment system.

DB2013

✓ **Dealing with Construction Permits:** Guatemala made dealing with construction permits easier by introducing a risk-based approval system

DB2010

✓ **Dealing with Construction Permits:** Guatemala made dealing with construction permits easier through a new land management plan that simplified the risk-based approval process for building permits and through new zoning regimes that speeded up the approval process.

✓ **Registering Property:** Guatemala made registering property easier by streamlining the process at the cadastral office, by reorganizing operations, and making greater use of electronic services.

✓ **Getting Credit:** Guatemala strengthened its secured transactions system by creating a new movable asset registry that covers all types of movable assets as well as creditors and debtors and improved access to credit information by guaranteeing borrowers' right to inspect their own data.

✓ **Paying Taxes:** Guatemala made paying taxes easier for companies by expanding the category of businesses for which electronic filing and payment of value added and corporate income tax is mandatory and by extending the electronic system to most banks.

DB2009

✓ **Getting Credit:** Guatemala strengthened its secured transactions system through a new law creating a new form of pledge over movable assets and a registry for these pledges, allowing a general description of accounts receivable and inventory used as collateral and permitting parties to a security agreement to agree to out-of-court enforcement of the security right when signing the agreement.

DB2008

- ✓ **Starting a Business:** Guatemala reduced the time required for new company registration through full implementation of its one-stop shop.
- ✓ **Dealing with Construction Permits:** Guatemala made dealing with construction permits less time consuming by accelerating the issuance of decisions by the Ministry of Environment and Natural Resources.
- ✓ **Registering Property:** Guatemala reduced the time required to register property by allowing registrars to submit electronic signatures.
- ✓ **Trading across Borders:** Guatemala made trading across borders easier by implementing a new electronic data interchange system, training customs staff and improving its risk-based inspection system.
- ✓ **Enforcing Contracts:** Guatemala made enforcing contracts easier by increasing the maximum size of claims that can be brought to justices of the peace.

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.

www.doingbusiness.org



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