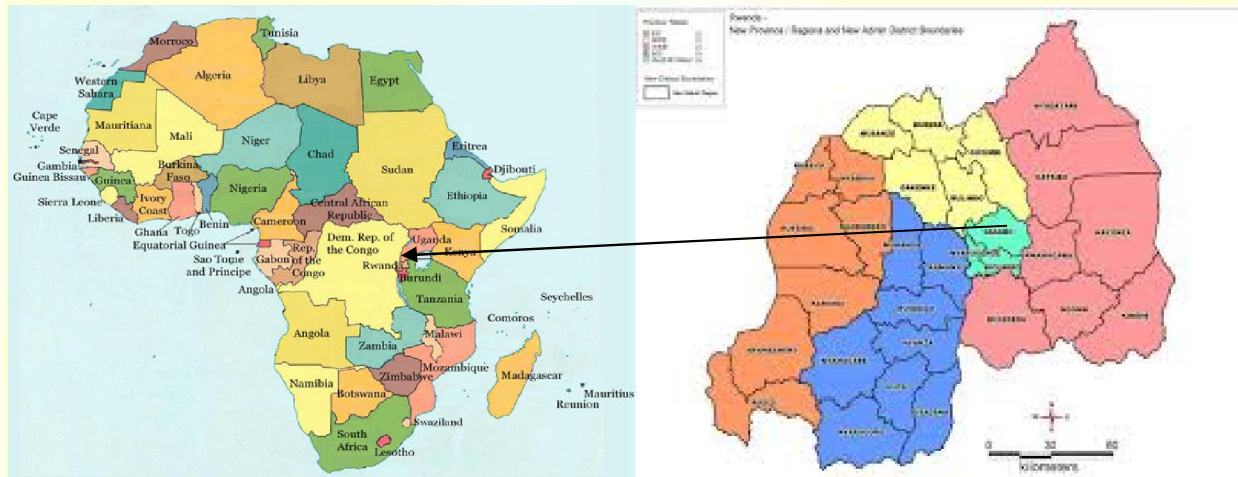


THE EFFECT OF RWANDA INVESTMENT CLIMATE PROJECT ON ONLINE BUSINESS REGISTRATION IN RWANDA.

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Figure1: Shows the map of Rwanda and its location in the continent of Africa.



Rwanda is found in East Africa, it shares its borders with Uganda in the North; Democratic Republic of Congo in the west; Tanzania in the east and Burundi in the south.

ABSTRACT

There were numerous obstacles to Business Registration in the country. After the 1994 horrendous genocide against the Tutsi, the Government of Rwanda encountered an overwhelming test of dealing with the structural difficulties to poverty reduction. The government was abundantly conscious that a well-built development oriented policy plans, led by the private sector investment was a solution to facilitating the Rwandese population to recover

¹<https://www.google.co.in/search?q=the+current+map+of+africa&biw=995&bih=656&tbm=isch&imgil=SIe9IA2jR0m—>

²https://www.google.co.in/search?q=current+map+of+rwanda&es_sm=93&tbm=isch&imgil=z0Xe4Fq21uqc-

their sources of revenue and construct a firm base for reunion and decrease their poverty. The leadership has been dedicated to following the change agenda and eliminating obstacles to opening or development of private businesses.³ It was well-known that businesses and commercial banks were hesitant to make and sign agreements with third parties. This came as a result of fear that in violation of an agreement, enforceability would be impossible owing to nonexistence of commercial disagreement ruling mechanism in the country. Consequently, there was a backlog of 3,333 commercial disagreements waiting for the judges for several years. Absence of a contemporary computerized business registration that is swift and reactive to investors' wants and requests was a big block for investment to both native and foreign investors. The nonexistence of intellectual property registration made investors reluctant to invest in the Rwanda for fear of their products or services being replicated and produced as counterfeit. Rwanda Investment Climate Project (RICP) was established with the aim of providing financial support to Rwanda Development Board's business registration section, to the national land centre and the department of Information Communication Technology (ICT) of the commercial courts on addition to the library equipping of the courts, office equipment and sponsoring 22 judges for masters' degree in commercial law. The chief objective was to examine the effect of Rwanda Investment Climate Project on Business registration in the country, The researcher intended to assess the business registration situation before Rwanda Investment Climate Project came into existence, This paper analyzed the barriers that were hindering business registration, and suggested recommendations aimed at continuous improvement of business registration in Rwanda.

