

## Enforcing Contracts Questionnaire – Thailand www.doingbusiness.org

Dear Contributor,

We would like to thank you for your participation in the *Doing Business* project. Your expertise in the field of contract enforcement in Thailand is essential to the success of the *Doing Business* report, one of the flagship publications of the World Bank Group that benchmarks business regulations in 190 economies worldwide. The Enforcing Contracts indicator, which measures the time and cost to resolve a standardized commercial dispute as well as a series of good practices in the judiciary, is one of the 11 indicator sets published by the *Doing Business* report.

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

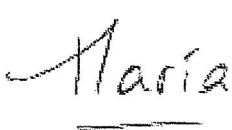
Governments worldwide read the report with interest every year, and your contribution makes it possible for the *Doing Business* project to disseminate the regulatory best practices that continue to inspire their regulatory reform efforts. In 2016/17, 20 economies introduced changes making it easier to resolve a standardized commercial dispute through the courts, as captured by the Enforcing Contracts indicator.

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

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

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

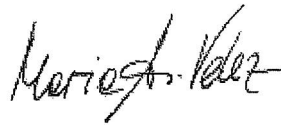
Sincerely,




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

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

## 1. REFORM UPDATE

	Answer
1.1. Have there been any reforms since June 1 <sup>st</sup> , 2017 in domestic commercial litigation? For example: amendments to the civil procedural laws, enactment and/or implementation of new regulations, changes to the case management system, introduction of automated solutions such as e-filing, e-notifications, etc., implementation of mediation/conciliation, substantial changes in arbitration law, introduction of small claims courts and/or simplified procedures for small claims, creation of a new commercial court, or appointment of new judges.	-Click to Select-
1.2. Please describe the reform(s). Please include information on the date of adoption, publication and enforcement of the new law(s) or regulation(s).	
1.3. Are any such reforms expected between now and May 1 <sup>st</sup> , 2018? If so, please describe.	

## 2. CASE STUDY ASSUMPTIONS

Two domestic companies – Seller and Buyer – conclude a contract for the sale of some custom-made goods. Further to such contract, Seller agrees to sell to Buyer, and Buyer agrees to buy from Seller, custom-made furniture. Upon delivery of the goods, Buyer alleges that the goods are of inadequate quality, and refuses to pay. Seller insists that the goods are of adequate quality and demands payment of the contract price. Since the goods were custom-made for Buyer, Seller cannot sell them to a third party. Following Buyer's refusal to pay, Seller sues Buyer. The court decides 100% in favor of Seller, and orders Buyer to pay the contract price.

1. Both Seller and Buyer are domestic companies, located in Bangkok.
2. Seller sues Buyer to recover the amount due under the contract. The value of the claim is: THB 396,356.
3. The court deciding the case is located in Bangkok and is the first instance court with jurisdiction over commercial claims of THB 396,356.
4. Seller fears that Buyer may dissipate assets, move assets out of the jurisdiction or become insolvent. Therefore, if such a procedure is allowed before the competent court, Seller requests and obtains attachment of Buyer's movable assets (for example, office equipment) prior to obtaining a judgment.
5. Buyer opposes the claim, which is then disputed on the merits. An opinion on the quality of the goods delivered by Seller is required and is given by an expert during the court proceedings:
  - a. If it is standard practice in your country for Seller and Buyer to call their own expert witnesses, then each party calls one expert witness to provide an opinion on the quality of the goods delivered by Seller.
  - b. If it is standard practice in your country for the judge to appoint an independent expert to provide an opinion on the quality of the goods delivered by Seller, then the judge does so. It is assumed that no opposing expert testimony is provided.
6. Judgment is 100% in favor of Seller. Buyer is required to pay the agreed contract price to Seller.
7. Buyer does not appeal the judgment.
8. Seller starts enforcing the judgment when the period allocated by law for appeal expires. It is assumed that Buyer has no money in his bank accounts but has sufficient movable assets to fulfill the full debt. As a result, Buyer's movable assets (for example, office equipment) are attached and stored in preparation for a public sale.
9. A public sale is organized, advertised and held to sell Buyer's movable assets. The assets are sold and the value of the claim is entirely recovered by Seller.

