

Doing Business in Spain 2015

OVERVIEW



COMPARING BUSINESS REGULATIONS FOR DOMESTIC FIRMS IN
17 AUTONOMOUS COMMUNITIES, 2 AUTONOMOUS CITIES
AND 5 PORTS WITH 188 OTHER ECONOMIES



WORLD BANK GROUP

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Content of *Doing Business in Spain 2015*

Doing Business in Spain 2015 is the first subnational report of the *Doing Business* series in Spain. It measures business regulations and their enforcement in 17 autonomous communities, 2 autonomous cities and 5 ports. The autonomous communities, autonomous cities and ports are compared against each other, and with 188 other economies worldwide.

Comparisons with other economies are based on the indicators in *Doing Business 2015, Going Beyond Efficiency*, the twelfth in a series of annual reports published by the World Bank Group. The indicators in *Doing Business in Spain 2015* are also comparable with almost 400 cities from 55 economies benchmarked in other subnational *Doing Business* studies. All data and reports are available at www.doingbusiness.org/subnational

Doing Business investigates the regulations that enhance business activity and those that constrain it. Regulations affecting 4 stages of the life of a business are measured at the subnational level in Spain: starting a business, dealing with construction permits, getting electricity, registering property and trading across borders. The first 4 indicators were selected because they cover areas of local jurisdiction or practice. Trading across borders was selected because it is relevant for Spain's international trade integration.

The indicators are used to analyze economic outcomes and identify what reforms have worked, where and why. The report also includes a new area of focus that benchmarks the ease of starting operations for an industrial small and medium-size company. The data in *Doing Business in Spain 2015* are current as of March 1st, 2015. For a more detailed description see the chapter on About *Doing Business* and *Doing Business in Spain 2015*, available in Spanish at www.doingbusiness.org/Spain

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Overview

Spain's economy is resuming growth, and jobs are being created,¹ but unemployment has risen and many businesses have closed. Between 2008 and 2013, the number of medium-size enterprises fell by 56%.² And the unemployment rate was 23% for 2010–14, more than twice the 10% rate for the European Union (EU).³ In addition, the destruction of formal jobs was disproportionately higher in Spain than in neighboring countries—a decline in output was associated with more jobs lost than in other European countries.⁴

Why? Because the construction sector—an important source of employment—was at the core of the economic crisis in Spain, and many formal jobs shifted to the informal economy. Current growth is still a long way from pre-2008 growth levels. And with 18% of the population below the poverty line,⁵ Spain's recovery will require a dynamic and competitive private sector that can create jobs.

But Spanish entrepreneurs face regulatory complexity and red tape. They interact with different government levels—the national government, regions (*comunidades autónomas*), provinces and municipalities—each with its own competencies and legislation. As a result of its territorial organization as a “Nation of Autonomies,” Spain is one of the most decentralized countries in Europe: regional administrations manage almost 50% of public expenditure and 77% of public employees.⁶ This

decentralization gives citizens more direct access to government but also implies greater regulatory heterogeneity and overlap. So an inclusive reform process must be coordinated across the different levels of government.

Over the past few years the Spanish government has undertaken labor market, financial sector and budgetary stability reforms to support the economic recovery. In 2013, a public administration reform to streamline the public sector, known as CORA (Commission on Public Administration Reform), aimed to facilitate private sector development.⁷ That same year the Law on Market Unity (*Ley de garantía de la unidad de mercado*) created a mechanism to ensure consistency among regulations at the different government levels and prevent domestic market fragmentation.⁸ Other initiatives to promote business creation include the Law on Support for Entrepreneurs and their Internationalization (*Ley de apoyo a los emprendedores y su internacionalización*).⁹ EU regulations also support administrative simplification and business climate reforms to make it easier for companies to start up and operate. One example of such reforms is the *declaration of responsibility*—a simple notification of the entrepreneur to the municipality—in lieu of a license or special authorization granted by the municipality to initiate a business activity (box 1.1).

Even with these reforms Spain still lags behind high-income OECD economies

Doing Business in Spain 2015



- Small and medium entrepreneurs across Spain face large differences in regulatory practices depending on where they do business. Differences in regulations and implementation at the municipal, regional and national level determine how easy it is to do business.
- Except for construction permits, all regions perform below the European Union average, and none perform in the top 25% as measured by *Doing Business*. High costs stand out.
- Based on the aggregate rank across the 4 areas analyzed in the 19 regions and cities, it is easier to do business in La Rioja and the Community of Madrid.
- It is easier to start a business in Andalusia, obtain a construction permit in La Rioja, connect a warehouse to electricity in Catalonia and transfer property in Ceuta and Melilla.
- All locations have good practices that they can share with others, but they could also learn from others. If all the good practices analyzed were adopted in a hypothetical city, Spain's global performance would improve. However, peer-to-peer learning should not be confined to Spain.
- Coordinating the different levels of government and institutions is essential to reduce the regulatory burden for companies. From an entrepreneur's point of view, it is irrelevant whether a requirement comes from the municipality, the region or a national institution. What matters is the ease of compliance.

BOX 1.1 Declaration of responsibility: a paradigm shift

To make starting commercial activities easier, Law 17 of 2009 introduced the concept of *declaration of responsibility or prior communication*, replacing the previous license or special authorization with a communication, followed by supervision.ⁱ An entrepreneur may now start a business activity without a license—leaving it up to the local administration to then verify and supervise the accuracy of the information provided in the communication. The law establishes a common procedural framework and a catalogue of activities that no longer require authorizations across Spain.ⁱⁱ Regions and municipalities may expand the scope of the declaration of responsibility to include additional activities and specify the requirements for documentation and supervision.

The impact of the reform is already showing. However, while it is no longer necessary to apply for an operating license to start a business in low-risk activities anywhere in Spain,ⁱⁱⁱ implementation differs across cities and regions. For example, in Ceuta, an entrepreneur must wait 15 days after notifying the municipality, while in the other cities she can start operating immediately. In 7 municipalities the declaration of responsibility is free of charge, while in the others municipal fees apply.

There are stronger differences for construction permits. In Barcelona, Las Palmas and Valencia, the first occupation license is obtained by submitting a declaration of responsibility, while in the other cities a license and inspection are still required. To obtain an electricity connection for a commercial warehouse, the national legislation allows a simplified mechanism: the region may authorize an electrical connection after it has been installed, without a previous project approval. Nevertheless most regions still require a prior project authorization, with the exception of Catalonia, Extremadura and Navarre.^{iv}

i. The terms *declaration of responsibility* and *prior communication* are used imprecisely in the national legislation. In some regions and municipalities, they are different concepts, or one of the terms is preferred over the other. This report uses both terms indistinctly.

ii. Since 2009 national legislation has expanded the list of activities subject to a *declaration of responsibility*.

iii. Low risk activities are those that are not dangerous, unhealthy, damaging or a nuisance to human beings or the environment.

iv. Real Decree 337/2014 and its Complementary Technical Instruction (ITC-RAT 22).

on the ease of doing business, as measured by *Doing Business*.¹⁰ That makes it important for Spanish policy makers to continue reforms to create jobs and increase productivity. Improving the business climate and removing national, regional and local regulatory barriers should be a priority to facilitate business creation and encourage economic growth. The country can speed up the pace of regulatory reform to increase competitiveness and allow firms to make the most of the opportunities coming out of the crisis.

