

N° 80

59th year



Tuesday, 14 Jumada I 1442

(29 December 2020)

الجمهورية الجزائرية
الديمقراطية الشعبية

الجريدة الرسمية

اتفاقات دولية ، قوانين ، مراسيم
قرارات وآراء ، مقررات ، منشور ، إعلانات وبلاعات

OFFICIAL GAZETTE

OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA

INTERNATIONAL CONVENTIONS AND AGREEMENTS – LAWS AND
DECREES – ORDERS, DECISIONS, OPINIONS, COMMUNICATIONS
AND ANNOUNCEMENTS

(TRANSLATION)

ANNUAL SUBSCRIPTION	Algeria Tunisia Morocco Libya Mauritania	ABROAD (Countries outside the Maghreb)	BOARD OF DIRECTORS AND EDITORS GENERAL SECRETARIAT OF GOVERNMENT WWW.JORADP.DZ Subscriptions and advertising: GOVERNMENT PRINTING OFFICE Les Vergers, Bir-Mourad Raïs, BP 376 ALGER-GARE Tel.: 021.54.35..06 at 09 Fax: 021.54.35.12 C.C.P. 3200-50 Clé 68 ALGER BADR: Rib 00 300 060000201930048 ABROAD: (Foreign exchange account) BADR: 003 00 060000014720242
	1 year	1 year	
Original edition.....	1090.00 DA	2675.00 DA	
Original and French translation....	2180.00 DA	5350.00 DA (Plus postage)	

Original edition, per issue: 14.00 dinars. Original edition and French translation, per issue: 28.00 dinars.
Back issues: according to price list. Tables are provided free of charge to subscribers. *Please see address*

on most recent mailing wrapper for renewals, complaints and changes of address.

Price for insertions: 60.00 dinars per line

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LAWS

Act No. 20-10 of 5 Rabi' I 1442 (22 October 2020) approving the Agreement Establishing the African Continental Free Trade Area, signed at Kigali on 21 March 2018.

The President of the Republic,

Having regard to the Constitution, in particular articles 136, 144 and 149;

Having regard to the Agreement Establishing the African Continental Free Trade Area, signed at Kigali on 21 March 2018;

After hearing the opinion of the Council of State;

After approval by Parliament;

Promulgates the following Act:

Article 1. — The Agreement Establishing the African Continental Free Trade Area, signed at Kigali on 21 March 2018, is hereby approved;

Article 2. — The present Act shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 5 Rabi' I 1442 (22 October 2020).

Abdelmadjid TEBBOUNE.



Act No. 20-11 of 5 Rabi' I 1442 (22 October 2020) approving Ordinance No. 20-01 of 9 Dhu al-Hijjah 1441 (30 July 2020) amending and supplementing Ordinance No. 66-156 of 8 June 1966 on the Criminal Code.

The President of the Republic,

Having regard to the Constitution, in particular articles 140, 142 and 144;

Having regard to Ordinance No. 20-01 of 9 Dhu al-Hijjah 1441 (30 July 2020) amending and supplementing Ordinance No. 66-156 of 8 June 1966 on the Criminal Code;

After approval by Parliament;

Promulgates the following Act:

Article 1. — Ordinance No. 20-01 of 9 Dhu al-Hijjah 1441 (30 July 2020) amending and supplementing Ordinance No. 66-156 of 8 June 1966 on the Criminal Code is hereby approved;

Article 2. — The present Act shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 5 Rabi' I 1442 (22 October 2020).

Abdelmadjid TEBBOUNE.



Act No. 20-12 of 5 Rabi' I 1442 (22 October 2020) approving Ordinance No. 20-02 of 11 Muharram 1442 (30 August 2020) amending and supplementing Act No. 18-11 of 18 Shawwal 1439 (2 July 2018) on health.

The President of the Republic,

Having regard to the Constitution, in particular articles 66, 140-16, 142 and 144;

Having regard to Ordinance No. 20-02 of 11 Muharram 1442 (30 August 2020) amending and supplementing Act No. 18-11 of 18 Shawwal 1439 (2 July 2018) on health;

After approval by Parliament;

Promulgates the following Act:

Article 1. — Ordinance No. 20-02 of 11 Muharram 1442 (30 August 2020) amending and supplementing Act No. 18-11 of 18 Shawwal 1439 (2 July 2018) on health is hereby approved.

Article 2. — The present Act shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 5 Rabi' I 1442 (22 October 2020).

Abdelmadjid TEBBOUNE.

Act No. 20-13 of 5 Rabi' I 1442 (22 October 2020) approving Ordinance No. 20-03 of 11 Muharram 1442 (30 August 2020) on preventing and combating street gangs.

The President of the Republic,

Having regard to the Constitution, in particular articles 140, 142 and 144;

Having regard to Ordinance No. 20-03 of 11 Muharram 1442 (30 August 2020) on preventing and combating street gangs;

After approval by Parliament;

Promulgates the following Act:

Article 1. — Ordinance No. 20-03 of 11 Muharram 1442 (30 August 2020) on preventing and combating street gangs is hereby approved.

Article 2. — The present Act shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 5 Rabi' I 1442 (22 October 2020).

Abdelmadjid TEBBOUNE.

Act No. 20-14 of 5 Rabi' I 1442 (22 October 2020) approving Ordinance No. 20-04 of 11 Muharram 1442 (30 August 2020) amending and supplementing Ordinance No. 66-155 of 8 June 1966 on the Code of Criminal Procedure.

The President of the Republic,

Having regard to the Constitution, in particular articles 140, 142 and 144;

Having regard to Ordinance No. 20-04 of 11 Muharram 1442 (30 August 2020) amending and supplementing Ordinance No. 66-155 of 8 June 1966 on the Code of Criminal Procedure;

After approval by Parliament;

Promulgates the following Act:

Article 1. — Ordinance No. 20-04 of 11 Muharram 1442 (30 August 2020) amending and supplementing Ordinance No. 66-155 of 8 June 1966 on the Code of Criminal Procedure is hereby approved.

Article 2. — The present Act shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 5 Rabi' I 1442 (22 October 2020).

Abdelmadjid TEBBOUNE.

DECREES

Executive Decree No. 20-398 of 11 Jumada I 1442 (26 December 2020) creating a national committee to assess the risks of money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, and establishing its responsibilities, structure and functioning.

The Prime Minister,

Based on the report of the Minister of Finance,

Having regard to the Constitution, in particular articles 99-4 and 143 (2);

Having regard to Ordinance No. 66-155 of 8 June 1966, as amended and supplemented, on the Code of Criminal Procedure;

Having regard to Ordinance No. 66-156 of 8 June 1966, as amended and supplemented, on the Criminal Code;

Having regard to Ordinance No. 75-59 of 26 September 1975, as amended and supplemented, on the Commercial Code;

Having regard to Act No. 79-07 of 21 July 1979, as amended and supplemented, on the Customs Code;

Having regard to Ordinance No. 96-22 of 23 Safar 1417 (9 July 1996), as amended and supplemented, on the suppression of violations of laws and regulations on foreign exchange and capital movements into or out of Algeria;

Having regard to Ordinance No. 03-11 of 27 Jumada II 1424 (26 August 2003), as amended and supplemented, on currency and credit;

Having regard to Act No. 05-01 of 27 Dhu al-Hijjah 1425 (6 February 2005), as amended and supplemented, on the prevention and combating of money-laundering and the financing of terrorism;

Having regard to Presidential Decree No. 94-287 of 15 Rabi' II 1415 (21 September 1994) on the accession of the People's Democratic Republic of Algeria to the Treaty on the Non-Proliferation of Nuclear Weapons, signed at New York on 1 July 1968;

Having regard to Presidential Decree No. 95-41 of 26 Sha'ban 1415 (28 January 1995) ratifying the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted at Vienna on 20 December 1988;

Having regard to Presidential Decree No. 95-157 of 4 Muharram 1416 (3 June 1995) ratifying the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;

Having regard to Presidential Decree No. 98-413 of 18 Sha'ban 1419 (7 December 1998) ratifying the Arab Convention on the Suppression of Terrorism, signed at Cairo on 25 Dhu al-Hijjah 1418 (22 April 1998);

Having regard to Presidential Decree No. 2000-79 of 4 Muharram 1421 (9 April 2000) ratifying the Organization of African Unity Convention on the Prevention and Combating of Terrorism, adopted at the thirty-fifth ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity, held in Algiers from 12 to 14 July 1999;

Having regard to Presidential Decree No. 2000-445 of 27 Ramadan 1421 (23 December 2000) ratifying, with reservation, the International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

Having regard to Presidential Decree No. 2000-450 of 27 Ramadan 1421 (23 December 2000) on accession to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, adopted at London, Moscow and Washington on 10 April 1972;

Having regard to Presidential Decree No. 02-55 of 22 Dhu al-Qa'dah 1422 (5 February 2002) ratifying, with reservation, the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations on 15 November 2000;

Having regard to Presidential Decree No. 03-417 of 14 Ramadan 1424 (9 November 2003) ratifying, with reservation, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations on 15 November 2000;

Having regard to Presidential Decree No. 03-418 of 14 Ramadan 1424 (9 November 2003) ratifying, with reservation, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations on 15 November 2000;

Having regard to Presidential Decree No. 19-370 of 1 Jumada I 1441 (28 December 2019) on the appointment of the Prime Minister;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

Having regard to Executive Decree No. 02-127 of 24 Muharram 1423 (7 April 2002), as amended and supplemented, on the creation, structure and functioning of the Financial Intelligence Processing Unit;

Hereby decrees:

Article 1. — The purpose of the present Decree is to create a national committee to assess the risks of money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, hereinafter referred to as the "national committee", and to establish its responsibilities, structure and functioning.