**Definitions:** for the purpose of this questionnaire, the terms below carry the following meaning:

1. Competent court means the court in Bangkok with jurisdiction over commercial disputes similar to the one described in the assumptions of the case study. If more than one court is competent, competent court means the court that is most likely to determine the outcome of the standardized case.
2. Expert witness means a witness with the required qualifications or experience to give an opinion on whether the goods delivered are of adequate quality. Expert opinion is required and provided prior to judgment.

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Please provide your responses to the following sections taking into account the case study assumptions provided above. For your convenience, last year's answers are included in this questionnaire where available. Please note that they represent a unified answer based on all the answers we received from various contributors in your economy.

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### 3. COMPETENT COURT

	Answer	Comment
3.1. Does the Bangkok Civil Court have jurisdiction over the case described in Section 2, given the value of the claim set at THB 396,356?	-Click to Select-	
3.2. How many cases similar to the one described in Section 2 before the Bangkok Civil Court have you or your firm handled since June 1 <sup>st</sup> , 2017?	-Click to Select-	

If the competent court has changed, please answer all applicable questions in Sections 4, 5 and 6 assuming that the new court would hear the case.

### 4. QUALITY OF JUDICIAL PROCESSES INDEX

#### 4.1 Court Structure and Proceedings

Specialized Commercial Court	
4.1.1. In Bangkok, is there a court, division or bench of a court dedicated solely to hearing commercial cases?	<i>Last year: No</i> This year: -Click to Select-
4.1.1.1. If yes, what is the name of this court, division or bench?	
4.1.1.2. If yes, what is the law/regulation establishing the specialization? Please include a link if possible.	
4.1.1.3. If yes, what is the jurisdictional threshold (minimum claim value) for cases to be heard by this court, division or bench?	
Small Claims Court and/or Fast-track procedure for small claims	
4.1.2. In Bangkok, is there a small claims court/division and/or a fast-track procedure for small claims?  <i>A small claims court is a court with limited jurisdiction to hear cases with a maximum claim value that is relatively small. These courts usually have relaxed rules of civil procedure, relaxed rules of evidence and are characterized by the use of plain language.</i>  <i>A fast-track procedure for small claims is a procedure designed to be quick and relatively uncomplicated for cases with a maximum claim value that is relatively small.</i>	<i>Last year: Yes</i> This year: -Click to Select-
4.1.2.1. If yes, what is the name of this court/division or fast-track procedure?	
4.1.2.2. If yes, what is the law/regulation establishing such court/division or fast-track procedure? If possible, please include a link to the law.	
4.1.2.3. If small claims are resolved through a stand-alone court or division, do simplified rules of civil procedure apply?	
4.1.2.4. Does this court/division and/or fast-track procedure has general jurisdiction over civil cases? Please answer "No" if jurisdiction is limited to a pre-set list of cases.	Answer: -Click to Select- Comment:
4.1.2.5. What type of cases can be heard by this court/division	Answer: -Click to Select-

and/or fast-track procedure?	Legal basis:
4.1.2.6. Is there a maximum monetary amount for cases to be heard by this court/division or through this procedure? If yes, please specify the maximum monetary amount.	Answer: -Click to Select- Comment:
4.1.2.7. Is self-representation allowed within these proceedings?	Answer: -Click to Select- Comment:
<b>Pre-Trial Attachment</b>	
4.1.3. Assuming that the plaintiff has reasons to believe that the defendant may dissipate assets, move assets out of the jurisdiction or become insolvent, would the plaintiff be allowed to request and obtain attachment of the defendant's <u>movable</u> assets (office equipment or vehicles) within the same court?	<i>Last year: Yes</i> This year: -Click to Select- Comment:
<b>Assignment of Cases</b>	
4.1.4. Are new cases assigned to judges within the Bangkok Civil Court through an automated system?  <i>An automated system is characterized by the use of computers and computer software to assign cases repeatedly without human intervention.</i>	Answer: -Click to Select- Comment:
4.1.4.1. If yes, could in practice a judge or court official alter the assignment of cases generated by the system before cases are distributed to judges? Please explain.	Answer: -Click to Select- Comment:
4.1.5. Are new cases assigned randomly to judges within the Bangkok Civil Court?  <i>Random assignment refers to a process of case assignment that is based on clearly defined criteria that do not allow for manipulation, and that is characterized by a lack of predictable pattern that can be guessed in order to anticipate the assignment of cases to judges.</i>	Answer: -Click to Select- Comment:
4.1.6. What are the criteria used to assign cases within the Bangkok Civil Court?	
<input type="checkbox"/> Random, drawing lots <input type="checkbox"/> On the basis of some alphabetical criteria or on a rotational basis (e.g. depending on the first initial of the plaintiff) <input type="checkbox"/> On the basis of the subject matter <input type="checkbox"/> On the basis of the court's schedule (e.g. depending on the weekday a case is filed on) <input type="checkbox"/> On the basis of the court's caseload <input type="checkbox"/> No predefined criteria, done at the discretion of the official in charge <input type="checkbox"/> Not randomly <input type="checkbox"/> Other, please explain	
4.1.7. In practice, can the parties or their counsels influence the appointment of the judge or predict which judge will be assigned to their case with a high level of certainty?	Answer: -Click to Select- Comment:
<b>Gender Equality</b>	
4.1.8. According to the applicable civil procedure law, does a woman's testimony carry the same evidentiary weight in court as a man's in all types of court cases?	<i>Last year: Yes</i> This year: -Click to Select- Comment:
4.1.9. If not, in which kind of cases do they not carry the same weight (e.g. commercial, family, etc.)?	Answer:

## 4.2 Case Management

<b>Time Standards for Civil Cases, Adjournments and Continuances</b>	
4.2.1. In Thailand, are there laws or other regulations setting overall time standards for key court events in a civil case?	<i>Last year: Yes</i> This year: -Click to Select- Legal basis / comment:

4.2.1.1. If yes, which of these key events have specific deadlines set by law? Please mention the specific article of the applicable law/regulation and, if possible, include a link to the material.

*Last year: Filing of the statement of defense*

- Service of process – Legal basis:
- First hearing – Legal basis:
- Filing of the statement of defense – Legal basis:
- Completion of the evidence period – Legal basis:
- Time for the expert to deliver his/her opinion – Legal basis:
- Deadline to submit final judgment – Legal basis:

4.2.1.2. If yes, are these time standards respected in more than 50% of the cases?

*Last year: Yes*  
This year: -Click to Select-  
Comment:

4.2.2. Does the law also regulate the maximum number of adjournments or continuances that can be granted?

*Last year: No*  
This year: -Click to Select-  
Legal basis / comment:

4.2.2.1. Are adjournments limited to unforeseen and exceptional circumstances?  
Please answer **Yes**, if the law stipulates what are such unforeseen/exceptional circumstances (e.g. death of party/lawyer, appointment of an expert, attempt to reach settlement) and/or if the law explicitly states what shall not be considered as unforeseen/exceptional reason for adjournment.

*Last year: No*  
This year: -Click to Select-  
Legal basis / comment:

4.2.2.2. If rules on adjournments exist, are they respected in more than 50% of the cases?

*Last year: n.a.*  
This year: -Click to Select-  
Comment:

### Performance Measurement Mechanisms

4.2.3. Are there publicly available reports about the Bangkok Civil Court that show the court's performance and the progress of cases through the court? Please answer No if the information is available for internal monitoring purposes but is not publicly available.

*Last year: Yes*  
This year: -Click to Select-  
Comment:

4.2.3.1. If yes, which of the following reports are made available online? These reports could be part of an annual report on the judiciary.

- Time to disposition report (measures the time the court takes to dispose/adjudicate its cases)
- Clearance rate report (measures the number of cases resolved vs. the number of incoming cases)
- Age of pending cases report (provides a snapshot of all pending cases according to case-type, case-age, last action held and next action scheduled)
- Single case progress report (provides a snapshot of the status of one single case)

Please provide link, if possible:

### Pre-Trial Conference

4.2.4. Is a pre-trial conference part of the case management techniques used before the Bangkok Civil Court?

*Last year: Yes*  
This year: -Click to Select-  
Legal basis / comment:

A *pre-trial conference* is a meeting presided by the judge and designed to narrow down contentious issues and evidentiary questions before the trial. Its purpose is to discuss the possibility of settlement and to expedite the trial process while discouraging unnecessary pretrial motions or other delay tactics.