WHAT DOES DOING BUSINESS IN SPAIN 2015 MEASURE?

Doing Business analyzes business regulations from the point of view of small and medium-size enterprises. The assumption is that both the regulations and business climate have a significant impact on a country's

economic activity. If laws and regulations are clear, accessible and transparent—and enforceable in a court of law—entrepreneurs can devote more time to productive activities. They will also feel more confident doing business with people they do not know, expanding their client and supplier networks and helping their businesses grow.

Madrid represents Spain in the annual *Doing Business* report comparing 189 economies across the world.¹¹ However within Spain, entrepreneurs face diverse local regulations and practices. *Doing Business in Spain 2015* is the first subnational study benchmarking 17 *comunidades autónomas* and 2 autonomous cities: Andalusia (Seville), Aragon (Zaragoza), Asturias (Gijón), Balearic Islands (Palma), Basque Country (Bilbao), Community of Madrid (Madrid), Canary Islands (Las Palmas), Cantabria (Santander), Castile and León (Valladolid), Castilla-La Mancha (Albacete), Catalonia

(Barcelona), Extremadura (Badajoz), Galicia (Vigo), La Rioja (Logroño), Navarre (Pamplona), Region of Murcia (Murcia), Valencian Community (Valencia), Ceuta and Melilla.¹²

The report analyzes 5 *Doing Business* areas of interaction with regulatory processes. Four are benchmarked in all 19 locations: starting a business, dealing with construction permits, getting electricity and registering property. These areas were selected because they fall at least partially under the regulatory competence of regions and municipalities. The report also includes a chapter on trading across borders, which analyzes the requirements to export from and import to Madrid through 5 ports: Algeciras, Barcelona, Bilbao, Valencia and Vigo.

Doing Business in Spain 2015 includes 2 tailor-made case studies not usually covered by *Doing Business*: starting an industrial SME, which measures the

additional requirements to start a small manufacturer of steel products after it has been incorporated; and the requirements for a small company set up in one region that wants to provide services in another (box 1.2).

The data are based on the relevant laws, regulations, decrees and fee schedules, as well as on questionnaires administered to more than 350 local experts from the private sector across

the country, including lawyers, notaries, architects, engineers, construction companies, professional associations, customs agents, freight forwarders and others who regularly carry out or advise firms on the procedures required for each of the benchmarked areas.¹³ More than 400 public officials from all government levels also participated in the data collection process. The information is up-to-date as of March 1, 2015, including the data for Madrid.

THE MAIN FINDINGS

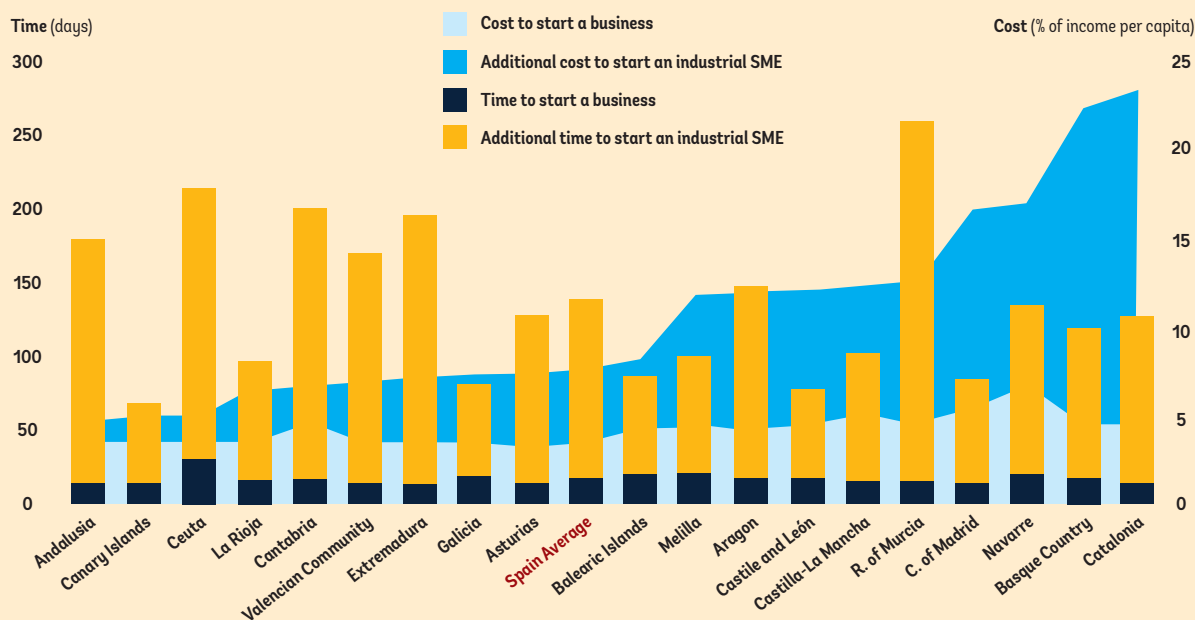
Doing Business in Spain 2015 does not measure all aspects of the business environment that matter to firms or investors—such as macroeconomic stability, the size of the market, financial markets or human capital. However, the indicators measure areas relevant to small and medium-enterprises where regional and municipal governments have greater scope for

BOX 1.2 Law on Market Unity: promoting good regulation and preventing market fragmentation

To reduce barriers to trade, and inspired by the European common market, the Government of Spain approved a Law on Market Unity (*Ley 20/2013 de garantía de la unidad de mercado* or “LGUM”) to ensure the free circulation of goods and services throughout Spain and to improve coordination across agencies. It also supports the development of good regulations based on the principles of necessity, proportionality and nondiscrimination. However, challenges remain to starting and operating a company in Spain. Long procedures, overlapping competencies, excessive regulation and the resulting difficulties in interpreting laws are some of the obstacles that small and medium entrepreneurs face when setting up a business.

Doing Business in Spain 2015 finds significant differences across regions in local regulations and practices to incorporate a company and obtain a business license for general commercial (low-risk) activities.ⁱⁱ These differences are more pronounced when the business performs (even simple) industrial activities. Starting an industrial small to medium-size firmⁱⁱⁱ takes on average 4.5 more procedures, 4 more months and costs 6.6% income per capita more than starting one that performs low-risk activities.

It is significantly more cumbersome to start a small to medium-size industrial firm than a company performing general commercial activities



Source: *Doing Business* database.