CHAPTER 1

Responsibilities of the national committee

Article 2. — The national committee shall be responsible, inter alia, for:

— reviewing and adopting sectoral reports, reviewing the national risk assessment report on money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction and submitting it to the Prime Minister for approval;

— proposing any measure likely to facilitate the incorporation, into national laws and regulations, of recommendations issued by regional and/or international bodies for combating money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction;

— improving the coordination of policies for combating money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, in order to achieve greater cohesion in the measures taken by the government departments and supervisory authorities involved;

— assisting the Financial Intelligence Processing Unit with the coordination and monitoring of the self-assessment and mutual evaluation exercises of the national mechanism to combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, and reviewing the corresponding draft reports;

— commissioning any study and initiating any mechanism necessary for the identification and analysis of methods and trends in the areas of money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction;

— adopting the list of competent supervisory authorities for the various categories of entities required to report suspicious transactions and fostering dialogue between the authorities and entities concerned;

— promoting the strengthening of the institutions and infrastructure necessary for combating money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction;

— submitting, for the Prime Minister's approval, a proposed list of countries with which an exchange of information would prove beneficial for more effectively combating money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, and encouraging increased exchanges of information with those countries;

— deciding, where necessary, on the use of international technical assistance to assess the conformity and effectiveness of the national mechanism to combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction; and

— proposing such measures as may be useful for enhancing the effectiveness of the mechanism to combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

— Article 3. — The national committee shall develop the national strategy to combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction and shall submit it to the Prime Minister for approval. The national committee shall monitor its implementation.

CHAPTER 2

Composition of the national committee

Article 4. — The national committee shall be chaired by the Minister of Finance and shall comprise the following members:

- the Secretary-General of the Ministry of Defence (Vice-Chair);
- the Secretary-General of the Ministry of Foreign Affairs;
- the Secretary-General of the Ministry of the Interior, Local Authorities and Land-Use Planning;
- the Secretary-General of the Ministry of Justice;
- the Secretary-General of the Ministry responsible for telecommunications;
- the Secretary-General of the Ministry of Commerce;
- the Secretary-General of the Bank of Algeria;
- the Director General of Internal Security;
- the Director General of Documentation and External Security;
- the Commander of the National Gendarmerie;
- the Director General of National Security;
- the Director General of Customs;
- the Director General of Taxation;
- the head of the National Anti-Corruption Agency;
- the Director General of the Central Office for the Suppression of Corruption;
- the Director General of the National Cybercrime Prevention Agency;

— the Director General of the National Office to Combat Drugs and Drug Addiction;

— the head of the Financial Intelligence Processing Unit.

The national committee may engage the services of any other authority, institution or qualified person, or involve them in its work.

CHAPTER 3

Structure and functioning of the national committee

Article 5. — To discharge its responsibilities, the national committee shall have:

- a secretariat provided by the Ministry of Finance;
- a subcommittee to combat money-laundering and the financing of terrorism;
- a subcommittee to combat the financing of the proliferation of weapons of mass destruction.

Article 6. — The subcommittee to combat money-laundering and the financing of terrorism shall be chaired by a representative of the Ministry of Justice and shall comprise:

- a representative of the Prime Minister's Office;
- a representative of the Ministry of Defence;
- a representative of the Ministry of Foreign Affairs;
- a representative of the Ministry of the Interior, Local Authorities and Land-Use Planning;
- a representative of the Ministry of Finance;
- a representative of the Ministry of Energy;
- a representative of the Ministry of Commerce;
- a representative of the Ministry responsible for industry;
- a representative of the Ministry responsible for mining;
- a representative of the Ministry of Transport;
- a representative of the Ministry responsible for public works;
- a representative of the Ministry of Higher Education and Scientific Research;
- a representative of the Ministry responsible for telecommunications;
- a representative of the Ministry of Agriculture and Rural Development;
- a representative of the Bank of Algeria;
- a representative of the National Anti-Corruption Agency;
- a representative of the Central Office for the Suppression of Corruption;
- a representative of the Financial Intelligence Processing Unit.

Article 7. — The subcommittee to combat the financing of the proliferation of weapons of mass destruction shall be chaired by a representative of the Ministry of Defence and shall comprise:

- a representative of the Prime Minister's Office;
- a representative of the Ministry of Foreign Affairs;
- a representative of the Ministry of the Interior, Local Authorities and Land-Use Planning;
- a representative of the Ministry of Justice;
- a representative of the Ministry of Finance;
- a representative of the Bank of Algeria;
- a representative of the National Anti-Corruption Agency;
- a representative of the Central Office for the Suppression of Corruption;
- a representative of the Financial Intelligence Processing Unit;
- a representative of the High Command of the National Gendarmerie;
- a representative of the Directorate General of National Security;
- a representative of the Directorate General of Internal Security;
- a representative of the Directorate General of Documentation and External Security.

Article 8. — The chairs and members of the two subcommittees mentioned above shall be appointed by the Chair of the national committee upon nomination by their respective authorities from among officials with the rank of director within the central administration or equivalent, for a three-year term, renewable once.

Members whose term ends early shall be replaced through the same procedure. The newly appointed member shall serve until the term expires.

Article 9. — Both subcommittees may have several sectoral and technical working groups. The number, composition, responsibilities and operating procedures of these technical working groups shall be determined by an interministerial order of the Minister of Defence, the Minister of the Interior, the Minister of Justice (Garde des Sceaux) and the Minister of Finance.

Article 10. — The two subcommittees shall meet as often as necessary and shall submit a report on the results of their work, with proposals, to the Chair of the national committee within 15 days after each meeting.

Article 11. — The proposals referred to in article 10 above shall cover, inter alia:

— sectors or areas with higher or lower risks of money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction;

— legislative and/or regulatory measures to improve the national mechanism to combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction; and

— appropriate recommendations for optimizing the allocation of resources to the various programmes to prevent and combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

Article 12. — The national committee shall prepare and adopt its rules of procedure at its first session.

Article 13. — The national committee shall meet in ordinary session, convened by the Chair, at least once every six months.

It may meet in extraordinary session when convened by the Chair or at the request of two thirds of its members.

Article 14. — The Chair of the national committee shall draw up the meeting agenda and circulate it to all members 15 days before the meeting date.

This period may be reduced to eight days for extraordinary sessions.

Article 15. — The deliberations of the national committee shall be recorded in minutes, which shall be entered into a numbered register to be initialled by the Chair.

The outcomes of the discussions at each session of the national committee shall be set forth in a report and submitted to the Prime Minister no later than 15 days after the session.

Article 16. — The combined reports of the subcommittee to combat money-laundering and the financing of terrorism and the subcommittee to combat the financing of the proliferation of weapons of mass destruction shall constitute the national risk assessment report on money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction. The national report shall be updated when the circumstances so warrant and at least once every two years.

Article 17. — Based on the national risk assessment report on money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, the national committee shall:

— identify sectors or areas with higher or lower risks of money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction;

— propose legislative and/or regulatory measures to improve the national mechanism to combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction;

— produce appropriate recommendations for optimizing the allocation of resources to the various programmes to prevent and combat money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

CHAPTER 4

Final provisions

Article 18. — The national committee shall be allocated the necessary appropriations for its functioning from the budget of the Ministry of Finance.

Article 19. — The implementing regulations of the present Decree shall be established by interministerial order, as and when required.

Article 20. — The present Decree shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 11 Jumada I 1442 (26 December 2020).

————★ Abdelaziz DJERAD.

Executive Decree No. 20-399 of 11 Jumada I 1442 (26 December 2020) amending and supplementing Executive Decree No. 06-215 of 22 Jumada I 1427 (18 June 2006) establishing the terms and conditions for clearance sales, promotional sales, liquidation sales, factory outlet sales and sales on temporary premises.

