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# Readiness for Electronic Insurance Work in Algeria - A Study of Algerian Legislation - Introduction

جاهزية العمل بالتأمين الإلكتروني في الجزائر – دراسة في التشريع الجزائري –

Préparation au travail d'assurance électronique en Algérie – Étude de la législation – algérienne

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**ملخص:**

مع انتشار استخدام تكنولوجيا المعلومات والاتصال في الجزائر، وتوسع تغطية الإنترنت في جميع أنحاء البلاد، اتجهت الجزائر نحو الحوكمة الإلكترونية في مختلف القطاعات لتعزيز التحديث والشفافية، على غرار باقي دول العالم، وقد شجع هذا التوجه قطاع التأمين على عدم الاستمرار في العمل بالأساليب التقليدية البطيئة، خاصةً وأن الجوانب القانونية والمؤسساتية الحمائية للأفراد والمنظمات في البيئة الإلكترونية قد تم إرساؤها وتسعى الجزائر إلى ترسيخ ذلك أكثر مع ظهور كل مجال إلكتروني جديد، بما يضمن جاهزيتها لإطلاق التأمين الإلكتروني في تقديم خدمات التأمين والعروض والعقود ذات الصلة عبر الإنترنت. كما ستتم عمليات الدفع وتسليم وثائق التأمين وتعويضات المتضررين إلكترونياً أيضاً، مما يوفر مزايا عديدة لشركات التأمين وللمؤمَّن لهم إلكترونياً وبالتالي، يُعدّ التأمين الإلكتروني نقلة نوعية في صناعة التأمين، طالما أن المناخ القانوني الحمائي العام متوفر.

**الكلمات المفتاحية:** البيئة الإلكترونية، الجزائر، الجاهزية، الأمن الإلكتروني، الجانب القانوني، الجانب المؤسسي.

**Abstract :** As the use of information and communication technology has spread in Algeria, and internet coverage has expanded across the country, this has led Algeria to move towards e-governance in all sectors to enhance modernization and governance, similar to other countries around the world, This trend encourages the insurance sector not to operate in a slow traditional manner, especially since the legal and institutional protective aspects for individuals and organizations in the electronic environment are established, Algeria aims to further solidify this every time a new electronic field emerges, thus ensuring the readiness for the launch of electronic insurance in providing insurance coverage and related offerings and contracts online Additionally, payment and delivery of insurance documents and compensation processes will also be electronic, which offers numerous advantages for insurance companies and consumers insured electronically, Consequently, electronic insurance becomes a qualitative leap in the insurance industry as long as the general protective legal climate is in place.

**Keywords:** The electronic environment, Algeria, readiness, electronic security, the legal aspect, the institutional aspect.

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**Résumé :**

À mesure que l'utilisation des technologies de l'information et de la communication s'est répandue en Algérie et que la couverture Internet s'est étendue à travers le pays, cela a conduit l'Algérie à se diriger vers la gouvernance électronique dans tous les secteurs afin de renforcer la modernisation et la bonne gouvernance, à l'instar d'autres pays dans le monde, Cette tendance incite le secteur de l'assurance à ne pas fonctionner de manière traditionnelle et lente, d'autant plus que les aspects juridiques et institutionnels de protection des individus et des organisations dans l'environnement électronique sont établis L'Algérie vise à consolider davantage cette démarche à chaque fois qu'un nouveau domaine électronique émerge, garantissant ainsi la préparation au lancement de l'assurance électronique pour fournir des couvertures d'assurance, des offres et des contrats connexes en ligne. De plus, les paiements, la livraison des documents d'assurance et les processus d'indemnisation seront également électroniques, ce qui offre de nombreux avantages aux compagnies d'assurance et aux assurés électroniquement, Par conséquent, l'assurance électronique constitue un saut qualitatif dans le secteur de l'assurance, tant que le climat juridique général de protection est en place.

**Mots clés:** Environnement électronique, Algérie, préparation, sécurité électronique, aspect juridique, aspect institutionnel.

## Introduction :

Following the information revolution and advancements in communication technology, there has been a significant benefit from the speed and efficiency of electronic transactions, particularly in service sectors, which consumers have appreciated, This has led to an increased prevalence of these methods, The insurance sector cannot be separated from this electronic trend, as today insurance companies face challenges brought about by globalization and rapid developments in the field of information and communication. They are compelled to offer their insurance services electronically and to take advantage of the benefits of digital insurance, even in the Algerian context, This is especially true given that the legal and institutional framework provides adequate protection for individuals and organizations within cyberspace Moreover, Algeria is moving towards the activation of electronic management across all sectors, and thus the insurance sector is also involved, as there is nothing preventing this shift, and the general legal climate is favorable, The insurance process must keep pace with modern developments, which necessitates the electronic presentation of insurance services instead of the traditional insurance operations, utilizing internet networks in line with e-commerce and its expanding operations, This calls for the emergence of electronic insurance applications in the context of electronic commercial transactions.