4.2.4.1. If yes, which issues would be discussed and which actions would take place in such a pre-trial conference?

- Scheduling, including time frame for filing motions and other documents with the court
- Examination of case complexity and projected length of trial
- Possibility of settlement or ADR
- Exchange of witness list
- Discovery timeline/agreement on evidence

- Jurisdiction and other procedural issues
- Narrowing down contentious issues
- Other, please explain

### Electronic Case Management System

If an electronic case management system is in place within the Bangkok Civil Court, please answer the following two questions.

4.2.5. Which of the following actions can **judges** perform through the electronic system?

- Access laws, regulations and case-law
- Automatic generation of a hearing schedule for all cases on the judge's docket
- Send notifications (e.g. emails) to lawyers
- Track status of a case on the judge's docket
- View and manage case documents (briefs, motions, etc.)
- Assistance with judgment writing
- Semi-automatic generation of court orders
- View court orders and judgments in a particular case
- Additional features, please explain

4.2.6. Which of the following actions can **lawyers** perform through the electronic system?

- Access laws, regulations and case-law
- Access forms to be submitted to the court
- Receive notifications (e.g. emails)
- Track the status of a given case (future hearings, deadlines, etc.)
- View and manage case documents (briefs, motions, etc.)
- File briefs and documents with the court
- Access court orders and decisions on a given case
- Additional features, please explain

### 4.3 Court Automation

<b>Electronic Filing</b>	
4.3.1. Can the initial complaint be filed electronically through a dedicated platform within the Bangkok Civil Court? Please answer No if it can only be filed by e-mail or fax.	<i>Last year: No</i> This Year: -Click to Select- Comment:
4.3.1.1. If yes, when the initial complaint is filed electronically, must a hard copy be submitted as well?	Answer: -Click to Select- Comment:
<b>Electronic Service of Process</b>	
4.3.2. Can the initial complaint filed before the Bangkok Civil Court be served on the defendant electronically? If so, please specify how service is carried out (by e-mail, SMS/text, fax, etc.).	<i>Last year: No</i> This Year: -Click to Select- Comment:
4.3.2.1. If yes, when the initial complaint is served on the defendant electronically, must a hard copy be sent to the defendant as well?	Answer: -Click to Select- Comment:
<b>Electronic Payment of Court Fees</b>	
4.3.3. Can court fees be paid electronically within the Bangkok Civil Court? Please mark Yes also if payment can be made through online banking.	<i>Last year: Yes</i> This Year: -Click to Select- Comment:
4.3.3.1. If yes, is a physical interaction with the bank, the court, or the post office required to complete electronic payment?	Answer: -Click to Select- Comment:
<b>Publication of Judgments</b>	
4.3.4. Are judgments rendered at <u>all levels</u> in commercial cases made available to the general public through publication in official gazettes, in newspapers or on the internet/court website? If judgments are published online, please include a link to the relevant website.	<i>Last year: No</i> This Year: -Click to Select- Comment:
4.3.5. Are judgments rendered in commercial cases at <u>the appellate</u>	<i>Last year: No</i>

<p>and supreme court level made available to the general public through publication in official gazettes, in newspapers or on the internet/court website? If judgments are published online, please include a link to the relevant website.</p>	<p>This Year: -Click to Select- Comment:</p>
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## **4.4 Alternative Dispute Resolution**