The Prime Minister,

Based on the report of the Minister of Trade,

Having regard to the Constitution, in particular articles 99-4 and 143 (2);

Having regard to Ordinance No. 75-59 of 26 September 1975, as amended and supplemented, on the Commercial Code;

Having regard to Act No. 04-02 of 5 Jumada I 1425 (23 June 2004), as amended and supplemented, establishing the rules governing commercial practices;

Having regard to Act No. 04-08 of 27 Jumada II 1425 (14 August 2004), as amended and supplemented, on the conditions for carrying on commercial activities;

Having regard to Act No. 09-03 of 29 Safar 1430 (25 February 2009), as amended and supplemented, on consumer protection and fraud control;

Having regard to Act No. 11-10 of 20 Rajab 1432 (22 June 2011) on communes;

Having regard to Act No. 12-07 of 28 Rabi' I 1433 (21 February 2012) on *wilayas*;

Having regard to Act No. 18-05 of 24 Sha'ban 1439 (15 May 2018) on e-commerce;

Having regard to Presidential Decree No. 19-370 of 1 Jumada I 1441 (28 December 2019) on the appointment of the Prime Minister;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

Having regard to Executive Decree No. 02-453 of 17 Shawwal 1423 (21 December 2020) on the powers of the Minister of Trade;

Having regard to Executive Decree No. 11-09 of 15 Safar 1432 (20 January 2011) on the organization, powers and operations of the external services of the Ministry of Trade;

Having regard to Executive Decree No. 06-215 of 22 Jumada I 1427 (18 June 2006) establishing the terms and conditions for clearance sales, promotional sales, liquidation sales, factory outlet sales and sales on temporary premises;

Having regard to Executive Decree No. 07-217 of 25 Jumada II 1428 (10 July 2007) establishing the terms and conditions for the organization and conduct of periodic commercial events;

Hereby decrees:

Article 1. — The purpose of the present Decree is to amend and supplement certain provisions of the aforementioned Executive Decree No. 06-215 of 22 Jumada I 1427 (18 June 2006).

Article 2. — The provisions of articles 2, 3, 5, 6, 7 and 19 of the aforementioned Executive Decree No. 06-215 of 22 Jumada I 1427 (18 June 2006) are hereby amended and supplemented as follows:

“Article 2. — ‘Clearance sales’ means any retail sales preceded or accompanied by advertisements in which prices are discounted in order to expedite the disposal of goods held in stock.

Clearance sales shall be conducted on commercial premises, or in commercial spaces designated for this purpose in accordance with the terms and conditions set forth in the laws and regulations in force, by economic agents of any kind.

Clearance sales may also be conducted via e-commerce channels, in which case they shall be subject to the same rules applicable to clearance sales held on commercial premises.”

“Article 3. — Clearance sales..... (unamended)

However, the economic agent may terminate the clearance sale before the period of time set out in the preceding paragraph has elapsed, in which case the agent must submit a request to the territorially competent *wilaya* trade directorate by following the same procedure.

Clearance sales (unamended)

Clearance sales may be held during the month of Ramadan, on religious holidays and at commercial events.”

“Article 5. — The economic agent in question must (unamended)

Clearance items shall be displayed separately from other goods and in full view of customers, showing the new price, the old price crossed out and the amount or percentage by which the price has been discounted.”

“Article 6. — The economic agent wishing to hold a clearance sale must submit a declaration to the territorially competent *wilaya* director of trade, accompanied by the following documents:

- (unamended)
- (unamended)
- (unamended)

Any duly submitted application shall result in the issuance of a permit to the economic agent within forty-eight (48) hours from the date on which the application is filed.”

“Article 7. — ‘Promotional sales’ means any techniques for selling goods and/or services, regardless of their nature, through which the economic agent seeks to attract and retain customers.

Promotional sales shall be conducted by economic agents on the premises where they carry on their activities. They may also be conducted in commercial spaces fitted out for this purpose.

Promotional sales may also be conducted via e-commerce channels, in which case they shall be subject to the same rules applicable to promotional sales held on commercial premises.

The economic agent must... (unamended)

“Article 19. — Applications for sales on temporary premises shall be submitted to the territorially competent *wilaya* director of trade and must include the following documents:

- (unamended)
- (unamended)
- (unamended)
- (unamended)

The permit request shall be filed seven (7) days prior to the start of the sale on temporary premises.

The territorially competent *wilaya* director of trade shall take a decision on the permit request no later than seven (7) days after the application is submitted. If no response is given within the established time limit, the request shall be deemed to have been tacitly accepted.

If the request is refused... (otherwise unamended)

Article 3. — The provisions of articles 23, 24, 25 and 26 of the aforementioned Executive Decree No. 06-215 of 22 Jumada I 1427 (18 June 2006) are hereby amended as follows:

“Article 23. — Unauthorized clearance sales or sales involving undeclared goods or taking place outside the agreed period shall be suspended immediately until the offending party regularizes the situation.

..... (otherwise unamended)

“Article 24. — Unauthorized promotional sales or promotional sales involving undeclared goods (otherwise unamended).....”

“Article 25. — Unauthorized liquidation sales... (otherwise unamended).....”

“Article 26. — Unauthorized factory outlet sales and/or factory outlet sales held away from the site designated for this purpose... (otherwise unamended).”

Article 4. — Failure to comply with the provisions of the present Decree shall be punishable in accordance with the legislation in force, in particular the aforementioned Act No. 04-02 of 5 Jumada I 1425 (23 June 2004).

Article 5. — The present Decree shall be published in the Official Gazette of the People’s Democratic Republic of Algeria.

Done at Algiers on 11 Jumada I 1442 (26 December 2020).

—————★ Abdelaziz DJERAD.
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Executive Decree No. 20-400 of 11 Jumada I 1442 (26 December 2020) amending and supplementing Executive Decree No. 12-212 of 17 Jumada II 1433 (9 May 2012) establishing the statute of the public broadcasting institution of Algeria.

The Prime Minister,

Based on the report of the Minister for Communication,

Having regard to the Constitution, in particular articles 99-4 and 143 (2);

Having regard to Act No. 12-05 of 18 Safar 1433 (12 January 2012) on information;

Having regard to Ordinance No. 75-59 of 26 September 1975, as amended and supplemented, on the Commercial Code;

Having regard to Act No. 04-02 of 5 Jumada I 1425 (23 June 2004), as amended and supplemented, establishing the rules governing commercial practices;

Having regard to Act No. 04-08 of 27 Jumada II 1425 (14 August 2004), as amended and supplemented, on the conditions for carrying on commercial activities;

Having regard to Act No. 07-11 of 15 Dhu al-Qa'dah 1428 (25 November 2007), as amended and supplemented, setting forth the financial accounting system;

Having regard to Act No. 14-04 of 24 Rabi' II 1435 (24 February 2014) on audiovisual activities;

Having regard to Act No. 18-04 of 24 Sha'ban 1439 (10 May 2018) establishing the general rules on postal and electronic communications;

Having regard to Act No. 20-04 of 5 Sha'ban 1441 (30 March 2020) relating to radiocommunications;

Having regard to Presidential Decree No. 02-48 of 2 Dhu al-Qa'dah 1422 (16 January 2002), as amended, on the creation, organization and operations of the Algerian Space Agency;

Having regard to Presidential Decree No. 19-370 of 1 Jumada I 1441 (28 December 2019) on the appointment of the Prime Minister;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

Having regard to Executive Decree No. 12-212 of 17 Jumada II 1433 (9 May 2012), as amended, establishing the statute of the public broadcasting institution of Algeria;

Having regard to Executive Decree No. 16-220 of 8 Dhu al-Qa'dah 1437 (11 August 2016) establishing the terms and conditions for inviting tenders for the licensing of thematic audiovisual communication services;

Having regard to Executive Decree No. 16-221 of 8 Dhu al-Qa'dah 1437 (11 August 2016) establishing the amounts due and payment methods accepted in relation to the licensing of thematic audiovisual communication services;

Having regard to Executive Decree No. 16-222 of 8 Dhu al-Qa'dah 1437 (11 August 2016) setting forth the general terms of reference establishing the rules applicable to all television or audio broadcasting services;

Hereby decrees:

Article 1. — The purpose of the present Decree is to amend and supplement certain provisions of the aforementioned Executive Decree No. 12-212 of 17 Jumada II 1433 (9 May 2012), as amended.