(continues in next page)

BOX 1.2 (continues from preceding page)

The proportionality principle is applied differently across public agencies. For the same industrial activity, 10 municipalities require a commercial license, while a *declaration of responsibility* is sufficient in all others. Reasons for requiring a license can be contradictory. In Valencia one reason for requiring a prior municipal authorization is that the region also grants an environmental authorization for activities that are potentially air-polluting. In contrast, in the Balearic Islands the fact that the region is performing an environmental review is precisely why the municipality does not require a separate authorization. Similarly, different criteria and terms are used to classify the industrial activities that are subject to special authorizations.^{iv} In some instances these are “classified activities,” in others “minor or major permanent activities” or even “activities subject to environmental licensing.”

The regulatory hurdles increase when the activity is more complex. Still, the requirements also differ across locations for low-impact and low-risk services.^v If an entrepreneur who has already set up operations in one region decides to also offer her services in the Canary Islands or in Ceuta and Melilla, she has to register for the local taxes: in the Canary Islands the General Indirect Tax (*Impuesto General Indirecto Canario*, IGIC) and the Tax on Production, Services and Imports (*Impuesto sobre la Producción, los Servicios y la Importación*, IPSI) in Ceuta and Melilla, even though the firm is already registered to pay VAT in the home region. The varying requirements generate transaction costs for the entrepreneur—to manage and obtain the relevant information and to comply with the regulation—thereby preventing the entrepreneur from using what she has learned in the start-up process in one region in another.

The Law on Market Unity introduces measures to streamline regulations and creates cooperation and supervision systems. It sets up thematic working groups, with representation from the different territorial administrations, to identify regulatory hurdles and areas where regulations overlap or are contradictory. For instance, one working group focuses on streamlining environmental and urban regulations to comply with LGUM’s criteria. The working group submitted a proposal with specific measures and a timeline to the regional and municipal governments for approval. Working groups also coordinate tourism policies and standardize regulations for the gambling sector, among others.^{vi} The Council for Market Unity and the Committee for the Improvement of Regulation, with representation from all regions, supervises the implementation of the LGUM. Complaints and consultation mechanisms have been established to issue rulings and provide guidance.

i. Law 20/2013, of December 9, on market unity, Official Gazette (BOE) number 295, of December 10, 2013.

ii. See chapter on starting a business in the *Doing Business in Spain 2015* report, available in Spanish at www.doingbusiness.org/Spain

iii. Such as the one benchmarked in the tailor-made case study “Starting an industrial SME.”

iv. The point of reference is the activity described in the case study “Starting an industrial SME.”

v. The additional case study assumes that there is only rendering of services, no physical establishment is required. See Annex on the new areas of study for more details.

vi. Other work areas include domestic trade, health and social services, consumption, fisheries, agriculture, rural development, industry and culture. Spain’s 2015 National Reform Program. http://ec.europa.eu/europe2020/pdf/csr2015/nrp2015_spain_es.pdf

action—beyond national regulation. The results reveal substantial variations in business regulations and their implementation in Spain.

Based on the aggregate rank across the 4 areas analyzed in the 19 regions and cities, it is easier to do business in La Rioja (Logroño) and Community of Madrid (Madrid) and more difficult in Aragon (Zaragoza) and Galicia (Vigo) (figure 1.1). There is no relationship between the aggregate ranking and the size of the city (measured by population).

All regions obtained an above-average score in at least one area, except

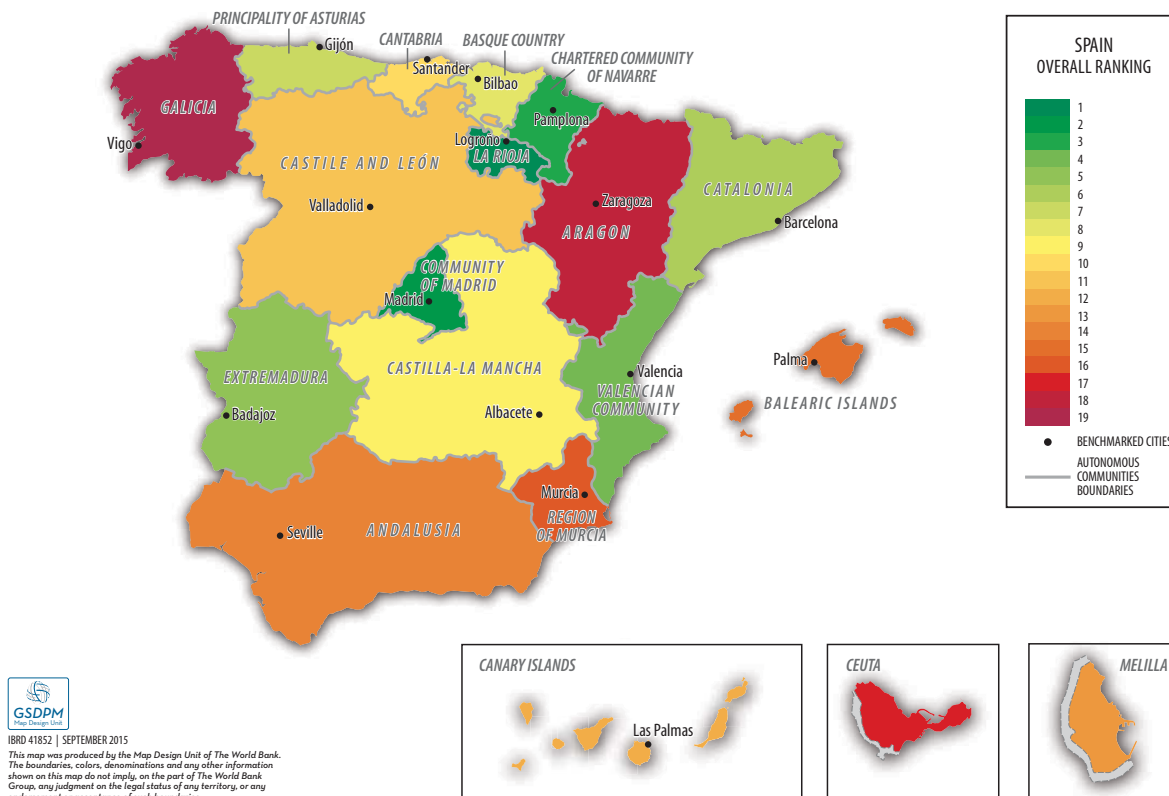
Murcia and Galicia (table 1.1).¹⁴ And all rank below 12th in at least one area. So, all locations have good practices that they can share with others, but they could also learn from others.

It is easier to start a business in Andalusia thanks to the absence of municipal fees and the higher use of the online start-up platform known as Business Start-Up Information Center and Network (*Centro de Información y Red de Creación de Empresas—CIRCE*). It is easier to obtain a construction permit in La Rioja because the construction works license is granted speedily and at a lower cost and there are few

pre-construction requirements. It is easier to obtain electricity in Catalonia because of the simplified authorization process for electrical installations and because it is no longer necessary to obtain project approval from professional associations. Property registration is easier in Ceuta and Melilla, where the tax on property transfers is lowest, given their special tax regimes.