<b>Arbitration</b>	
<p>4.4.1. In Thailand, is domestic commercial arbitration governed by a consolidated law or consolidated chapter/section of the applicable code of civil procedure encompassing substantially all its aspects? If "Yes", please indicate the name and year of publication of the law.</p>	<p><i>Last year: Yes</i> This year: -Click to Select- Comment:</p>
<p>4.4.2. Are valid arbitration clauses or agreements usually enforced by the courts in Thailand? Please answer No if courts would adjudicate a case despite the presence of a valid arbitration clause or agreement.</p>	<p><i>Last year: Yes</i> This year: -Click to Select- Comment:</p>
<p>4.4.3. Are there any commercial disputes – aside from those that deal with public order or public policy – that cannot be arbitrated in Thailand?</p>	<p><i>Last year: No</i> This year: -Click to Select- Comment:</p>
<p>4.4.3.1. If yes, please indicate whether any of the following disputes cannot be arbitrated:</p> <p><input type="checkbox"/> Disputes involving immovable property</p> <p><input type="checkbox"/> Intra-corporate disputes (e.g. disputes over decisions made by the executive bodies of a corporation or disputes involving shareholder arrangements).</p> <p><input type="checkbox"/> Intellectual property disputes</p> <p><input type="checkbox"/> Finance and banking activities (including securities transactions)</p> <p><input type="checkbox"/> Disputes related to insolvency, bankruptcy or liquidation of a company</p> <p><input type="checkbox"/> Employment disputes</p> <p><input type="checkbox"/> Other, please explain</p>	
<b>Voluntary Mediation / Conciliation</b>	
<p>4.4.4. Is voluntary mediation/conciliation available in Thailand? Please answer Yes only if the parties do not have to participate in the process unless they want to.</p>	<p><i>Last year: Yes</i> This year: -Click to Select- Comment:</p>
<p>4.4.5. In Thailand, is mediation/conciliation governed by a consolidated law or consolidated chapter/section of the applicable code of civil procedure encompassing substantially all aspects of mediation/conciliation? If Yes, please indicate the name and year of publication of the law.</p>	<p><i>Last year: No</i> This year: -Click to Select- Comment:</p>
<p>4.4.6. Are there financial incentives for parties to attempt mediation/conciliation (i.e. refund of court filing fees, income tax credits, etc.).</p>	<p><i>Last year: Yes</i> This year: -Click to Select- Comment:</p>



## 5. TIME ESTIMATES

In light of your experience with cases comparable to the case study described in Section 2, please indicate the number of calendar days that would usually be necessary in practice to resolve it.

If you updated the competent court in Section 3, please provide time estimates for the new court below.

### 5.1. Filing and service phase

This section measures the time it would take between the moment Seller (the plaintiff) decides to sue and the moment Buyer (the defendant) is served in the Bangkok Civil Court (assuming that both parties are domiciled in Bangkok).

			Answer
5.1.1. Before filing a lawsuit, the Seller tries to obtain payment out of court through a non-litigious demand letter. How long would this process take? In your estimate, please include the time to prepare the letter and the deadline that would be provided to the Buyer to comply. Under the case study described in Section 2, it is assumed that the Buyer <b>will not</b> comply.			
5.1.2. How long would a lawyer take to write the initial complaint and gather all supporting documents needed for filing (including authenticating them, if required)?			
5.1.3. How long would it take to file the initial complaint with the court and serve the defendant? In your estimate, please include the processing time at the court's registrar and the waiting periods between unsuccessful attempts to serve the claim on the defendant, if more than one attempt is usually required.			
5.1.4. What are the main causes of delay during this phase?			
<input type="checkbox"/> Difficulties in locating the defendant for purposes of service <input type="checkbox"/> Slow service by bailiff, attorney or other <input type="checkbox"/> Unavailability of attorney <input type="checkbox"/> Inefficient postal service <input type="checkbox"/> Obtaining information from registrar's office (date of hearing, pre-assessment of the complaint, etc.) <input type="checkbox"/> Other, please explain			
	<b>Last year</b>	<b>This year</b>	<b>Comment</b>
5.1.5. In light of the above, is last year's estimate <b>for the entire "filing and service" phase</b> still accurate?	<i>60 calendar days</i>	-Click to Select-	

### 5.2. Trial and judgment phase

This section measures the time it would take for the judgment to be rendered once the claim has been filed with the court and served on defendant.

	Answer
5.2.1. How long does it take, in practice, between the moment the case is filed and the moment a pre-trial conference is held? If pre-trial conferences do not take place in your country, please proceed to the next question.	
5.2.2. How long does it take, in practice, between the moment the case is filed and the moment the first trial hearing is held?	
5.2.3. How many hearings would be required, in practice, to resolve the standardized case study?	
5.2.4. When a hearing is postponed, or when more than one hearing would be necessary to resolve the case, how long would the parties have to wait for the next hearing?	
5.2.5. How long would an expert usually take in practice to deliver his or her opinion?	
5.2.6. How long would the judge take, in practice, to issue a written final judgment once the evidence period has closed?	
5.2.7. What is the time limit for appeal in Thailand?	

5.2.8. What are the main causes of delay during this phase?

- Backlog of cases
- Frequent adjournments
- Waiting periods between hearings
- Limited availability of experts and delays caused by the expert's activity
- Other, please explain

	Last year	This year	Comment
5.2.9. In light of the above, is last year's estimate <b>for the entire "trial and judgment" phase</b> still accurate?	260 calendar days	-Click to Select-	

### 5.3 Enforcement of judgment phase

This section measures the time it would take the plaintiff, once the appeal period has elapsed, to: (i) start enforcing the judgment; (ii) seize defendant's movable assets; (iii) organize a public sale of the seized assets; and (iv) recover the value of the claim.