Key Words: genocide, structural barriers to poverty reduction, Rwanda Investment Climate Project (RICP) and Rwanda Development Board (RDB)

³ Source: Rwanda Development Board (RDB) report(2007) on doing business in Rwanda

1.0. INTRODUCTION

Rwanda Investment Climate Project (RICP) is a project which was thought by the President of Republic of Rwanda H.E Paul Kagame. The policy decision to implement the project was taken in 2006 and it was expected to start in 2007. This did not occur because it kicked off in 2008 due to impediments in the funding of the project. Rwanda Investment Climate Project was put in place with the reason of providing financial support to Rwanda Development Board's business registration division, to the national land centre, department of Information Communication Technology (ICT) of the commercial courts in addition to the library equipping of the courts, office equipment and funding 22 judges for masters' degree in commercial law. All the above support was aimed at boosting business environment in the Rwanda. Rwanda Investment Climate Project (RICP) was financed by the Investment Climate Facility for Africa (ICF). Investment Climate Facility for Africa is an inter-governmental financing program which is headed by the former President of the United Republic of Tanzania Benjamin Mkapa. The establishment of Rwanda Development Board (RDB) is an indication that Rwanda is open for business. It is truly a one stop center for all investors. RDB was set up by putting together all the government organizations responsible for the full investor experience under one roof. This includes major agencies concerned with business registration, investment support, environment clearances, privatization and specialist organizations which sustain the main concern divisions of ICT and tourism as well as SMEs and human capacity development in the private sector. The scope of Rwanda Development Board (RDB)'s work comprises all aspects associated with the development of the private sector. This entails working with and attending to the needs of companies of all sizes (large and SMEs) and both native and foreign investors. The vision of RDB is to transform Rwanda into a dynamic global hub for business, investment, and innovation. The mission of RDB is to provide quick tracking economic progress in Rwanda by allowing private sector development. The Rwanda Investment Climate Project (RICP) was a Government Project designed with the support of the Investment Climate Facility for Africa (ICF) to put together key actors with a long-term interest in Africa's economic growth and development to identify and execute practical steps to reduce obstacles to investment and create a more favorable investment climate.

Since its initiation, Rwanda Investment Climate Project (RICP) support was targeted on 3 major changes namely, Commercial Justice that was established by Organic Law N^o 59/2007 official gazette on March 1st 2008 which established its business, operation and authority, the RDB/Business Registration which was established by Law N^o 32/2007 of 30th July 2007, and Land registration component which was created by Presidential Order N^o 53/01 of 12th October, 2006⁴.

2. Literature Review

Rwanda's primary sector absorbs the biggest fraction of the population. It represented 33% of GDP in (2006). It was mainly composed of a survival agriculture that is reliant on rainfall, making production very unstable across periods. The major food crops are beans, peas, ground nuts, soya; Irish potatoes, bananas, sweet potatoes, cassava, sorghum, maize, rice, and some fruits. Cash crops are the major export products of the country's economy and comprise mainly tea; coffee and pyrethrum. There are also some animal production from poultry, cattle, goat, sheep and pigs. The country's natural resources are inadequate. A small mining industry offers approximately 5% of foreign exchange revenues. Rwanda's most significant minerals include columbite-tantalite, cassiterite, and wolframite, followed by small amounts of gold and sapphires. There is also some production of methane gas from [Lake Kivu](#) which began in 1983, but to date has been used only by a brewery - BRALIRWA.

Rwanda's secondary division provided close to 15% of GDP in 2006 and is dominated by the production of import substitutes for local consumption. The bigger enterprises produce beer, soft drinks, wheelbarrows; cigarettes, hoes, roofing materials; soap, cement, plastic pipes, mattresses, textiles, and bottled water. The secondary sector also includes the production of water and electricity and a building industry which has expanded impetus due to reconstruction activities around the country. By mid-1997, up to 75% of the factories operating prior to the war had resumed to production, at an average of 75% of their ability. Investments in the industrial sector persist generally be inadequate to the repair and growth of existing industrial plants. From 1996-97, the administration became progressively more active in facilitating the industrial sector to

⁴ Source: <http://www.rdb.rw/departments/investment/business-registration.html>

restore production through technological and financial assistance, including loan securities, economic liberalization, and the privatization of public enterprises. In early 1998, the government set up a one-stop investment advertising centre (RIEPA) and executed a new investment policy that shaped an enabling environment for foreign and indigenous investors. An independent revenue authority (Rwanda Revenue Authority) also has enhanced tax collections and responsibility. Rwanda's tertiary sector adds majorly to the national GDP. In 2006, it contributed 46% of GDP. This sector is primarily constituted of commercial services (business, finance, transport and communication, education; real estate, and health) and some non commercial services (public services to the population and services from associations and NGO's) The Government of Rwanda is devoted to a strong and permanent economic climate for the country. To this end; the administration focuses on poverty reduction, privatization of government-owned assets, infrastructure development, expansion of the export base, and liberalization of trade.^{5; 6}