The distance to the frontier is a measure that enables an analysis of the level of regulatory efficiency as it compares to the best international practices. Results by indicator show gaps between the highest and lowest

FIGURE 1.1 Doing business is easier in La Rioja and Madrid



Note: The color scale reflects the aggregate ranking across the 4 Doing Business indicators analyzed in the 19 regions and cities.

distance to the frontier scores across regions. The size of the gap varies significantly depending on the area benchmarked (figure 1.2). It is widest in dealing with construction permits and getting electricity, because of the more predominant scope of action of local authorities in these areas. In dealing with construction permits, the region with the lowest performance (Galicia) is ranked in the bottom 25% of economies globally, while La Rioja is ranked among the top 25%, well above the EU average.

Except for construction permits, all regions perform below the EU average, and none perform in the top 25% as measured by *Doing Business*. High costs stand out. Spain's average cost is above the average for high-income OECD economies in all areas measured, and it is more than twice that of the EU

for dealing with construction permits, and 75% higher for getting electricity and registering property. But cost is not the only area where Spain lags behind. Starting a business in Spain, for instance, takes twice the number of procedures and twice the time than the high-income OECD's average.

For trading across borders, it is relatively easy to export and import through Spain's ports. The number of documents and the time needed to import and export are in line with the average of high-income OECD economies, although the cost is higher. When comparing importing to and exporting from Madrid through the 5 benchmarked ports, the number of documents and the costs required differ (table 1.2).

COMPARING BUSINESS REGULATIONS ACROSS REGIONS AND PORTS

Starting a business

Starting a business requires on average 9.4 procedures, 17 days, 4.2% of income per capita and a paid-in minimum capital of 13.8% of income per capita. Despite recent improvements, the process is still more burdensome and expensive than the EU average.

The delays at provincial commercial registries and the fees charged by municipalities for declarations of responsibility account for the largest differences across locations. In Badajoz, Ceuta, Gijón, Logroño, Las Palmas, Seville and Valencia declarations of responsibility are free of charge. In

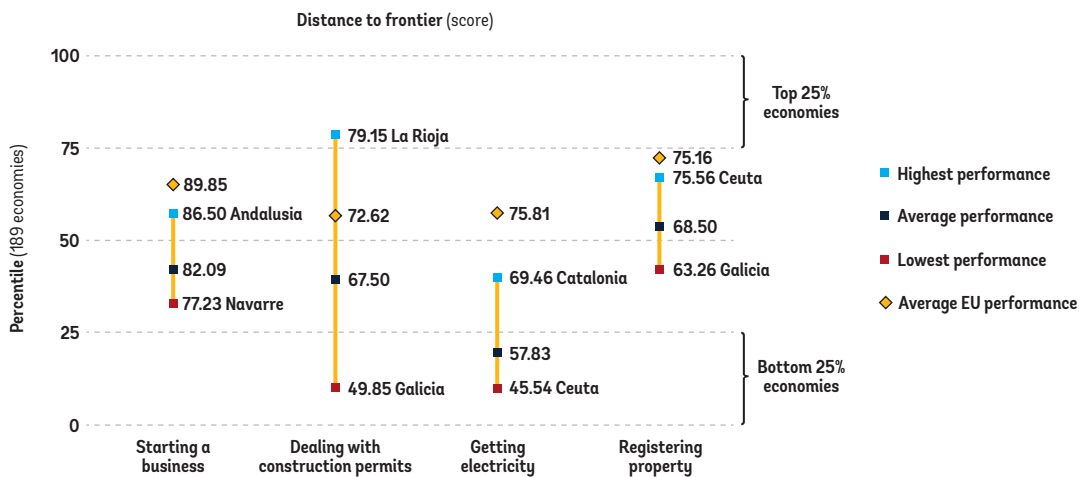
TABLE 1.1 Most regions obtain an above-average score in at least one area

Region	City	Starting a business			Dealing with construction permits		Getting electricity		Registering property	
		Aggregate rank (1-19)	Distance to frontier (score)	Rank (1-19)	Distance to frontier (score)	Rank (1-19)	Distance to frontier (score)	Rank (1-19)	Distance to frontier (score)	Rank (1-19)
La Rioja	Logroño	1	83.05	7	79.15	1	55.09	12	71.20	6
Community of Madrid	Madrid	2	86.26	2	63.35	14	63.92	5	73.50	3
Navarre	Pamplona	3	77.23	19	68.57	9	67.69	2	73.10	4
Valencian Community	Valencia	4	83.55	4	74.12	4	62.89	6	63.90	18
Extremadura	Badajoz	5	83.43	6	74.76	3	61.31	7	64.53	15
Catalonia	Barcelona	6	81.95	9	67.06	11	69.46	1	64.37	16
Asturias	Gijón	7	83.55	4	74.77	2	58.81	8	64.06	17
Basque Country	Bilbao	8	81.19	15	62.09	15	65.08	3	70.72	8
Castilla-La Mancha	Albacete	9	81.51	12	71.84	7	55.17	11	68.66	9
Cantabria	Santander	10	85.85	3	67.29	10	57.34	10	65.60	13
Castile and León	Valladolid	11	81.20	14	72.45	6	57.35	9	64.92	14
Canary Islands	Las Palmas	12	82.08	8	73.55	5	48.14	18	71.99	5
Melilla	Melilla	13	78.86	17	69.42	8	51.41	17	75.24	2
Andalusia	Seville	14	86.50	1	66.06	13	54.45	13	66.14	11
Balearic Islands	Palma	15	81.79	10	59.44	18	64.86	4	65.62	12
Region of Murcia	Murcia	16	81.68	11	62.07	16	53.63	15	68.34	10
Ceuta	Ceuta	17	77.94	18	66.65	12	45.54	19	75.56	1
Aragon	Zaragoza	18	81.23	13	59.98	17	52.12	16	70.88	7
Galicia	Vigo	19	80.81	16	49.85	19	54.45	13	63.26	19

Note: The distance to the frontier captures the difference between the performance of each region and the best observed performance (the frontier) at a global level for the 4 areas (starting a business, dealing with construction permits, getting electricity and registering property). A region's distance to the frontier is indicated on a scale from 0 to 100, where 0 represents the lowest performance and 100 the best global practice, or "the frontier." A higher score denotes a more efficient regulatory environment. The aggregate ranking is based on an average of the distance to frontier for the 4 areas. For more details, see the section about *Doing Business* and *Doing Business in Spain 2015* available in Spanish at www.doingbusiness.org/Spain.

Source: Doing Business database.

FIGURE 1.2 Differences in regulatory efficiency are pronounced throughout Spain



Source: Doing Business database.

TABLE 1.2 What is the cost, time and number of documents required to trade across borders through Spain's main container ports?