	Answer		
5.3.1. How long does it take, in practice, to obtain an enforceable copy of the judgment and contact the relevant enforcement officer?			
5.3.2. How long does it take, in practice, to locate, identify and seize the losing party's movable assets (including the time necessary to obtain an order from the court to attach and seize the assets)?			
5.3.3. How long does it take, in practice, to advertise, organize and hold the public sale of the losing party's movable assets?			
5.3.4. If in practice more than one auction would be necessary to recover the value of the claim, how many days would pass between auctions?			
5.3.5. Once the auction is completed, how long will it take the winning party to recover the value of the claim?			
5.3.6. What are the main causes of delay during this phase?			
<input type="checkbox"/> Attaching the movable assets <input type="checkbox"/> Organizing the public auction <input type="checkbox"/> Waiting for the public sale to be held <input type="checkbox"/> Finding buyers for the goods <input type="checkbox"/> Other, please explain			
	Last year	This year	Comment
5.3.7. In light of the above, is last year's estimate <b>for the entire "enforcement" phase</b> still accurate?	100 calendar days	-Click to Select-	

## 6. COST ESTIMATES

- o Reminder – Value of the claim for *Doing Business 2019*: THB 396,356.
- o Indicate all costs and expenses Seller (the plaintiff) must advance, regardless of the costs that Seller can recover at the end, when he wins the case. Please include official costs only.
- o **If the competent court in Section 3 has changed, please list the fees that would apply in the new court.**

### 6.1 Attorney fees

Please provide an estimate of the average attorney fees that would be charged by a local law firm to handle a case like the standardized scenario, taking into account the qualification and experience of the attorney required in your country for this case. Please include the fees to handle the case up to judgment; the fees for enforcement if a lawyer is commonly retained for this purpose; and, if applicable, value added tax or other taxes.

	Last year	This Year	Comment
6.1.1. Is last year's estimate still accurate?	10.0% of claim value	-Click to Select-	

### 6.2 Court fees (up to judgment only) and expert fees

Please provide the approximate average cost that would be incurred by Seller (the plaintiff), *bearing in mind the competent court for the standardized case*.

	Answer		
Fees to register the case (filing fees only)			
Fees for the pre-trial attachment			
Fees for the issuance of the judgment			
Other court fees that would need to be advanced by Seller (please specify)			
Fees charged by a local expert if he/she had to work for 10 hours to deliver an opinion on the quality of the furniture. If such fees are regulated by a fee schedule, please include a link.			
	Last year	This Year	Comment
6.2.1. In light of the above, is last year's estimate of court fees and expert fees still accurate?	6.5% of claim value	-Click to Select-	

### 6.3 Enforcement fees

	Comment		
Fees to register the judgment			
Fees for the attachment order			
What are the fees for the auction (publicity, tax, enforcement officer, etc.)?			
Would Seller have to advance the fees for the organization of the public auction (publicity, tax, enforcement officer, etc.)? Please answer <b>No</b> if the enforcement officer is paid out of the proceeds of the public sale. Please provide the fees of the auction if they have to be advanced.			
Other enforcement fees that would need to be advanced by Seller (seizure of goods, advertisement, storage, etc.) (please specify)			
	Last year	This Year	Comment
6.3.1. In light of the above, is last year's estimate still accurate?	0.4% of claim value	-Click to Select-	

## 7. RESEARCH QUESTIONS

This year, *Doing Business* is collecting data on training and education of judges, court clerks/registrars and lawyers.

### 7.1. Education and training for judges

For the purposes of this section, judicial training is understood as a multidisciplinary and practical type of training, essentially intended for the transmission of professional techniques and values complementary to legal education.