Rwanda offers an attractive environment to operate a business. There are strong reasons to invest in Rwanda:

Strong Governance with a clear vision for development through private investment set out by H.E President Kagame's (Vision 2020); politically stable with well performing institutions, rule of law and zero tolerance to corruption; investor friendly climate and fastest global reformer of business regulations.⁷

Business Registration in Rwanda; A business is a legal body that is created to produce goods, sell goods, or offer a service. Several businesses are for-profit and are different to non-profit businesses.⁸ How a business is structured influences how it is run, how it is taxed, and how

⁵ Source: Rwanda Human Development Report, 2007

⁶ EDPRS: 2007

⁷ World Bank Doing Business Survey (2010-11)

⁸ <http://rwanda.eregulations.org/menu/1?l=en>

profits are shared. The actual organizational set-up can also shape the personal legal responsibility of owners of the business.⁹

The business registration in the country is an activity of Rwanda Development Board (RDB). In 24hours a business can be registered and ready to operate. The business registration service at RDB combines all registration requirements under one roof, incorporation, taxes and employee social security. This service is performed by the Office of the Registrar General (ORG). Today, you can register for incorporation; obtain a tax identification number (TIN) and a Social Security registration with one application. An individual can:

- Register academic property;
- Register security benefits in moveable property; and
- Register security benefits in immovable property¹⁰

Two types of registered business are for-profit and not-for-profit: A profit-based business is designed, as the name suggests for earning profit. The categories of business structures presented include [partnerships](#), [sole proprietorships](#), [limited liability companies](#), and [corporations](#).¹¹ A [not-for-profit business](#) follows many of the same rules for incorporation. Nevertheless, as an alternative to being owned by a set of partners, a not-for-profit business is usually run by a board of directors.¹² The registration of business can be made online on a dedicated website [org.rdb.rw](#). With constant development in the service delivery, doing business in Rwanda is made simpler. Registering a business by online registration, there are some challenges faced: One of the major challenges of online registration is the culture and mind set issues. People naturally resist change thus low uptake of new technologies.¹³

¹⁰ http://org.rdb.rw/?page_id=29

^{11,12} https://www.google.co.in/?gfe_rd=cr&ei=1QI0VcyeA-bA8gf9moDwDQ&gws_rd=ssl#q=www.betterbusinessblogging.com

¹³ https://www.google.co.in/?gfe_rd=cr&ei=1QI0VcyeA-bA8gf9moDwDQ&gws_rd=ssl#q=www.businessregistration.gc.ca

Steps required for obtaining investment certificate:

- Request for investment registration;
- Notice of receipt or rejection;
- Issuance of investment registration certificate.

The request for business registration entails the following:

1. A request letter to the CEO of Rwanda Development Board (RDB) applying for business registration
2. Provision of an investment plan or a feasibility study,
3. Shareholding arrangement sheet,
4. Permit of business integration.¹⁴

The business registration request letter ought to clearly specify the following:

1. The name and address of the planned investment project, and its legal form;
2. The type of the anticipated investment activity and the level of intended capital investment;
3. The projected number of persons to be employed and types of jobs to be shaped;
4. The kind and quantity of waste which shall be produced by the enterprise's operations, and the planned techniques, of waste management;
5. The type of support and facilitation which the business owner is requesting from Rwanda Development Board (RDB).¹⁵

Notice of rejection or denial

once a request for business registration is approved, an approval letter is sent to the proprietor of the investment.¹⁶

The approval letter includes the following:

- An appeal to pay a fee of US \$ 43 to the RDB account
- Surrender of a bank slip as proof of payment

^{14 -15} http://org.rdb.rw/?page_id=13

¹⁶ - http://www.rdb.rw/uploads/tx_sbdownloader/RDBInfopack2010_2011Web_01.pdf

If the business registration request is rejected; RDB sends an aspirant a notice of rejection and the reason for repudiation. In case the required papers are not in order or information provided is insufficient Rwanda Development Board (RDB) advises for improvement.¹⁷

Issuance of investment registration certificate

Upon the acceptance of evidence of payment; Rwanda Development Board (RDB) issues a business registration permit. The business registration permit allows an investor to access the investment motivations offered in the investment code. It takes two days to process the request and attaining a permit of business registration if the entire documents are presented and are in order.