Port	Export			Import		
	Documents (number)	Time (days)	Cost (US\$)	Documents (number)	Time (days)	Cost (US\$)
Algeciras	4	10	2,097	4	9	2,163
Barcelona	4	10	2,199	4	9	2,266
Bilbao	5	10	1,885	5	9	1,920
Valencia	4	10	1,369	4	9	1,437
Vigo	5	10	2,115	5	9	2,170

Source: Doing Business database.

the other cities they range from 0.1% of income per capita in Vigo to 2.6% in Pamplona.

Madrid, Santander and Seville have the highest percentages of new firms created through the Business Start-Up Information Center and Network (*Centro de Información y Red de Creación de Empresas—CIRCE*). CIRCE is an online platform that connects several agencies, enabling online compliance with a number of start-up requirements. In most regions the “Comprehensive Management System” (*Sistema de Gestión Integrado—SIGNO*) is more popular. It is an online platform that allows notaries to connect directly to the agencies involved in company incorporation. But it does not include registering with Social Security or with the tax authority. In some regions, entrepreneurs delegate fulfilling some requirements to a notary, such as applying for a temporary taxpayer identification number—while carrying out others in person, such as filing the incorporation deed with the commercial registry. While there are more procedures available online than ever before, usage is still low in most cases. A more user-friendly system for business start-up would promote a higher uptake of online platforms.

Dealing with construction permits

Compliance with the requirements to build a warehouse and connect it to the

water and sewerage network requires, on average, 12.6 procedures, 172.4 days and 5.0% of the warehouse value. The time and number of procedures required are comparable to the average for the EU, but the cost is twice as high. Differences are large across cities since this area is largely the responsibility of local governments. It is easiest in Logroño, with 11 procedures, 101 days and 3.4% of the warehouse value—and most complicated in Vigo, with 17 procedures, 297.5 days, and 4.8% of the warehouse value.

The number of steps ranges from 10 in Badajoz to 17 in Vigo mainly due to the various preconstruction requirements needed before applying for building and activity permits. In cities with a defined and updated urban zoning plan, technical conditions for water and electricity supply or alignment and elevation certificates are not necessary. The time ranges from 101 days in Logroño to 297.5 days in Vigo. In cities where first-occupation and start-up licenses are processed after submitting a declaration of responsibility, the process is 40 days faster on average. In these cases, the applicant starts business activities when the construction work is finished, without having to wait for an inspection and the subsequent granting of a license.

Of the total cost, 91% on average is for building and activity permits. Costs range from 2.3% of the warehouse value

in Melilla, where the tax on constructions, facilities and works (*Impuesto de Construcciones, Instalaciones y Obras, ICIO*), accounting on average for 80% of the cost of a construction license, does not apply—to 7.1% in Bilbao, where municipal fees for the building permit are higher.

Getting electricity

Obtaining an electricity connection in Spain—more complex and expensive than in an average EU economy—requires on average 7.5 procedures, 128.5 days and 244.9% of income per capita. The process is regulated at the national level, but the application of the law varies, since the regions authorize the electrical installations, while municipalities are involved in all aspects related to connection works on public land. The largest differences are in the time necessary to get electricity, where in addition to regions and municipalities, electricity distribution companies play a key role.

The number of procedures ranges from 6 in Catalonia to 9 in Ceuta, depending on whether the regional industry department (*consejería de industria*) requires 1 or 2 authorizations and whether a certification from the professional association is necessary. It takes 81 days to obtain electricity in Navarre, but more than twice as long (178 days) in Murcia. If the department of industry's administrative authorization is subject to public consultation, the time increases by 65%.

It is customary in Spain to perform a 140 kW connection at high voltage, which means that a transformer is required to bring it down to low voltage. The client is charged for this expense,¹⁵ in part because the legislation is unclear. The cost of connecting to the grid ranges from 229.9% of income per capita in Asturias to 343.4% in Ceuta. Ninety-two percent of the connection cost is purchasing the transformer and extending the underground power line.

Clearer regulatory criteria defining under what circumstances the electricity distribution company is responsible for extending or expanding the electrical power line under regulated fees—could lower the cost considerably. Fees would come down further, if the distribution companies, and not the client, incurred the initial investment for a transformer.

Registering property

Registering property requires on average 5.1 procedures, 16.8 days and costs 7.9% of the property value. In the EU, the process is slower but less expensive. Across Spain it is easiest to transfer property in Ceuta and Melilla and most difficult in Galicia and Valencia, due to differences in the total cost.

The main cost is the tax on property transfers (*Impuesto sobre las Transmisiones Patrimoniales*), with a rate ranging from 3% of the property value in Ceuta and Melilla to 10% in Asturias, Catalonia, Galicia and Valencia.¹⁶ The average transfer tax rate is among the highest for high-income OECD economies, so reducing it should be evaluated.

The process for registering property is regulated at the national level and is the same across the country, except in Ceuta and Melilla, where it is necessary to obtain a purchase license signed by the national government delegation.¹⁷ The time to complete the whole process ranges from 12.5 days in Madrid to 26 days in Melilla. Increasing inter-agency coordination and promoting the use of technology could speed up property registration.

Trading across borders

Doing Business in Spain 2015 analyzes importing and exporting by sea to or from Madrid through the 5 largest Spanish ports based on container volume: Algeciras, Barcelona, Bilbao, Valencia and Vigo. Exporting a 20-foot container through these ports requires, on average, 4 documents, 10 days and

1,933 US\$—while importing requires 4 documents, 9 days and 1,991 US\$. Trading across borders is relatively efficient compared internationally.

The ports differ on necessary documents and costs. In Bilbao and Vigo, an additional document is required for the container to enter or exit the port, while in Algeciras, Valencia and Barcelona, automated gates at the terminal make this unnecessary. Most of the time to import and export a container is spent preparing paperwork. Implementing a single window for customs, port authorities and the private sector could reduce this time.

Inland transport represents the main cost, and differences among ports depend largely on the port's distance from Madrid. The cost per kilometer is higher through Bilbao. The average cost of port and terminal handling is similar to the average for high-income OECD economies, but much higher than for countries such as Poland and the Republic of Korea.

LEARNING FROM EACH OTHER LOCALLY AND GLOBALLY

Publishing comparable data on the ease of doing business across different locations within the same country can help drive reform, since it is difficult for local governments to justify why doing business in their city or province is more burdensome than in neighboring locations. Sharing the same national legal and regulatory framework facilitates the adoption of good practices. Small administrative improvements that do not require major regulatory changes can make a big difference in the life of a small or medium-size firm.

This report identifies opportunities in each area (table 1.3), as well as good local and global practices. Some issues are cross-cutting, such as the use of technology. Spanish policy makers

have developed online tools to simplify procedures, but their use is still low. Platforms are not user friendly and have limited functionality and upload capacity. It is also possible that awareness of the benefits from online platforms remains low.