Article 2. — The provisions of article 7 of the aforementioned Executive Decree No. 12-212 of 17 Jumada II 1433 (9 May 2012), as amended, are hereby supplemented as follows:

“Article 7. — To achieve its objectives, in accordance with the laws and regulations in force, the establishment:

- (1) (unamended)
- (2) (unamended)
- (3) (unamended)
- (4) (unamended)
- (5) (unamended)

(6) shall conclude, with the agreement of the Minister for Communication, commercial contracts in return for payment, in order to:

— provide direct satellite broadcasting for audiovisual services, by any appropriate technical means, by leasing appropriate satellite capacity on domestic or foreign satellites;

— provide, on domestic or foreign satellites, direct satellite broadcasting of programmes on audiovisual channels whose master control centres are located outside the national territory.

The content of the programmes broadcast pursuant to the aforementioned commercial contracts shall be subject to the obligations cited in article 48 of Act No. 14-04 of 24 Rabi' II 1435 (24 February 2014) on audiovisual activities, including respect for the requirements of national unity and national security and defence.”

Article 3. — The provisions of the aforementioned article 24 of Executive Decree No. 12-212 of 17 Jumada II 1433 (9 May 2012), as amended, are hereby amended, supplemented and worded as follows:

“Article 24. — The goods referred to in article 23 above, the goods transferred from Radio et Télévision Algérienne (RTA) and/or allocated shall be listed in a quantitative, qualitative and valued inventory drawn up by a commission in accordance with the laws and regulations in force, within a period not exceeding twenty-four (24) months from the date of publication of the present Decree in the Official Gazette.

The commission shall submit, within a period of twelve (12) months, a progress report on this work to the Minister for Communication.

The composition, organization and operation of this commission shall be established by joint order of the Minister for Communication and the Minister of Finance.”

Article 4. — The present decree shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 11 Jumada I 1442 (26 December 2020).

Abdelaziz DJERAD

Executive Decree No. 20-401 of 11 Jumada I 1442 (26 December 2020) amending and supplementing Executive Decree No. 15-302 of 20 Safar 1437 (2 December 2015) on the powers of the Minister of Energy.

The Prime Minister,

Based on the report of the Minister of Energy,

Having regard to the Constitution, in particular articles 99-4 and 143 (2);

Having regard to Presidential Decree No. 19-370 of 1 Jumada I 1441 (28 December 2019) on the appointment of the Prime Minister;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

Having regard to Executive Decree No. 15-302 of 20 Safar 1437 (2 December 2015), as amended, on the powers of the Minister of Energy;

Hereby decrees:

Article 1. — The purpose of the present Decree is to amend and supplement certain provisions of Executive Decree No. 15-302 of 20 Safar 1437 (2 December 2015) on the powers of the Minister of Energy.

Article 2. — The provisions of article 2 of the aforementioned Executive Decree No. 15-302 of 20 Safar 1437 (2 December 2015) are hereby amended, supplemented and worded as follows:

“Article 2. — The powers of the Minister of Energy shall be exercised, in relation to the institutions, State bodies and ministries concerned, in the following fields of activity:

- (unamended)
- (unamended)
- generation, transmission, marketing and distribution of electrical energy;
- generation of electricity from renewable sources for the sector's own needs, within the framework of the national strategy for the development of renewable energy;
- development of new energy sources;
- efforts to reduce energy consumption in the energy sector in line with the national strategy.”

Article 3. — The provisions of article 3 of the aforementioned Executive Decree No. 15-302 of 20 Safar 1437 (2 December 2015) are hereby amended and worded as follows:

“Article 3. — The Minister of Energy shall be tasked with preparing, proposing and monitoring the implementation of:

- (unamended)

— energy policy, in order to ensure security of energy supply under the national policy;

— (otherwise unamended)

Article 4. — The provisions of article 5 of the aforementioned Executive Decree No. 15-302 of 20 Safar 1437 (2 December 2015) are hereby amended, supplemented and worded as follows:

“Article 5. — With regard to electricity, gas and new energy sources, the Minister of Energy shall:

- decide on programmes to develop capacity for electricity generation and for the transport and distribution of electricity and gas, and ensure the programmes' implementation;
- identify programmes to develop capacity for electricity generation from renewable sources for the sector's own needs, within the framework of the national strategy for the development of renewable energy;
- decide, with the institutions concerned, on programmes for electrification and the public distribution of natural gas, and ensure their implementation;
- propose, in cooperation with the sectors concerned, measures and actions to manage energy use and ensure energy efficiency within the sector, and ensure their implementation;
- undertake studies and propose programmes for the development of new energy sources.”

Article 5. — The present Decree shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 11 Jumada I 1442 (26 December 2020).

—————★ Abdelaziz DJERAD.

Executive Decree No. 20-402 of 11 Jumada I 1442 (26 December 2020) amending and supplementing Executive Decree No. 15-303 of 20 Safar 1437 (2 December 2015) on the organization of the central administration of the Ministry of Energy.

The Prime Minister,

Based on the report of the Minister of Energy,

Having regard to the Constitution, in particular articles 99-4 and 143 (2);

Having regard to Presidential Decree No. 19-370 of 1 Jumada I 1441 (28 December 2019) on the appointment of the Prime Minister;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

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Having regard to Executive Decree No. 90-188 of 23 June 1990 establishing the structures and bodies of the central administrations of ministries;

Having regard to Executive Decree No. 15-302 of 20 Safar 1437 (2 December 2015), as amended, on the powers of the Minister of Energy;

Having regard to Executive Decree No. 15-303 of 20 Safar 1437 (2 December 2015), as amended and supplemented, on the organization of the central administration of the Ministry of Energy;

Hereby decrees:

Article 1. — The purpose of the present Decree is to amend and supplement certain provisions of Executive Decree No. 15-303 of 20 Safar 1437 (2 December 2015), as amended and supplemented, on the organization of the central administration of the Ministry of Energy.

Article 2. — The provisions of articles 1, 2 and 3 of the aforementioned Executive Decree No. 15-303 of 20 Safar 1437 (2 December 2015) are hereby amended, supplemented and worded as follows:

“Article 1. — The central administration of the Ministry of Energy, under the authority of the Minister of Energy, shall comprise:

- 1- (unamended).....;
- 2- (unamended).....;
- 3- (unamended).....;

4. The following structures:

- (unamended)
- the Directorate General of Electricity, New Energy Sources, Gas and Petroleum Products;
- (otherwise unamended).....”

“Article 2. — The Directorate General of Hydrocarbons shall be responsible for:

- (unamended)
- (unamended)
- preparing and ensuring the implementation of the policy for the development of activities related to the transport and marketing of hydrocarbons;
- (otherwise unamended)

It shall comprise two directorates:

- 1.(otherwise unamended).....

2. The Directorate for the Transport, Processing and Marketing of Hydrocarbons, responsible for:

- (unamended)
- (unamended)
- (unamended)
- (unamended)

- monitoring activities related to petrochemicals and to the transport, refining and marketing of hydrocarbons;
- evaluating the performance of activities related to the transport and processing of hydrocarbons.

It shall comprise two subdirectorates:

2.1 The Subdirectorate for the Transport of Hydrocarbons, responsible for:

- (unamended).....;
- (unamended).....;
- (unamended)

2.2 The Subdirectorate for the Processing and Marketing of Hydrocarbons, responsible for:

- (unamended).....;
- (unamended).....”

“Article 3. — The Directorate General of Electricity, New Energy Sources, Gas and Petroleum Products shall be responsible for:

- establishing and ensuring the implementation of the electricity development policy;
- establishing and ensuring the implementation of the policy for the development of gas pipeline distribution and activities related to the distribution of petroleum products;
- establishing and ensuring the implementation of the policy for the development of new energy sources;
- contributing to the energy efficiency policy for the energy sector;
- ensuring the implementation of energy efficiency measures in the energy sector;
- preparing regulations on electricity generation, transmission and distribution;
- preparing regulations on the transport and public distribution of gas;
- preparing regulations on activities related to the distribution of petroleum products.

It shall comprise two directorates:

1. The Directorate of Electricity and New Energy Sources, responsible for:

- establishing and ensuring the implementation of the policy and strategy for the development of electricity generation, transmission and distribution infrastructure;
- establishing the infrastructure development programme for the generation of electricity from renewable sources for the sector’s own needs, within the framework of the national strategy for the development of renewable energy;
- establishing and ensuring the implementation of the policy for the development of new energy sources;

— preparing regulations on electricity and new energy sources;

— developing electrification programmes and ensuring their implementation;

— monitoring and following up on the development of activities related to electricity and new energy sources;

— monitoring and following up on the implementation of energy efficiency measures within the sector.

It shall comprise three subdirectorates:

1.1 The Subdirectorate of Electrification Programmes, responsible for:

— developing national electrification programmes and ensuring their implementation;

— developing electricity connection programmes for flagship projects and ensuring their implementation;

— ensuring that electricity connections are provided for special programmes;

— preparing agreements for the delivery of funds allocated by the State.