The criteria for investment project evaluation are:

- Stage of business
- Non trading activity
- Formation of excellence jobs
- Shift of expertise and knowledge
- Utilization of native raw materials
- Possible for export
- Prospective to generate backward and forward linkages
- Modernization and inventiveness¹⁸

The advantages of being registered in Rwanda:

Registration of nationals and outsiders intending to do or already doing business in the country; brings many benefits, for example, guaranteeing that your investment benefits from the security provided for by the investment laws, such as partial legal responsibility; gaining right to credit

¹⁷ -¹⁷http://www.rdb.rw/uploads/tx_sbdownloader/RDBInfopack2010_2011Web_01.pdf

*from commercial banks; protecting the owners of intellectual property from unlawful utilization of their creations, etc. It motivates trust in the business' clients since it is evidence that you are an accepted trader.*¹⁹

3. Objectives and Hypothesis of the Study

(i) The chief objective of research was to examine the effect of Rwanda Investment Climate Project on Business registration in the country.

(ii) The study assessed the business situation before Rwanda Investment Climate Project came into existence.

(iii) The paper analyzed the barriers that were hindering business registration.

(iv) The researcher suggested recommendations aimed at continuous improvement of business registration in Rwanda.

Hypothesis: The effect of Rwanda Investment Climate Project (RICP) on the level of production of goods and services in Rwanda.

4. Research methodology

According to *Kenneth D Bailey* (1978). Research methodology means the philosophy of research process and includes values and standards of criteria the researcher uses to interpret the data and reaching the conclusions. The research design that was used in this work is qualitative and descriptive study.

According to contemporary English Dictionary (1995:231), Methodology is a set of techniques and standards that are employed when learning an accepted type of work. A method is a collection of all academic procedures, an orderly organization or arrangement that allows a investigator to reach an aspect of knowledge by utilizing various techniques. Thus, a

¹⁹ Source: <http://rwanda.e-regulations.org>

“methodological study is controlled by examination of hypothetical and applied aspects of measurement, mathematics by way of attaining and analyzing data”.²⁰

SAMPLING METHOD

Purposive sampling technique was used.

Population

Carl and Roger 1991 defined population as the whole crowd of people from whom the information is to be collected. The targeted population in this research was 500 beneficiaries of Rwanda Investment Climate Project (RICP).

Sample size: A sample of 50 beneficiaries was selected; 15 employees were selected from the department of Business Registration of Rwanda Development Board (RDB) and 35 members of Rwanda Private Sector Federation (RPSF).

Sources of data

Primary and secondary sources of data were used. Data was obtained from the review of documents; various text books, periodic reports, and different internet websites, magazines and local news papers deemed necessary on assessing the effect of RICP on Business registration in Rwanda.

Secondary information is defined as the information that already exists in books, academic journals, and magazines or concealed in the center of the computers.²¹

Secondary facts are the information that has been collected and only may be pertinent to the crisis at hand.²²

²⁰ Source: *Fred (1964:700)*.

²¹ *Grinnell and William (1990:219)*

²² *Carl MC Daniel and Roger Gates (1991:115)*

5. Discussion of the findings

Before the existence of Rwanda Investment Climate Project (RICP), the cost of registering a business was 433\$, the procedures that were concerned to register an investment were 9 the investment entry time was 16 days. Security for investors' position was at 162 out 178 countries.²³ In May 2007, services were still rendered manually in the area of business registration. There were no such thing like computer based business formalization; securities and mortgage registration were made manually as there were no modernized online business registration and information services provided to businessmen and women outside the borders of Rwanda.

All the above challenges delayed ease of admission into business, right of entry by firms to finance, investment and innovation. The nonexistence of intellectual property registration made investors shy away from the country for fear of their goods or services being replicated and produced as counterfeits. The prop up given to the Business Registration component was vital in order to establish institutional mechanisms fundamental for insuring that the new business laws (companies' act, secured transactions registration component, the Rwanda Investment Climate Project (RICP) support facilitated the establishment of the Rwanda Commercial Registration Services Agency (RCRSA) created by the law n°.32/2007 of 30/07/2007. RCRSA was merged with RDB and is operated as Office of the Registrar General (ORG) under the investment promotion and implementation department. Under the RCRSA, the time and cost for starting a business has been reduced where the business registration ceased to be the responsibility of the courts.²⁴

Establishment of new system for company registration; RICP sponsored the set up of an electronic Registration system (companies, secured transaction and intellectual property); both central and district level office have access on the system. There was provision of online service for business registration and information service, the system works and the online service investment registration is free of charge. The investment Registration arrangement is linked to

²³ Sources: **World Bank Doing Business Survey (2008)**.