To benefit business start-ups, the case of Madrid, Santander and Seville or specific entrepreneur service centers (*puntos de atención al emprendedor*) like the one in Barcelona could be analyzed to learn how to promote the use of CIRCE across the country. As a good example in construction, Barcelona allows building permits to be processed through an online platform that makes it possible for different agencies to work simultaneously on the same case—and issuance time is among the fastest.

It is not easy for entrepreneurs to be up to date on regulations that are constantly changing and are implemented by different levels of government. Providing user-friendly and accessible information concerning procedures and regulations is important. In Valencia, the municipality created a technical commission to harmonize urban development and environmental criteria, with the involvement of municipal technicians, professional associations and business associations. In Barcelona, the municipality provides information concerning all requirements to carry out a construction project through an online portal. At the beginning of the process, it prepares an urban development report free of charge, explaining how to prepare the technical documents.

Another cross-cutting theme is the uneven implementation of reforms. Substituting operating licenses with a simple declaration of responsibility is a good example. There are regional variations not only for when and where the simplified procedure is allowed, but also in the corresponding administrative requirements. Galicia piloted the expansion of declarations of responsibility and streamlined the

TABLE 1.3 Suggested reforms to improve the ease of doing business in Spain

Suggested Reforms	Relevant agencies
Starting a business	
<ul style="list-style-type: none"> ■ Simplify procedures ■ Reduce municipal fees ■ Improve the transparency of notary and registry fee calculation ■ Improve and transform CIRCE to become a comprehensive and more user-friendly online platform ■ Remove or reduce the minimum capital requirement 	<ul style="list-style-type: none"> ■ National: <ul style="list-style-type: none"> • Central and Provincial Registries of Commerce • National Tax Administration Agency (<i>Agencia Estatal de la Administración Tributaria</i>) • General Treasury for Social Security (<i>Tesorería General de la Seguridad Social</i>) ■ Regional: <ul style="list-style-type: none"> • Finance departments (<i>Consejerías de Hacienda</i>) • Autonomous Labor Authority ■ Municipal: <ul style="list-style-type: none"> • Municipalities ■ Other: <ul style="list-style-type: none"> • Public notaries
Dealing with construction permits	
<ul style="list-style-type: none"> ■ Make information on regulations and the process to obtain a construction license more easily accessible to all ■ Expand the use of <i>declarations of responsibility</i> ■ Maintain clear and updated municipal urban planning information ■ Collaborate with the private sector to improve construction quality supervision ■ Expand online processing and implement electronic file management 	<ul style="list-style-type: none"> ■ National: <ul style="list-style-type: none"> • Cadastre • Civil Aviation, Ministry of Development (<i>Ministerio de Fomento</i>) ■ Regional: <ul style="list-style-type: none"> • Autonomous Labor Authority ■ Municipal: <ul style="list-style-type: none"> • Urban development and construction departments • Municipal water and sanitation companies ■ Other: <ul style="list-style-type: none"> • Private water and sanitation companies • Authorized companies (urban planning collaboration entities "ECU" and administration collaboration agencies "ECA") • Professional associations (architects and engineers) • Public notaries
Getting electricity	
<ul style="list-style-type: none"> ■ Reduce connection costs by applying a regulated tariff and implement a capital contribution policy for distribution companies to recover their initial investment ■ Reduce the financial burden of guarantee deposits ■ Eliminate the requirement to obtain approval from professional associations ■ Expedite authorization processes by simplifying requirements and improving information exchange 	<ul style="list-style-type: none"> ■ Regional: <ul style="list-style-type: none"> • Industry departments (<i>Consejerías de Industria</i>) ■ Municipal: <ul style="list-style-type: none"> • Urban planning departments • Public works departments ■ Other: <ul style="list-style-type: none"> • Electrical power distribution companies • Authorized electrical installation companies • Professional associations (engineers) • Supervisory agencies • Electrical power suppliers
Registering property	
<ul style="list-style-type: none"> ■ Consider reducing the property transfer tax ■ Promote the use of existing online tools ■ Improve coordination between the cadastre and the property registry to simplify procedures ■ Extend registration notification to all parts interested and publish statistics ■ Provide users with direct access to registry information ■ Carry out a process diagnosis to identify best practices of most efficient registries 	<ul style="list-style-type: none"> ■ National: <ul style="list-style-type: none"> • Directorate General for Registrars and Notaries, Ministry of Justice (<i>Dirección General Registradores y Notariado, Ministerio de Justicia</i>) • Cadastre, Ministry of Finance and Public Administrations (<i>Catastro inmobiliario, Ministerio de Hacienda y Administraciones Públicas</i>) ■ Regional: <ul style="list-style-type: none"> • Finance departments (<i>Consejerías de Hacienda</i>) ■ Other: <ul style="list-style-type: none"> • Property registries • Registrars' Association • Public notaries
Trading across borders	
<ul style="list-style-type: none"> ■ Create a single trade window ■ Continue improving port community systems ■ Allow customs preclearance ■ Promote the figure of authorized economic operators 	<ul style="list-style-type: none"> ■ Customs Office ■ National Port Authority (<i>Puertos del Estado</i>) ■ Local port authorities

Note: A detailed explanation of each suggested reform is contained in the section What to reform in each chapter. Cost and time details per procedure in each area may be reviewed in the sections List of procedures and Details on Trading across borders, available in Spanish at www.doingbusiness.org/Spain

Source: *Doing Business* database.

requirements for obtaining them. The municipal government of Vigo started liberalizing some activities as a pilot in 2011, while evaluating the impact with the municipal urban department, the professional associations and the regional government of Galicia. This resulted in Galicia’s Entrepreneurship and Economic Competitiveness Law (*Ley del emprendimiento y de la competitividad económica*), liberalizing the majority of economic activities for the entire region. The law can be directly implemented in most cities in Galicia, without supplementary regulation.¹⁸ Other regions could follow suit.