1.2 The Subdirectorate for Electricity-related Activities, responsible for:

— following up on the programme for the development of national electricity generation capacity;

— monitoring the development of electricity generation capacity from renewable sources;

— following up on the programme to develop electricity transmission and distribution infrastructure;

— ensuring that the public service mission of the electricity sector is properly discharged;

— following up on programmes for the allocation of electricity distribution concessions;

— contributing to the development of the national energy consumption model;

— ensuring the implementation of energy efficiency measures within the sector.

1.3 The Subdirectorate of New Energy Sources, responsible for:

— ensuring the implementation of the policy for the development of nuclear energy applications and other new energy sources;

— ensuring the implementation of the policy for the development of nuclear power;

— preparing regulations on nuclear energy and other new energy sources.

2. The Directorate of Gas and Petroleum Product Distribution, responsible for:

— establishing and ensuring the implementation of the policy and strategy for the development of gas pipeline distribution infrastructure;

— developing gas pipeline distribution programmes and ensuring their implementation;

— preparing regulations on gas pipeline distribution;

— monitoring and following up on the development of activities related to gas pipeline distribution and the storage and distribution of petroleum products;

— evaluating the performance of activities related to the storage and distribution of petroleum products;

— establishing clean energy development programmes;

— monitoring and assessing the granting of licences to perform activities related to the storage and distribution of petroleum products;

— developing, with the structures and institutions concerned, quality standards and specifications for petroleum products.

It shall comprise three subdirectorates:

2.1 The Subdirectorate of Gas Distribution Programmes, responsible for:

— developing national public gas distribution programmes and ensuring their implementation;

— developing gas connection programmes for flagship projects and ensuring their implementation;

— monitoring the provision of gas connections for special programmes;

— preparing agreements for the delivery of funds allocated by the State.

2.2 The Subdirectorate of Gas Pipeline Distribution Activities, responsible for:

— following up on the programme to develop gas pipeline distribution infrastructure;

— ensuring that the public service mission of the gas pipeline distribution sector is properly discharged;

— following up on programmes for the allocation of gas pipeline distribution concessions.

2.3 The Subdirectorate of Petroleum Product Distribution, responsible for:

- monitoring activities related to the storage and distribution of petroleum products;
- ensuring the regular supply of petroleum products to the national market;
- monitoring the development of activities related to the distribution of petroleum products;
- ensuring the implementation of programmes to develop clean energy.”

Article 3. — The present Decree shall be published in the Official Gazette of the People’s Democratic Republic of Algeria.

Done at Algiers on 11 Jumada I 1442 (26 December 2020).

Abdelaziz DJERAD.

Executive Decree No. 20-403 of 14 Jumada I 1442 (29 December 2020) on the procedure for programme planning and registration.

The Prime Minister,

Based on the report of the Minister of Finance,

Having regard to the Constitution, in particular articles 99-4 and 143 (2);

Having regard to Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018), as amended and supplemented, on finance acts, in particular article 82;

Having regard to Presidential Decree No. 19-370 of 1 Jumada I 1441 (28 December 2019) on the appointment of the Prime Minister;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

Having regard to Executive Decree No. 98-227 of 19 Rabi' I 1419 (13 July 1998), as amended and supplemented, on the capital expenditure of the State;

Hereby decrees:

CHAPTER 1

GENERAL PROVISIONS

Article 1. — In accordance with article 82 of the aforementioned Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018), the purpose of the present Decree is to set the conditions for programme planning and registration.

Article 2. — The provisions of the present Decree shall apply to programmes registered in the programme portfolio of the ministries and public institutions of the State.

Programmes shall be formulated and fixed on the basis of the Government's action plan and the strategy of the ministry or public institution concerned, and shall constitute the public policy pursued, within available resources.

CHAPTER 2

PERMANENT PROVISIONS

Article 3. — The minister in charge of the budget shall examine, with each of the ministers and heads of public institutions concerned, requests for the registration of programmes.

The budget appropriations and expected results of the programmes must be evaluated and justified in the light of the objectives pursued.

The evaluation shall be performed taking into account the priorities set by the Government, the sectoral strategy and the macro-budgetary constraints defined in the medium-term budget framework and the medium-term expenditure framework.

Article 4. — Requests for the registration of programmes other than the general government programme shall be made by the minister or the head of the public institution concerned or, where appropriate, by the minister in charge of the budget. Requests for registration shall be examined under the conditions set forth in the present Decree.

Requests shall be considered and evaluated according to the following criteria:

- clarity of the programme's scope;
- clarity of functional responsibility for the programme;
- simplicity of the programme's internal structure;
- significance of budget implications;
- draft programme strategy and identification of drivers;
- proposed performance indicators and methodology;
- public institutions covered by the programme's scope.

The list of criteria may be revised annually by order of the minister in charge of the budget.

Article 5. — The programme shall also be evaluated in terms of its objectives and the associated performance indicators.

Programme objectives shall be defined in terms of economic and social efficiency, quality of public service and/or optimization of resources. They must be:

- few in number and clear;
- representative, consistent with the main programme components and adapted to a three-year horizon;
- measurable by performance indicators for each budget year of the three-year period.

The performance indicators associated with the programme objectives shall be set so as to enable the assessment of the results obtained. They must be:

- few in number, practical and reliable;
- relevant, having a strong link to the objective;
- verifiable and sufficiently documented.

The number of objectives, the number of performance indicators per objective and the means of determining them shall be defined, as necessary, by order of the minister in charge of the budget.

Article 6. — The procedure described in article 4 above shall also apply in the event of requests to withdraw the programme registration or to merge or divide programmes.

Withdrawal of the programme registration or the merging or division of programmes shall be requested if the minister or head of the public institution concerned, or the minister in charge of the budget, if applicable, considers that the criteria set forth under article 4 of the present decree are no longer met and/or difficulties are identified upon the examination of the most recent reports on priorities and planning and ministerial performance reports.

Nonetheless, in the event of anomalies relating to the methodology for setting performance indicators, the minister in charge of the budget may request the redefinition of the programme concerned.

Article 7. — In accordance with article 23 (5) of the aforementioned Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018), the ministers or the heads of the public institutions concerned – if necessary, on the initiative of the minister in charge of the budget – may request the creation of a programme that groups together all appropriations for the accomplishment of a specific mission falling within the ambit of several departments of several ministries or public institutions.

Article 8. — The creation, modification or cancellation of general government programmes under each ministry or public institution shall be a function of the governmental organization.

The minister in charge of the budget shall ensure that the modifications do not result in an increase in total appropriations under the general government programmes. In the event that such modifications do lead to such an increase, the minister in charge of the budget shall draw up a report and submit it to the Council of Ministers.

This report may include proposals for adjustment measures, in accordance *inter alia* with article 6 of the present Decree.

Article 9. — The minister in charge of the budget shall draw up a provisional list of accepted programmes under each programme portfolio. This list shall be submitted to the Prime Minister for approval by the end of February of the year preceding the budget year under consideration.

The provisional list of programmes must be characterized by stability and sustainability, so as to ensure balanced budget programming and execution.

In exceptional cases, concerning the programmes referred to in article 8 above, this list may be updated at any time during the preparation of the finance bill for the year in question.

Article 10. — As part of the preparation of the proposed State budget, the minister in charge of the budget shall draw up and transmit to the ministers and heads of the public institutions concerned, by the end of March of the year preceding the budget year under consideration, a guidance note indicating in particular:

- the procedures for defining programme subdivisions and scopes;
- the procedures for evaluating budget appropriations under each object of expenditure;
- the calendar of budget discussions.

CHAPTER 3

SPECIFIC PROVISIONS ON PUBLIC INVESTMENT OPERATIONS

Article 11. — Public investment operations shall consist of major projects of the State and public works projects.

When the authorized commitment amount of a public investment operation is equal to or greater than 10 billion dinars, the operation shall be regarded as a major project of the State.

Investment operations that require special monitoring owing to their socioeconomic impact, their cost and recurrent expenses, their complexity or technological risk, or their foreseeable duration shall be regarded as public works projects. Public works projects shall be selected at the proposal of the minister or the head of the public institution concerned, after consultation with the minister in charge of the budget.

Article 12. — All public investment operations must be identified and associated with a programme through one of the following two procedures:

— association with an existing programme, in which case only the provisions of the present chapter, relating solely to investment, shall apply;

— creation of a separate programme, due to the scale or the exceptionally cross-cutting nature of the operation, in which case both chapters 2 and 3 of the present Decree shall apply.

Article 13. — Public investment operations shall be registered under a programme on the basis of a feasibility study composed of:

- a presentation of the technical and economic impact of the operation;
- the preliminary project design;
- tender and consultation documents.