²⁴ **Source: Minicom Doing Business Report (2011)**.

Rwanda Revenue Authority, Social security Fund and Tax Identification Number (TIN) is used as company code to identify a company within all institutions.²⁵

Rwanda Development Board has opened One-Stop centers in the 8 Districts; Gichumbi, Rusizi, Ngoma and Muhanga, Nyagatare, Musanze, Rubavu, Huye. These District centers support online registration of investments, however by the time the study was conducted, the registration certificates had to physically be delivered to the Office of the Registrar General (ORG) for signature. This could cause delay. It is important to note that with the enactment of Law N°18/2010 of 12/05/2010 of the Electronic communication, Electronic Signature and electronic business and with the project preservation prop up, the Office of the Registrar General (ORG) has by now integrated a digital signature in the system to tackle the above challenge.²⁶

Rwanda Investment Climate Project (RICP) reinforced the delivery of investment formalization and information services, securities registration and intellectual property security services through the formation of the Rwanda Commercial Registration Services Agency (RCRSA) consisted of of: A company's registry, a business registry for non-incorporated companies, a register for non-land securities and a registry for patents, trademarks and industrial designs.²⁷

The implementation of the Rwanda Investment Climate project has delivered the following results:

- (i) Business registration now takes 24hours rather than 16 days, the cost has been reduced from US\$433 to US\$43 and the number of procedures from nine to two;
- (ii) Property Registration now takes 55 days rather than 371 days and costs 0.4% of the property's value as opposed to 10%.

²⁵ - ²⁰ *Source: Minicom Doing Business Report (2011).*

Rwanda Investment Climate Project affected positively the Business Registration in Rwanda. On business registration, results indicate that the number of procedures have reduced from 9 to 2 while the number of days have reduced from 16 days to 24 hours (2 days) while the cost is now \$24 whether for individual or company registration as opposed to previously where the costs for starting a business in Rwanda was \$ 433. Online registration has been introduced and registering a business online is now free of charge

Table 1: Shows the time taken to register a business

Time spent	Frequency	Percentage	Cumulative percentage
24 Hours	45	95	95
Over 24 Hours	5	5	100
Total	50	100	-

Source: primary data

45 Respondents said it takes 24hours to register a business in Rwanda while 5 reported that it takes more than 24hours. In order to protect business names of other companies and respect trademarks, a business person seeking registration at the Office of the Registrar General (ORG)'s office must first submit a name. This name undergoes a search to ensure that there is no other similar name registered in the business registration office. Most of the respondents indicated that the search takes only 5 minutes which is quite commendable and it facilitates rapid registration of the business name. A good number also reported that it takes 30 minutes and if you take into account experiences in other countries in the region, it is still a good performance.

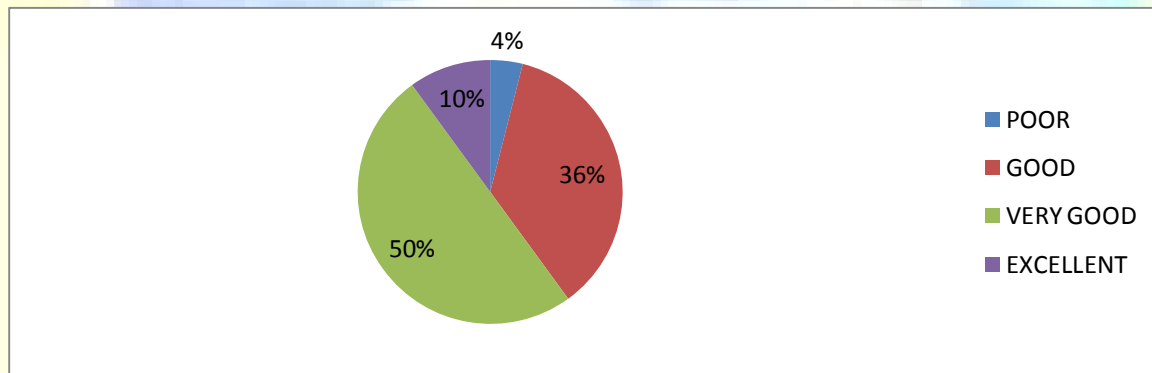
Table 2: Ease of Business registration process