	Answer
7.1.1. Is judicial training provided to new judges before or right after their appointment in your jurisdiction? If yes, please specify the content of the training.	Answer: -Click to Select- Comment:
7.1.2. Do newly appointed judges, with jurisdiction over commercial cases, receive specific training on business and commercial law before or right after an appointment? If yes, please specify the content of the training.	Answer: -Click to Select- Comment:
7.1.2.1. If yes, is the specific training on business and commercial law mandatory?	Answer: -Click to Select- Comment:
7.1.2.2. If yes, is there a body responsible for the design, content and delivery of judicial training? Please specify which body is responsible (e.g. the judiciary, the Ministry of Justice, an independent judicial training institute, etc.).	Answer: -Click to Select- Comment:
7.1.3. Is there any minimum number of days per year dedicated to training for judges? If yes, please specify the minimum number.	Answer: -Click to Select- Comment:
7.1.4. Do judges with jurisdiction over commercial cases receive mandatory training on a continuous basis throughout their careers? If yes, please specify how often is training provided.	Answer: -Click to Select- Comment:

### 7.2. Education and training for judicial clerks/court registrars

For the purposes of this section, a judicial clerk or court registrar is an officer of a court of justice who has charge of the clerical part of its business, who keeps its records and seal, issues process, enters judgments and orders, gives certified copies from the records, etc.

	Answer
7.2.1. What are the legal requirements to be appointed as judicial clerk/court registrar in your jurisdiction? <i>Please select all applicable options</i> <input type="checkbox"/> Law degree <input type="checkbox"/> Must pass a qualification exam <input type="checkbox"/> A minimum number of years of professional experience in the legal profession is required <input type="checkbox"/> Specialization/postgraduate degree <input type="checkbox"/> No legal requirements <input type="checkbox"/> Other, please specify	
7.2.2. Is training provided to new judicial clerks/court registrars before or right after their appointment in your jurisdiction? If yes, please specify the content of the training.	Answer: -Click to Select- Comment:
7.2.3. Do newly appointed judicial clerks/court registrars who are officers of a court dealing with commercial cases, receive specific training on business and commercial law before or right after an appointment? If yes, please specify what is the content of the training.	Answer: -Click to Select- Comment:
7.2.4. Is there any minimum number of days per year dedicated to training for judicial clerks/court registrars? If yes, please specify what is the minimum number.	Answer: -Click to Select- Comment:
7.2.5. Do judicial clerks/court registrars receive mandatory training on a continuous basis throughout their careers? If yes, please specify	Answer: -Click to Select- Comment:

how often is training provided.

### **7.3. Education and training for lawyers**

	<b>Answer</b>
7.3.1. Is there any professional requirement to become a lawyer? If yes, please specify what are the requirements.	Answer: -Click to Select- Comment:
7.3.1.1. If yes, is there any specific requirement to become a lawyer specialized in commercial matters?	Answer: -Click to Select- Comment:
7.3.2. Are individuals required to do a practical traineeship to become lawyers? If yes, please specify the content and how long does the practical traineeship take.	Answer: -Click to Select- Comment:
7.3.3. When legislative changes to commercial and business law or procedure are adopted, is any type of training or awareness campaign organized to educate lawyers? If yes, please specify which body provides it.	Answer: -Click to Select- Comment:

### **7.4. Training for practitioners and the public**

<p>7.4.1. When changes to the court processes or procedural law are introduced how are they conveyed to the public?</p> <p><input type="checkbox"/> Pilot test</p> <p><input type="checkbox"/> Dissemination campaign (e.g. social media, billboards, etc.)</p> <p><input type="checkbox"/> Training/workshop</p> <p><input type="checkbox"/> Through public broadcast (e.g. TV, radio, etc.)</p> <p><input type="checkbox"/> None of the above</p> <p><input type="checkbox"/> Other, please explain:</p>
<p>7.4.2. When changes to the court processes or procedural law are introduced how are they conveyed to the judges and court staff?</p> <p><input type="checkbox"/> Pilot test</p> <p><input type="checkbox"/> Dissemination campaign (e.g. social media, billboards, etc.)</p> <p><input type="checkbox"/> Training/workshop</p> <p><input type="checkbox"/> Through public broadcast (e.g. TV, radio, etc.)</p> <p><input type="checkbox"/> None of the above</p> <p><input type="checkbox"/> Other, please explain:</p>

**Thank you very much for completing the Enforcing Contracts questionnaire.**

We sincerely appreciate your contribution to the *Doing Business* project.

The results will appear in the *Doing Business 2019* report and on our website: [www.doingbusiness.org](http://www.doingbusiness.org).

Your work will be gratefully acknowledged.