Registration of a public investment operation under a programme shall be subject to a favourable result of the feasibility study.

The procedures for implementing the present article shall be specified by order of the minister in charge of the budget.

Article 14. — The presentation of the public investment operation must include information that describes the overall content of the operation and constitutes a basis that can be used to explore financing from sources other than the general State budget.

The presentation must include clear details on:

- the context and rationale for the operation, including its objectives and the target or beneficiary populations;

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— a description of the operation, its expected results and its impact on the economy, the population and the environment;

— a financial assessment, including direct and indirect costs and recurrent expenses, accompanied by a forecast of expenditure commitments and a forecast of payment orders consistent with the timetable for completion;

— the schedule for implementation, follow-up and evaluation, indicating risks and constraints.

Article 15. — The preliminary project design of the public investment operation must include a full description of the planned acts and tasks, depending on the nature of the operation, including studies, infrastructure works, rehabilitation, conversion and equipment purchases.

The elements for determining feasibility shall depend on the nature of the public investment operation.

Article 16. — The file containing tender and consultation documents related to the public investment operation must state the project supervisor's expectations of the other actors involved, by specifying the needs that they must meet and by defining the criteria for eligibility, qualification and participation.

The contractual and non-contractual documents that make up the tender file shall be those specified in the public procurement regulations.

CHAPTER 4 FINAL PROVISIONS

Article 17. — Every year, once the budgetary discussions provided for in chapters 2 and 3 above have taken place and budgetary choices have been made in accordance with the established procedures, the same rule shall apply to existing and new programmes. For all programmes approved pursuant to article 8 of the present Decree, the minister in charge of the budget shall consolidate the proposed programme budget and the report on priorities and planning, adjusted if necessary, in volumes 1 and 2 provided for in article 75 of the aforementioned Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018).

The draft report on priorities and planning from the minister or the head of the public institution must be submitted by the deadline set in the guidance note drawn up by the minister in charge of the budget; it should outline the following information for each programme:

— the attached costs, the breakdown by object of expenditure, the defined objectives, the results obtained and expected and their evaluation for the coming years measured by performance indicators, noting, in particular, the list of major projects;

the rationale for increases in appropriations in comparison with actual expenditure in the previous two years;

— the schedule of appropriations linked to authorized commitments;

— an estimated staffing table based on an indicative assignment of budgetary posts of the ministry and the rationale for any changes compared with the existing situation;

— the activities and resources of the public establishments covered by the programme's scope.

Article 18. — The implementing procedures for the present decree may be specified, as necessary, by order of the minister in charge of the budget.

Article 19. — The provisions of the aforementioned Executive Decree No. 98-227 of 19 Rabi' I 1419 (13 July 1998) shall remain in full effect until the entry into force of the present Decree.

Article 20. — The present Decree shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 14 Jumada I 1442 (29 December 2020).

Abdelaziz DJERAD.



Executive Decree No. 20-404 of 14 Jumada I 1442 (29 December 2020) on the procedure for the management and allocation of appropriations.

The Prime Minister,

Based on the report of the Minister of Finance,

Having regard to the Constitution, in particular articles 99-4 and 143 (2);

Having regard to Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018), as amended and supplemented, on finance acts, in particular article 82;

Having regard to Presidential Decree No. 19-370 of 1 Jumada I 1441 (28 December 2019) on the appointment of the Prime Minister;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

Hereby decrees:

Article 1. — In accordance with the aforementioned article 82 of Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018), the purpose of the present Decree is to set the conditions for the management and allocation of appropriations.

The provisions of the present Decree shall apply to the general State budget and to special Treasury accounts.

CHAPTER 1

GENERAL PROVISIONS

Article 2. — Operations relating to the management and allocation of appropriations shall be the responsibility of approving officers.

Approving officers shall be responsible for the programming, apportionment and assignment of appropriations. They shall commit, settle, certify and authorize expenditure.

Article 3. — In accordance with article 23 of the aforementioned Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018), “programme portfolio” means the set of programmes under the responsibility of a ministry or public institution for which appropriations are assigned to the minister or head of the public institution.

CHAPTER 2

MANAGEMENT OF APPROPRIATIONS

Section 1

Apportionment of appropriations

Article 4. — Appropriations approved under the programme shall be apportioned among one or more subprogrammes by object of expenditure. Programmes shall be functionally subdivided into subprogrammes and operationally subdivided into actions and sub-actions.

The apportionment of appropriations also includes movements of appropriations, carryovers and any transfers of assistance funds and similar income.

Performance measures for each programme shall be specified in relation to each of the actions and sub-actions, if any.

Article 5. — Programme appropriations shall be apportioned among actions, respecting the apportionment by subprogramme and object of expenditure.

Appropriations shall be apportioned and executed by action. They may, where appropriate, be apportioned and executed by sub-action.

Article 6. — The assignment of appropriations shall be checked at the most detailed level of operational apportionment: the action or sub-action, if any.

Section 2

Programming of appropriations

Article 7. — Appropriations shall be programmed in accordance with a framework specific to each ministry and public institution. Programming shall be formalized in an appropriations programming document.

The framework shall be adopted in compliance with rules established, as necessary, by the minister in charge of the budget.

The programming documents referred to under articles 8, 9 and 10 below shall be subject to financial oversight under the conditions defined in the relevant regulations.

Article 8. — An initial programming document for programme appropriations shall be drawn up for each programme portfolio, distinguishing programmes from special Treasury accounts, in accordance with article 44 of the aforementioned Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018).

The initial programming document shall set out:

— the apportionment among subprogrammes and objects of expenditure of the appropriations provided for in the apportionment decree issued pursuant to the finance act for the year;

— the projected sum of the appropriations to be assigned during the year, disaggregated into carryovers, assistance funds, similar income and other movements and presented in a manner consistent with budget transparency;

— a breakdown of the appropriations assigned to each subprogramme and object of expenditure, taking into account the projected sum of the appropriations to be assigned during the year.

This initial programming document shall provide for the allocation of programme appropriations to actions.

Article 9. — In the event that actions are subdivided into sub-actions, a programming document shall be drawn up every year for each action, the purpose of which shall be to allocate appropriations among the sub-actions.

Article 10. — For all actions, including those that are divided into sub-actions and those that are not, a programming document shall be drawn up every year with the aim of bringing departments’ activities into line with the appropriations allocated. This programming document shall be accompanied by a forecast of the main expenditure operations for the year.

Article 11. — Programming at each operational level shall be carried out in conformity with the allocation by subprogramme and object of expenditure. It shall apply to all appropriations allocated to cover expenditures, ensuring as a matter of priority that compulsory and unavoidable expenditures are covered.

“Compulsory expenditures” means payments for services rendered and certified for the previous fiscal year and for which payment has not been made by the end of the supplementary period.

“Unavoidable expenditures” means outstanding payments due during the fiscal year, expenditures related to active personnel, expenditures related to the implementation of laws and regulations, and expenditures that are strictly necessary for the continuity of services.

Programming and its implementation must be sustainable in the light of the annual budget authorization, thus allowing the State to honour commitments made or planned and to foresee their budgetary impact during the year and subsequent years.

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Article 12. — Each line manager (sub-action, action) shall be required to report to his or her immediate hierarchical superior (action, programme) on the implementation of programming of appropriations in accordance with the periodicity and methods specific to each ministry or public institution.

Section 3

Expenditure operations

Article 13. — Prior to commitment, needs shall be determined within the framework of annual programming as defined in article 11 above, in keeping with the nature of the expenditure.

Article 14. — In accordance with public accounting legislation, “commitment” means the act by which the State creates or acknowledges an obligation under which it will incur an expense. Commitments shall reflect the purpose and scope of the budget authorization.

Article 15. — In terms of settlement, and in order to verify the existence of the debt and to determine the amount of the expenditure, measures shall be taken to:

- attest that the service has been rendered in conformity with the commitment;
- certify that the service has been rendered, ensuring that the attestation has been issued within the framework of a valid delegation.

Article 16. — In accordance with public accounting legislation, “payment order” means the order given by the approving officer to the public accountant to pay an expenditure.

Certain expenditures may, depending on their nature or amount and according to the specific needs of each category of legal entity, be paid without a payment order or without the issuance of a payment order prior to payment.

Article 17. — In accordance with public accounting legislation, “payment” means the act by which the State discharges its debt. It shall be effected by a public accountant.

Section 4

Delegation of management

Article 18. — In accordance with articles 23 and 79 of the aforementioned Organic Act No. 18-15 of 22 Dhu al-Hijjah 1439 (2 September 2018), programme appropriations may be subject to delegation of management.

“Delegation of management” means the act by which a unit of the State, the principal, gives to another unit of the State, a territorial body or a public institution under its supervision, the agent, the power to carry out operations on its behalf and in its name.