Answers from respondents	Frequency	Percentage	Cumulative percentage
Online registration is simple	46	92	92
Online registration is not simple	4	8	100
Total	50	100	-

Source: Primary

This ease of business registration has affected positively the number of businesses registered after the existence of Rwanda Investment Climate Project (RICP). From 2007 after RICP intervention was established to December 2010, approximately 4,680 individual businesses have been registered indicating a 57% increase from 2,665 before the intervention of RICP, and 6,611 companies were registered indicating a 43% increase from 2,840 registered companies before RICP intervention. Some respondents complained that there are many forms that are filled during the business registration; they indicated that the forms were a challenge because they are written in English. Majority of the Rwandans do not understand English language and so they spend so much time seeking translation of the forms. **There is need to translate these forms into the local language- Kinyarwanda.** Other respondents reported that the forms are complex for ordinary people since they are presented in legal language and modeled according to the law on business registration.

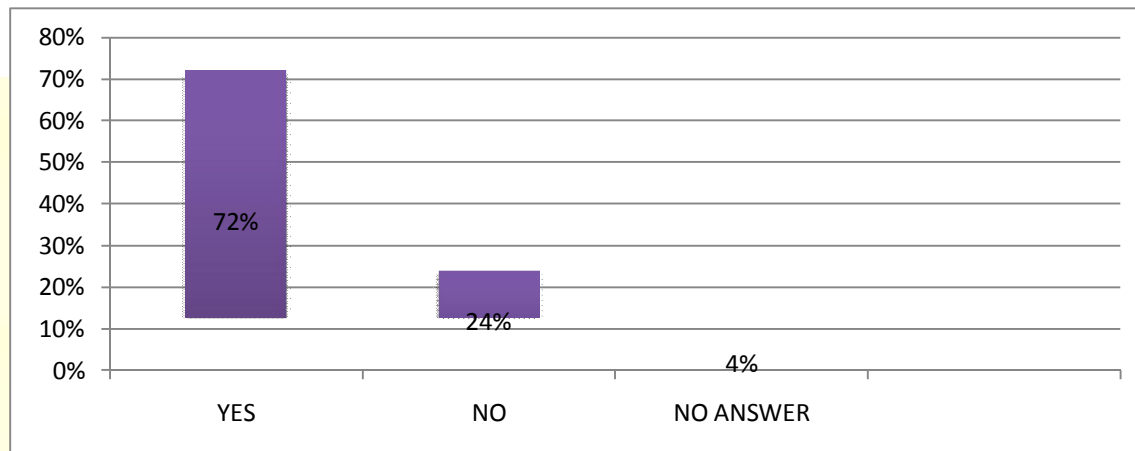
Figure 2: Business Owners’ Perception of Business registration process



Source: primary

The more business owners perceive the business registration as good and easy to undertake coupled with continued education by the responsible bodies like Rwanda Development Board (RDB) on the importance of business registration, the more and many other businesses will be registered.

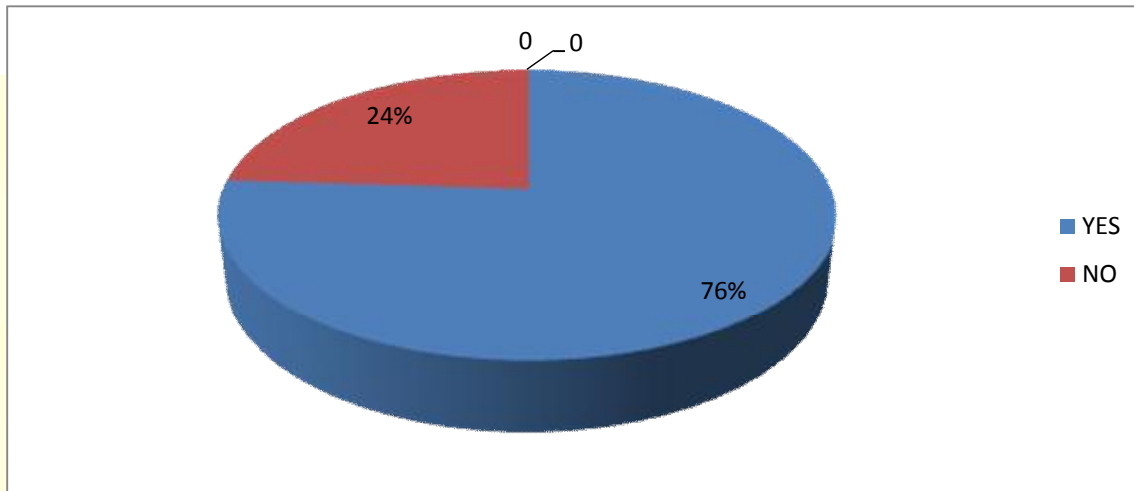
Figure 3: Intellectual Property rights awareness rate by the business community.