Coordinating the different levels of government and institutions is essential to reduce the regulatory burden for companies. From an entrepreneur’s point of view, it is irrelevant whether a requirement comes from the municipality, the region or a national institution. What matters is the ease of compliance. In Pamplona the municipality and the provincial government coordinate before issuing a business license for activities that are potentially

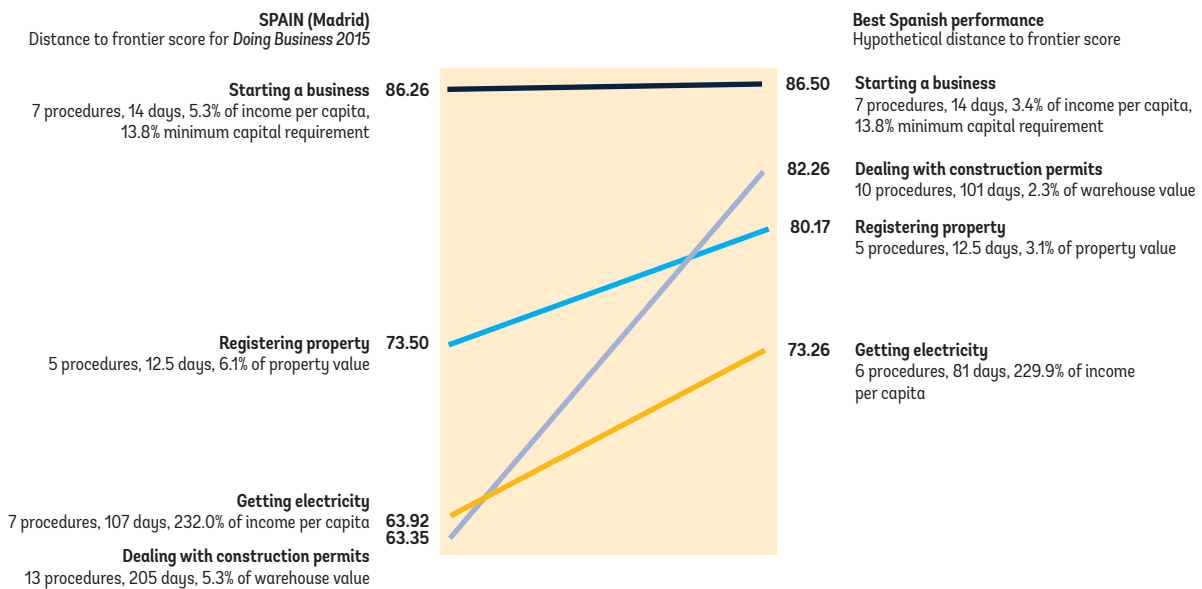
contaminating to the environment. In Bilbao and Pamplona the municipality reports to the cadastre in real time the construction projects under development, so that the property is automatically preregistered in the cadastre. The municipality of Gijón created a service center, Technical Office Specialized in Company Creation and Business Activities (*Oficina Técnica Especializada para la Creación de Empresas y Actividades TE-Crea*), to assist entrepreneurs at each stage and operate as a one-stop shop for several types of licenses.

If all the good practices documented in the 19 analyzed locations were adopted in a hypothetical city, Spain’s global performance would improve (figure 1.3).¹⁹ The potential for improvement is higher in dealing with construction permits and getting electricity.

Peer-to-peer learning should not be confined to Spain. In some cases the best Spanish practice is not competitive globally—as in costs, where even the best local performance is behind

the EU average. The exchanges between EU members could promote convergence between Spain and the EU average. Learning from good local and global practices could encourage governments at all levels to be more ambitious in modernizing the regulatory framework—not just incrementally, but boldly, with comprehensive measures. That could strengthen the business environment, promote higher productivity and competitiveness, and help address unemployment and inequality. Formulating a clear and ambitious plan, with goals for improvement, would be a first step in addressing this challenge.

FIGURE 1.3 If all local practices were good, Spain’s global performance would improve



Note: The data for Madrid are up-to-date as of March 1, 2015.
Source: *Doing Business* database.

NOTES

1. International Monetary Fund (IMF). July 2014. *Spain staff report for the 2014 article IV consultation*. Washington, D.C.: IMF. July 2015. Annual report statement. <https://www.imf.org/external/np/ms/2015/060815.htm>
2. Law 14/2013 of September 27 on support for entrepreneurs and entrepreneur internationalization.
3. European Commission. European Statistics (Eurostat), available at <http://ec.europa.eu/eurostat/>
4. In 2009, one job destroyed lost the equivalent of 1.3 times the per capita income, compared with 50 times the per capita income in Germany and 20 times the per capita income in the United Kingdom. *The Economist*. June 5, 2015. "Gradual labour market recovery is under way." Country update.
5. OECD. 2015. *In It Together: Why Less Inequality Benefits All*. <http://www.oecd.org/els/soc/OECD2015-In-It-Together-Chapter1-Overview-Inequality.pdf>
6. Regions manage 34% of public expenditure and represent 53% of public employees while local agencies manage 12% of public expenditure and represent 24% of employees. OECD. 2014. *Spain: From Administrative Reform to Continuous Improvement*. OECD Public Governance Review, OECD Publishing.
7. In 2012, the Commission for Public Administration Reform (*Comisión para la Reforma de las Administraciones Públicas—CORA*) was created, as was an office for implementation (*Oficina para la Ejecución de la Reforma de la Administración—OPERA*), which became a permanent agency in 2014.
8. Law 20/2013, of December 9, on market unity, Official Gazette (BOE) number 295, of December 10, 2013.
9. Law 14/2013 of September 27 on support for entrepreneurs and entrepreneur internationalization.
10. World Bank Group. 2014. *Doing Business 2015: Going beyond efficiency*. Washington, D.C.: World Bank Group. High-income OECD economies include: Australia, Austria, Belgium, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Japan, Korea, Rep., Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, United Kingdom and the United States.
11. The global report *Doing Business 2015* covers 11 indicators and 189 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 (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.
12. Location names follow the ISO-3166-2 standard.
13. For more details, see sections About *Doing Business* and *Doing Business in Spain 2015*, Data notes, and the list of contributors in the Acknowledgments.
14. The ranking in each area makes it possible to analyze each region in relation to the others. The ranking on the ease in each area is obtained by classifying the 19 regions and autonomous cities based on the distance to the frontier score. The distance to the frontier in each area is the simple average of the distance to the frontier scores in each subcomponent of an indicator. For more information, see the section About *Doing Business* and *Doing Business in Spain 2015*, Data notes.
15. Given the case study assumptions about the distance to the network and the subscribed capacity, most connections are installed at high voltage and a transformer is needed to reduce the voltage.
16. Total rates range from 6% to 10%, with the exception of Ceuta and Melilla where there is a tax rebate that reduces the rate to 3% due to the fact that the cities are distant, being located on the Moroccan coast.
17. Ceuta and Melilla are enclaves in the North of Africa, with a history of military administration and legislation in accordance with their status as autonomous cities.
18. Law 9/2013 of December 19, 2013.
19. The data are up-to-date as of March 1, 2015, for all states and autonomous cities. The data for Madrid include reforms and data corrections and therefore differ from the data published in *Doing Business 2015*.