The provisions of the present Decree shall not concern appropriations made for transfers or grants to public institutions.

Article 19. — Delegation of management shall be formalized by a contractual act specifying, in particular:

- the purpose and duration of the delegation;
- the appropriations envisaged;
- the obligations of the parties;
- the designation of the agent that assumes the function of approving officer, and thus commits, settles and orders payment of appropriations;
- the conditions for reporting on the execution of the delegation;
- the terms of compensation for the fees and expenses incurred by the agent;
- budgetary oversight procedures.

CHAPTER 3

ACTORS IN THE MANAGEMENT OF APPROPRIATIONS

Article 20. — In accordance with public accounting legislation, the minister or the head of the public institution shall be the main approving officer for expenditure from the general State budget and special Treasury accounts, for the appropriations assigned to him or her.

Article 21. — The head of financial operations of the ministry or public institution, the programme manager, the person in charge of the action and, where applicable, the person in charge of the sub-action shall be responsible for managing the appropriations assigned to them.

Article 22. — For each ministry or public institution, the head of financial operations shall coordinate the preparation, presentation and implementation of the budget.

In this capacity, and without prejudice to any other duties that may be entrusted to him or her by the minister or the head of the public institution, he or she shall:

- collect and summarize budgetary and accounting information and data;
- propose to the minister or head of the public institution concerned the draft report on priorities and planning, drawn up in conjunction with the programme managers;
- ensure, in liaison with the programme managers, that information on the scope of actions and sub-actions, if any, is transmitted to the minister in charge of the budget;
- establish, in liaison with the programme managers, the initial programming document setting out the assigned and expected appropriations for each programme in the programme portfolio;
- validate the programming of appropriations by the programme managers and follow up on its implementation;
- report on available appropriations apportioned by programme managers;
- ensure that budgetary management rules are applied and are correctly taken into account in the information systems of his or her ministry or public institution;
- propose to the minister or the head of the public institution concerned any measures needed to respect the expenditure ceiling, as well as movements of appropriations between programmes;

— propose to the minister or head of the public institution concerned, for the programme portfolio, the draft ministerial performance report drawn up with the programme managers.

For expenditure operations carried out by persons in charge of actions or sub-actions at the central level, the head of financial operations shall:

- draw up and sign expenditure commitments on the basis of needs identified by the persons in charge of actions or sub-actions, if any;
- certify services rendered;
- order the payment of expenditures.

Article 23. — The minister or head of the public institution concerned with responsibility for the programme portfolio shall designate a person in charge of each programme. This person shall ensure that the activity of the relevant services is in conformity with the established objectives, within the level of notified and expected appropriations.

In this capacity, and without prejudice to any other duties that the minister or head of the public institution may assign to him or her, the person in charge of the programme shall:

- prepare the report on priorities and planning for the programme, setting forth the strategic approaches and objectives of the programme and justifying the requested appropriations;
- define the scope of the actions and the sub-actions, if any, and designate the persons responsible for them;
- prepare the initial programming document described in article 8 above;
- set out the performance objectives at the level of each action;
- determine the proposed appropriations to be allocated to the persons in charge of actions, for purposes of their own programming;
- examine, with the persons in charge of actions, their reports on performance;
- make any necessary changes to the allocation of appropriations;
- prepare the ministerial performance report for the programme;
- make a preliminary determination of needs for operating or capital expenditures or transfers;
- draw up attestations of services rendered.

Article 24. — The programme manager shall designate a person in charge of each action. The action manager shall be responsible for:

- proposing to the programme manager, where appropriate, the scope of sub-actions and the designation of the persons responsible for them;
- preparing the programming document with appropriations for the action, together with the persons in charge of sub-actions, as described in article 9 above;

— setting out the performance objectives at the level of each sub-action;

— determining the proposed appropriations to be allocated to the persons in charge of sub-actions and submitting the proposal to the programme manager for approval;

— examining, with the persons in charge of the sub-actions, if any, their reports on performance;

— proposing any necessary changes to the apportionment of appropriations under the action;

— drawing up the programming document provided for under article 10 of the present Decree, if there are no sub-actions, and ordering the execution of expenditure for the action;

— reporting to the programme manager on the implementation of the action and the results obtained;

— making a preliminary determination of needs for operating or capital expenditures or transfers;

— drawing up attestations of services rendered.

Article 25. — Persons in charge of sub-actions shall be responsible for:

- preparing the programming document with appropriations for the sub-action, as described in article 10 above, ordering the execution of expenditure and reporting on it to the action manager;
- making a preliminary determination of needs for operating or capital expenditures or transfers;
- drawing up attestations of services rendered.

Article 26. — The organization of financial management described in articles 22 to 25 above may be adapted for a ministry or public institution by order of the minister in charge of the budget, at the proposal of the minister or the head of the public institution concerned.

CHAPTER 4

TRANSITIONAL AND FINAL PROVISIONS

Article 27. — Heads of decentralized departments with the status of approving officer at the time of the entry into force of the present Decree shall be responsible, in respect of expenditure operations carried out at the action or sub-action level, for:

- drawing up and signing expenditure commitments on the basis of needs identified at the action or sub-action level;
- certifying services rendered;
- ordering the payment of expenditures.

Article 28. — The implementing procedures for the present Decree may be specified, if necessary, by the minister in charge of the budget.

Article 29. — The present Decree shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 14 Jumada I 1442 (29 December 2020).

14 Jumada I 1442
29 December 2020

INDIVIDUAL DECISIONS

Executive Decree of 7 Jumada I 1442 (22 December 2020) terminating the appointment of the Chef de Cabinet of the *Wali* of the *wilaya* of Ain Temouchent.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the appointment of Mr. Farid Messikh as Chef de Cabinet of the *Wali* of the *wilaya* of Ain Temouchent is hereby terminated. Mr. Messikh has been appointed to another position.

★

Executive Decree of 7 Jumada I 1442 (22 December 2020) terminating the appointment of the Chef de Cabinet of the Deputy *Wali* for the In Salah administrative district of the *wilaya* of Tamanrasset.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the appointment of Mr. Nadir Hasni as Chef de Cabinet of the Deputy *Wali* for the In Salah administrative district of the *wilaya* of Tamanrasset is hereby terminated. Mr. Hasni has been appointed to another position.

★

Executive Decree of 7 Jumada I 1442 (22 December 2020) terminating the appointment of Deputy Directors at the former Ministry of Mujahidin Affairs.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the appointments of the following Deputy Directors at the former Ministry of Mujahidin Affairs, who have been appointed to other positions, are hereby terminated:

- Mr. Khaled Ramdane, Deputy Director of Personnel;
- Ms. Fatma Zohra Ayad, Deputy Director of Facilities Management;
- Mr. Khaled Guesmi, Deputy Director of Events and Inter-Institutional Cooperation.

★

Executive Decree of 7 Jumada I 1442 (22 December 2020) terminating the appointment of the Director for Mujahidin Affairs of the *wilaya* of Ghardaia.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the appointment of Mr. Mohand Akli Moukah as Director for Mujahidin Affairs of the *wilaya* of Ghardaia is hereby terminated. Mr. Akli Moukah has been appointed to another position.

Executive Decree of 7 Jumada I 1442 (22 December 2020) terminating the appointment of the Dean of the Faculty of Natural and Life Sciences at the University of Chlef.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the appointment of Mr. Djamal Saidi as Dean of the Faculty of Natural and Life Sciences at the University of Chlef is hereby terminated at his request.

★

Executive Decree of 7 Jumada I 1442 (22 December 2020) terminating the appointment of the Director of Youth and Sports of the *wilaya* of Batna.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the appointment of Mr. Smaïl Boukherissa as Director of Youth and Sports of the *wilaya* of Batna is hereby terminated.

★

Executive Decree of 12 Jumada I 1442 (27 December 2020) terminating the appointment of Deputy Directors at the former Ministry of Agriculture, Rural Development and Fisheries.

By Executive Decree of 12 Jumada I 1442 (27 December 2020), the appointments of the following Deputy Directors at the former Ministry of Agriculture, Rural Development and Fisheries, who have been appointed to other positions, are hereby terminated:

- Ms. Malika Fadila Korichi, Deputy Director of Research;
- Ms. Chahira Mira Touami, Deputy Director of Land Development.

★

Executive Decree of 7 Jumada I 1442 (22 December 2020) on the appointment of Chefs de Cabinet of *Walis*.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the Chefs de Cabinet of the *Walis* of the following *wilayas* are hereby appointed:

- Mr. Nadir Hasni, *wilaya* of Chlef;
- Mr. Farid Messikh, *wilaya* of Tipaza.