Source: primary

The level of awareness is also high among the youth. Most of the intellectual property registered with the Office are Industrial property i.e. inventions, trademarks, utility models; industrial designs and copyrights. Majority of the industrial and copyrights registered are from international companies and few were from local companies. A total of over 7,000 trademarks and copyrights have been registered in Rwanda by 2007. Since RICP intervention in 2008, a total of 1,176 trademarks and copyrights have been registered. It is clear that there has been a phenomenal increase in the number of intellectual property rights registered since RICP came on board. Over the same period, there has been over 200 applications for amendments in the registration ranging from sale of rights, mergers, change of name, transfer of title e.t.c. The Officer in charge reported that there has been capacity building for the staff ranging from study tours to Norway and 3 weeks training in Kenya Intellectual Property Institute (KIPI). However, more training is required especially on new Conventions of Intellectual Rights and it is very critical to sensitize the local businesses on intellectual rights.

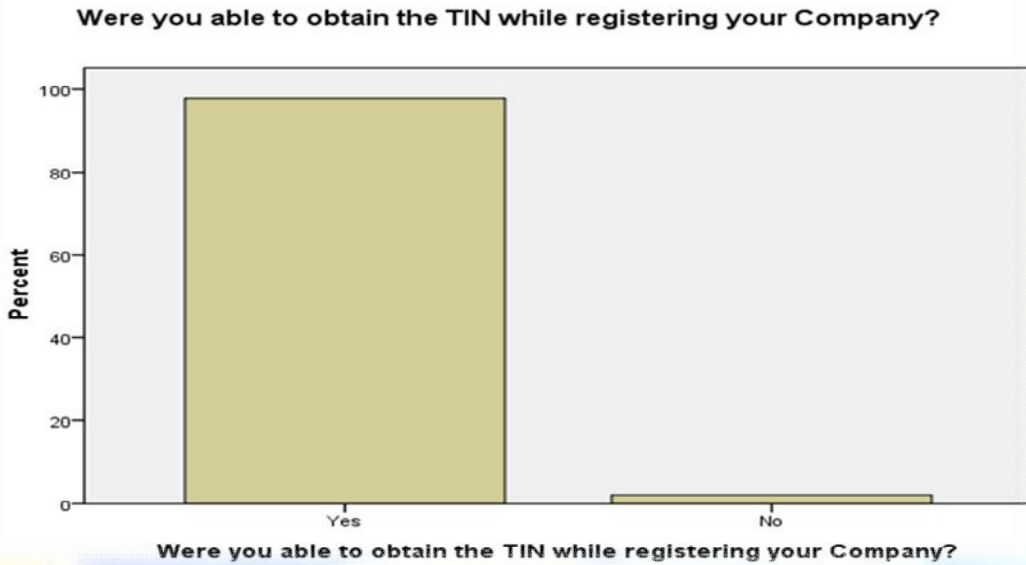
Figure 4: Showing respondents who visited RDB/Commercial registration website?



Source: primary

76% of respondents have visited the Rwanda Development Board/Office of the Registrar General website. Only 24% have not visited the website. This is an indication of the high level of computer/internet literacy in Rwanda and specifically in Kigali City.

Figure 5: Access to Tax Identification Number and CSR at the ORG/RDB Office



Source: primary

To hasten the business registration process, Rwanda Development Board/Office of the Registrar General has incorporated the tax and social security registration into one platform. That means as a business person is registering a company, he/she is able to obtain a Tax Identification Number and Social Security Certificates at the same time making it a One Stop Center for business registration. Before the RICP, these important documents were obtained from their respective offices located far from the business registering office.