Indicator tables

STARTING A BUSINESS

Region, City	Ease of doing business (aggregate rank)	Distance to frontier 4 indicator average	Ease of starting a business (rank)	Distance to frontier starting a business	Procedures (number)	Time (days)	Cost (% of income per capita)	Paid-in minimum capital (% of income per capita)
Andalusia, Seville	14	68.29	1	86.50	7	14	3.4	13.8
Aragon, Zaragoza	18	66.05	13	81.23	10	17	4.2	13.8
Asturias, Gijón	7	70.30	4	83.55	9	14	3.4	13.8
Balearic Islands, Palma	15	67.93	10	81.79	9	20.5	4.5	13.8
Basque Country, Bilbao	8	69.77	15	81.19	10	17	4.6	13.8
Canary Islands, Las Palmas	12	68.94	8	82.08	10	14	3.4	13.8
Cantabria, Santander	10	69.02	3	85.85	7	16	4.6	13.8
Castile and León, Valladolid	11	68.98	14	81.20	10	17	4.5	13.8
Castilla- La Mancha, Albacete	9	69.29	12	81.51	10	15.5	5.0	13.8
Catalonia, Barcelona	6	70.71	9	81.95	10	14	4.5	13.8
Ceuta	17	66.42	18	77.94	10	30.5	3.4	13.8
Community of Madrid, Madrid	2	71.76	2	86.26	7	14	5.3	13.8
Extremadura, Badajoz	5	71.01	6	83.43	9	14.5	3.4	13.8
Galicia, Vigo	19	62.09	16	80.81	10	19	3.5	13.8
La Rioja, Logroño	1	72.12	7	83.05	9	16	3.4	13.8
Melilla	13	68.73	17	78.86	11	20.5	4.3	13.8
Navarre, Pamplona	3	71.65	19	77.23	12	20	6.6	13.8
Region of Murcia, Murcia	16	66.43	11	81.68	10	15	4.6	13.8
Valencian Community, Valencia	4	71.11	4	83.55	9	14	3.4	13.8

Region. City	DEALING WITH CONSTRUCTION PERMITS					GETTING ELECTRICITY				
	Ease of dealing with construction permits (rank)	Distance to frontier dealing with construction permits	Procedures (number)	Time (days)	Cost (% of warehouse value)	Ease of getting electricity (rank)	Distance to frontier getting electricity	Procedures (number)	Time (days)	Cost (% of income per capita)
Andalusia , Seville	13	66.06	13	162	6.1	13	54.45	8	134	232.7
Aragon , Zaragoza	17	59.98	12	250	5.5	16	52.12	8	150	237.3
Asturias , Gijón	2	74.77	12	114	4.5	8	58.81	8	104	229.9
Balearic Islands , Palma	18	59.44	14	203	6.9	4	64.86	7	100	251.8
Basque Country , Bilbao	15	62.09	14	173	7.1	3	65.08	7	99	232.3
Canary Islands , Las Palmas	5	73.55	11	142	4.4	18	48.14	8	177	252.2
Cantabria , Santander	10	67.29	12	161	6.2	10	57.34	8	114	235.6
Castile and León , Valladolid	6	72.45	12	133	4.8	9	57.35	8	114	234.0
Castilla-La Mancha , Albacete	7	71.84	11	153	4.8	11	55.17	8	129	235.5
Catalonia , Barcelona	11	67.06	15	153.5	4.4	1	69.46	6	107	235.7
Ceuta	12	66.65	15	172	3.6	19	45.54	9	154	343.4
Community of Madrid , Madrid	14	63.35	13	205	5.3	5	63.92	7	107	232.0
Extremadura , Badajoz	3	74.76	10	147	4.2	7	61.31	7	125	232.2
Galicia , Vigo	19	49.85	17	297.5	4.8	13	54.45	8	134	233.0
La Rioja , Logroño	1	79.15	11	101	3.4	12	55.09	7	168	230.4
Melilla	8	69.42	13	193	2.3	17	51.41	8	153	303.8
Navarre , Pamplona	9	68.57	12	148.5	6.2	2	67.69	7	81	231.7
Region of Murcia , Murcia	16	62.07	12	247	4.4	15	53.63	7	178	232.0
Valencian Community , Valencia	4	74.12	11	121	5.3	6	62.89	7	114	237.0

REGISTERING PROPERTY					
Region, City	Ease of registering property (rank)	Distance to frontier registering property	Procedures (number)	Time (days)	Cost (% of property value)
Andalusia, Seville	11	66.14	5	17	9.1
Aragon, Zaragoza	7	70.88	5	15	7.1
Asturias, Gijón	17	64.06	5	16	10.1
Balearic Islands, Palma	12	65.62	5	19	9.2
Basque Country, Bilbao	8	70.72	5	16	7.1
Canary Islands, Las Palmas	5	71.99	5	15	6.6
Cantabria, Santander	13	65.60	5	14	9.5
Castile and León, Valladolid	14	64.92	5	17	9.6
Castilla- La Mancha, Albacete	9	68.66	5	15	8.1
Catalonia, Barcelona	16	64.37	5	14	10.1
Ceuta	1	75.56	6	24	3.1
Community of Madrid, Madrid	3	73.50	5	12.5	6.1
Extremadura, Badajoz	15	64.53	5	16	9.9
Galicia, Vigo	19	63.26	5	21	10.1
La Rioja, Logroño	6	71.20	5	13	7.1
Melilla	2	75.24	6	26	3.1
Navarre, Pamplona	4	73.10	5	15	6.1
Region of Murcia, Murcia	10	68.34	5	17	8.1
Valencian Community, Valencia	18	63.90	5	17	10.1

TRADING ACROSS BORDERS						
Port	Export			Import		
	Documents (number)	Time (days)	Cost (US\$)	Documents (number)	Time (days)	Cost (US\$)
Algeciras	4	10	2,097	4	9	2,163
Barcelona	4	10	2,199	4	9	2,266
Bilbao	5	10	1,885	5	9	1,920
Valencia	4	10	1,369	4	9	1,437
Vigo	5	10	2,115	5	9	2,170

Doing Business in Spain 2015



Details of starting an industrial SME

STARTING AN INDUSTRIAL SME*

Region, City	Ease of starting an industrial SME (rank)	Procedures (number)	Time (days)	Cost (% of income per capita)
Andalusia, Seville	14	7	168	1.2
Aragon, Zaragoza	16	7	137	8.6
Asturias, Gijón	6	6	119	4.1
Balearic Islands, Palma	2	5	68	4.9
Basque Country, Bilbao	18	7	104	19.0
Canary Islands, Las Palmas	1	5	63	1.6
Cantabria, Santander	10	6	190	3.2
Castile and León, Valladolid	5	6	62	8.7
Castilla-La Mancha, Albacete	13	7	91	9.0
Catalonia, Barcelona	17	6	118	20.1
Ceuta	15	7	201	1.7
Community of Madrid, Madrid	9	6	80	13.2
Extremadura, Badajoz	11	6	187	3.7
Galicia, Vigo	3	6	64	4.0
La Rioja, Logroño	7	7	83	3.0
Melilla	12	7	82	8.5
Navarre, Pamplona	4	4	121	13.1
Region of Murcia, Murcia	19	7	248	9.3
Valencian Community, Valencia	8	6	161	3.6

* Data for Starting an industrial SME have been collected only for *Doing Business in Spain 2015*. This area of research is not a standard *Doing Business* indicator and the data are not comparable at an international level. The aggregate ranking for *Doing Business in Spain 2015*, does not include this data.



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