Executive Decree of 7 Jumada I 1442 (22 December 2020) on appointments to the Ministry for Mujahidin and Beneficiaries.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the following persons are hereby appointed to the Ministry for Mujahidin and Beneficiaries:

- Mr. Khaled Ramdane, Inspector;
- Ms. Fatima Zohra Ayad, Deputy Director of Events and Inter-Institutional Cooperation;
- Ms. Fatma Zohra Yahia, Deputy Director of Personnel;
- Ms. Amel Mokrani, Deputy Director of Social Protection Centre Monitoring;
- Mr. Khaled Guesmi, Deputy Director of Facilities Management.



Executive Decree of 7 Jumada I 1442 (22 December 2020) on the appointment of a Deputy Director to the Ministry for Mujahidin and Beneficiaries.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), Mr. Mohand Akli Moukah is hereby appointed Deputy Director of Records at the Ministry for Mujahidin and Beneficiaries.

Executive Decrees of 7 Jumada I 1442 (22 December 2020) on appointments to the Ministry of Education.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), Ms. Sonia Bekhouche is hereby appointed Director of Training at the Ministry of Education.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), the following persons are hereby appointed Deputy Directors at the Ministry of Education:

- Ms. Samah El Khir, Deputy Director of Regulations and Legal Studies;
- Mr. Fouzi Chahbar, Deputy Director of Accounting and Procurement.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), Ms. Nassila Kaouadji is hereby appointed Deputy Director of Private Education at the Ministry of Education.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), Mr. Lamine Cherfaoui is hereby appointed Under-Secretary-General of the National Commission for Education, Science and Culture.

Executive Decree of 7 Jumada I 1442 (22 December 2020) on the appointment of the Director of Youth and Sports of the wilaya of Oran.

By Executive Decree of 7 Jumada I 1442 (22 December 2020), Mr. Yassine Siafi is hereby appointed Director of Youth and Sports of the wilaya of Oran.



Executive Decree of 12 Jumada I 1442 (27 December 2020) on the appointment of Directors to the Ministry of Agriculture and Rural Development.

By Executive Decree of 12 Jumada I 1442 (27 December 2020), the following persons are hereby appointed Directors at the Ministry of Agriculture and Rural Development:

- Ms. Malika Fadila Korichi, Director of Organic Agriculture, Certification and Promotion of Agricultural Products;
- Ms. Chahira Mira Touami, Director of Land-Use Planning and Development.



Executive Decree of 14 Jumada I 1442 (29 December 2020) on the appointment of the Chef de Cabinet of the Minister of Transport.

By Executive Decree of 14 Jumada I 1442 (29 December 2020), Mr. Djamel Benredjem is hereby appointed Chef de Cabinet of the Minister of Transport.



Executive Decree of 14 Jumada I 1442 (29 December 2020) on the appointment of research officers at the Office of the Deputy Minister of the Environment responsible for the Sahara.

By Executive Decree of 14 Jumada I 1442 (29 December 2020), the following persons are hereby appointed research officers at the Office of the Deputy Minister of the Environment responsible for the Sahara:

- Mr. Abderrahmane Bellaouar;
- Mr. Slimane Djoudi;
- Mr. Ali Kratbi.

ORDERS, DECISIONS AND OPINIONS

MINISTRY OF FINANCE

Interministerial Order of 29 Rabi' I 1442 (15 November 2020) on the remuneration of personnel called on to perform temporary duties for the preparation and conduct of the 2020 general population and housing census.

The Minister of the Interior, Local Authorities and Land-Use Planning, and

The Minister of Finance,

Having regard to Act No. 86-09 of 29 July 1986, as amended and supplemented, on the general population and housing census;

Having regard to Act No. 90-21 of 15 August 1990, as amended and supplemented, on public accounting;

Having regard to Legislative Decree No. 94-01 of 3 Sha'ban 1414 (15 January 1994) on the statistics system;

Having regard to Presidential Decree No. 20-163 of 1 Dhu al-Qa'dah 1441 (23 June 2020), as amended and supplemented, on the appointment of members of the Government;

Having regard to Executive Decree No. 95-54 of 15 Ramadan 1415 (15 February 1995) on the powers of the Minister of Finance;

Having regard to Executive Decree No. 95-159 of 4 Muharram 1416 (3 June 1995) revising the statutes of the National Statistics Office;

Having regard to Executive Decree No. 95-160 of 4 Muharram 1416 (3 June 1995) on the organization and functioning of the National Statistics Council;

Having regard to Executive Decree No. 15-266 of 29 Dhu al-Hijjah 1436 (13 October 2015) establishing the general organization chart for the 2018 general population and housing census;

Having regard to Executive Decree No. 18-331 of 14 Rabi' II 1440 (22 December 2018) on the powers of the Minister of the Interior, Local Authorities and Land-Use Planning;

Hereby order as follows:

Article 1. — Pursuant to article 6 of the aforementioned Executive Decree No. 15-266 of 29 Dhu al-Hijjah 1436 (13 October 2015), the purpose of the present Order is to set the amounts of the remuneration payable to personnel called on to perform temporary duties for the preparation and conduct of the 2020 general population and housing census.

Minister of the Interior, Local Authorities and Land-Use Planning
Kamel BELDJOU
Minister of Finance
Aimene BENABDERRAHMANE

Article 2. — The personnel referred to in article 1 above shall receive a lump-sum payment in the amounts indicated in the following table:

Category	Amount (DA)	Number of staff	Duration of work
Wilaya-level engineers	95,000	71	20 months
Commune-level census representatives	81,000	2,600	20 months
Trainers	36,500	3,100	1 month
Supervisors	33,500	8,220	1 month
Census takers	29,500	53,694	1 month

Article 3. — The remuneration payable to the *wilaya*-level engineers and commune-level census representatives referred to in article 2 above shall be disbursed in two tranches:

— 50 per cent at the end of the second phase of mapping;

— 50 per cent upon completion of the census.

Personnel in the other categories shall receive payment upon completion of the census.

Article 4. — In accordance with article 13 of Act No. 86-09 of 29 July 1986 on the general population and housing census, the cost of these payments shall be covered by the State capital budget under the item "Conduct of the 2020 general population and housing census".

Article 5. — The present Order shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 29 Rabi' I 1442 (15 November 2020).

**MINISTRY OF TOURISM, MANUAL TRADES
AND FAMILY-RUN BUSINESSES**

Order of 29 Safar 1442 (17 October 2020) on the appointment of the members of the advisory board of the National Tourism School.

By order of 29 Safar 1442 (17 October 2020), the following persons are hereby appointed, pursuant to article 8 of Executive Decree No. 94-255 of 9 Rabi' I 1415 (17 August 1994), as amended and supplemented, on the establishment of the National Tourism School, members of the advisory board of the National Tourism School:

— Ms. Saliha Nacer-Bey, representative of the minister responsible for tourism, Chair;

— Ms. Hakima Bougherara, representative of the minister responsible for finance;

— Mr. Djamel Boukezzata, representative of the minister responsible for higher education;

— Mr. Kamel Korib, representative of the minister responsible for education;

— Mr. Seddik Koudil, representative of the minister responsible for vocational training;

— Ms. Zakia Kasbadji, representative of the minister responsible for manual trades;

— Ms. Naima Ait Mesbah, representative of the minister responsible for the environment;

— Mr. Lakhdar Khecha, representative of the civil service commission;

— Mr. Fayçal Sebti, elected representative of the National Tourism School faculty.

The provisions of the order of 17 Dhu al-Qa'dah 1438 (10 August 2017) on the appointment of the members of the advisory board of the National Tourism School are hereby repealed.

MINISTRY OF THE ENVIRONMENT

Order of 9 Rabi' II 1442 (25 November 2020) on the appointment of the members of the interministerial commission responsible for the consideration and approval of risk assessments of category 1 establishments.

By order of 9 Rabi' II 1442 (25 November 2020), the following persons are hereby appointed, pursuant to articles 3 and 5 of the interministerial order of 19 Dhu al-Qa'dah 1435 (14 September 2014) on the procedure for the consideration and approval of risk assessments, members of the commission responsible for the consideration and approval of risk assessments of category 1 establishments:

Representatives of the minister responsible for the environment:

— Ms. Nacéra Hadj Ali, Chair;

— Ms. Linda Rizou, Vice-Chair;

— Ms. Hadda Saoud;

— Ms. Sabiha Gualia;

— Ms. Assia Chattal;

— Ms. Hakima Kernoug;

— Mr. Souleymane Tillou.

Representatives of the minister responsible for civil defence:

— Ms. Zohra Babour;

— Ms. Hafida Zeouiche;

— Ms. Nawel Djebar;

— Mr. Tayeb Berrached;

— Mr. Nadir Belakroum;

— Mr. Ali Amraoui.