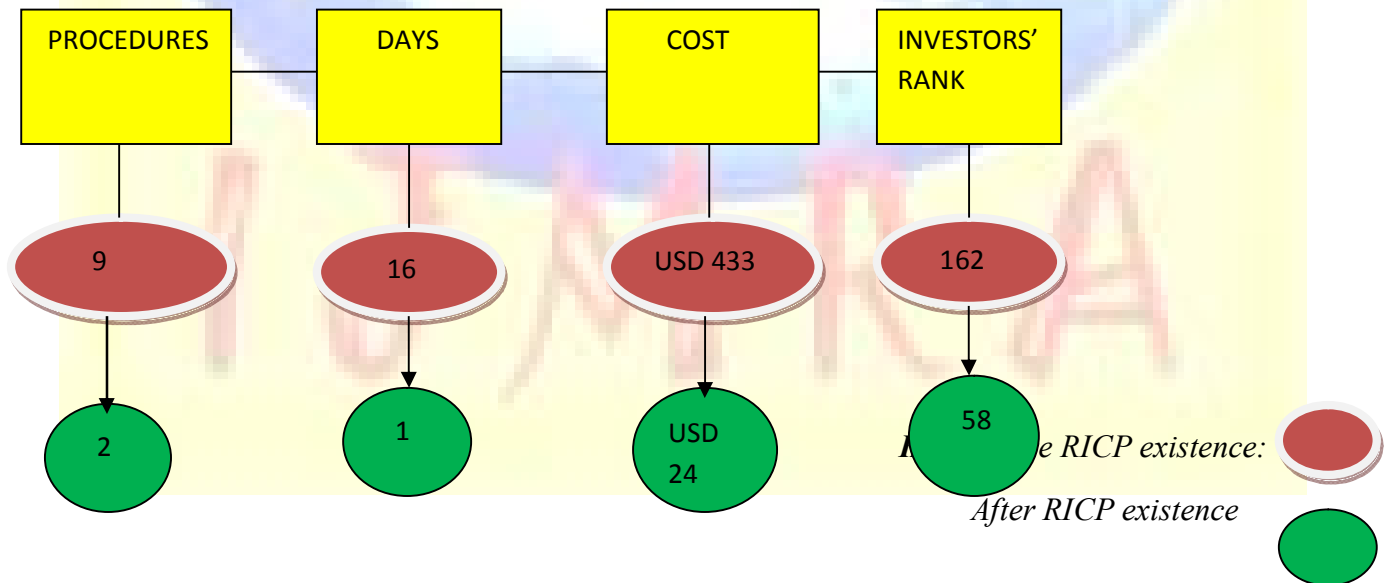
Table 3: Online business Registration

Was your business registered online?			
Answers	Frequency	Percentage	Cumulative percentage
YES	4	8	8
NO	46	92	100
Total	50	100	-

Source: primary

As indicated by the findings in the table above, only 8% had registered business online, this has to be improved because the principle underlying this system is the ability of the users to be able to consume the services at their own. This low percentage can be attributed to reasons like culture and mentality, low levels of ICT skills, low access and availability of affordable internet service. In addition to the above achievements made by Rwanda commercial Registration service Agency (RCRSA); the activity of online business registration service offered under one roof; was effectively started in April 2008 and by end 2010; more than 10,011 new businesses had registered compared to 5,505 businesses which were registered for five (5) from April 2003 – April 2008.

Figure 6: Below shows a summary of the impact of RICP



Source: Primary data.

Recommendations

- Many respondents pointed out that though the business registration process is good, there is need to improve on the application forms. Many local investors in Rwanda are not well conversant with English language and there is need for Rwanda Development Board (RDB) to explore how these forms can be translated into the local language (Kinyarwanda).
- Though most of the stake holders indicated that they get their registration certificates within 24 hours, those outside Kigali City do not. The reason advanced is that the documents have to be physically delivered to Kigali head office for signing. Rwanda Development Board (RDB) should consider engaging an IT expert/consultant to explore and design digital signatures without compromising security of the documents.
- Although, the database on companies registered in the Registrar's office is complete, an investor wishing to obtain information from the database pays a nominal fee. It is recommended that the database especially on names should be open to the public for purposes of quick names search. Other information about shareholders, shareholding, and director's e.t.c may remain confidential.
- In online Registration, there are still challenges which are mainly cultural and mind set based. People naturally resist change thus low uptake of new technologies. There should be continuous public mobilization and sensitization on the advantages of registering a business online.

6. Conclusion

The Government of Rwanda through the Ministry of Trade and Industry (MINICOM) has taken various initiatives to improve investment climate in the Country. Rwanda Investment Climate Project (RICP) has been one of these initiatives and has produced good results in improving the business registration process in the country and this has shown clear indications that the investment climate reforms undertaken have had positive impact as reduction of cost, time and procedures spent in registering a business.

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