Algeria is showing an increasing interest in modernizing the insurance sector by adopting electronic means, as part of its efforts to keep pace with global digital transformations, Although Algerian legislation does not yet include a comprehensive system specifically for electronic insurance, some legal texts suggest the possibility of developing this type of service in the near future, Laws related to electronic signatures and electronic transactions have been adopted, which is a preliminary step towards the legal recognition of electronic contracts, including insurance contracts However, the legislative and regulatory framework for electronic insurance still requires a

thorough and comprehensive review to ensure consumer protection, data confidentiality, and remote contract validation. Additionally, the adoption of electronic insurance in Algeria necessitates updating the digital infrastructure of insurance companies, providing appropriate training for human resources, and raising public awareness of digital transaction culture Therefore, the full readiness to operate electronic insurance in Algeria remains contingent upon completing the legal framework and enhancing trust in digital transactions.

The question that arises is to what extent has Algerian legislation practically prepared for the implementation of electronic insurance?

## 1. The concept of electronic insurance

As we are now in the age of speed and the internet, where most transactions are conducted electronically, it is also possible to carry out insurance processes electronically. This helps to save time and costs through electronic intermediary programs at any desired time, while also providing immediate answers to questions related to insurance transactions. What is even more desirable is the provision of a quick mechanism for financial fulfillment and performance, away from traditional procedures that require effort, The term "electronic insurance" or "technological insurance" emerged in 2011 and gained more prominence in 2015, when the first global accelerator for technological insurance was launched in London. Since then, its scale has developed globally, and interest in it has increased, Various reports have provided definitions of the term "electronic insurance," including from the Organisation for Economic Co-operation and Development (OECD) (maazouz, 2022, p293)

The conclusion of insurance contracts electronically and remotely has become a convenient and available option, as it is no longer necessary to visit the offices of insurance companies in person. Technological advancements and digital platforms have enabled individuals to browse offers, provide the required information, select the appropriate coverage, and then complete the contracting and payment processes online with ease and security, This method is more efficient in terms of time and effort, and it also offers greater transparency by allowing consumers to compare offers and read the terms carefully before making a decision, This process is supported by laws and regulations that govern electronic transactions and protect the rights of the parties involved, making digital contracting a reliable and modern means that meets the demands of the times.

### 1.1. The definition of electronic insurance

According to Article 02 of Order No. 95-07 dated January 25, 1995, concerning insurance, insurance, in the sense of Article 619 of the Civil Code, is a contract whereby the insurer commits to pay the insured or a third party beneficiary, for whom the insurance was stipulated, a sum of money, an income, or any other financial performance in the event of the occurrence of the risk specified in the contract, in exchange for premiums or any other financial contributions... When this article was amended by Law No. 06-04 dated February 20, 2006, which amends and supplements Order No. 95-07 dated January 25, 1995, concerning insurance, the following paragraph was added: "... In addition to the provisions of the first paragraph of this article, performance may be provided in kind in assistance insurance and motor vehicles."

From this, we observe that the definition of insurance has traditionally aligned with the conventional method of concluding an insurance contract in a meeting attended by both parties, in terms of place and time, The Algerian law has not addressed the definition of electronic insurance, so it can be defined doctrinally as insurance that involves the use of the Internet and related information technology in the production and distribution of insurance products and services, This means utilizing information and communication technology, both hardware and software, at various

stages of insurance, employing electronic management and marketing to achieve the production or design of new products or to develop them according to consumer desires (tsouri, pp 81-82).

The latter, which is considered in the field of electronic insurance, refers to emerging insurance companies that create new methods and technologies for underwriting, claims settlement, product distribution, and enhancing the customer experience, as well as software as a service to assist underwriters using artificial intelligence.

**A- Positive features of electronic insurance**

Electronic insurance provides us with the following advantages (Al-saoub, pp 9-10):

- It contributes to the expansion of e-commerce and information technology as it is one of the means of electronic exchanges that align with commercial activities characterized by speed and flexibility.

- Electronic insurance helps in the proliferation and expansion of certain types of insurance, such as car insurance or insurance for homes, properties, and investment projects, etc., because they are more suitable for online marketing and because their assessment and valuation can be done using a limited number of metrics.

- The electronic insurance process helps to shorten traditional and lengthy insurance procedures, as insurance is a complex process with long procedures Therefore, electronic insurance simplifies these processes with the fewest possible steps.

- The use of electronic insurance tools helps to reduce time and costs for consumers and provides a quick mechanism for fulfilling financial obligations, away from traditional procedures that require physical and financial effort, which may not be necessary when resorting to electronic insurance services.

-Electronic insurance helps consumers directly access managers and officials in electronic insurance companies at any time they wish, as well as receive immediate answers to issues related to the insurance process.

- It reduces the internal operations and management of the insurance company by conducting business electronically, thereby decreasing the time required for these tasks. This leads to an improvement in the administrative performance of the insurance company, along with a reduction in the commission rates granted to brokers and agents when they bring insurance contracts to agents and insurance companies, which may even be eliminated. This is because the insurance company in electronic insurance may not need the services of brokers, as it markets and communicates directly with the client unless it allocates a part for electronic insurance brokerage.

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electronic insurance may not need the services of brokers, as it markets and communicates directly with the client unless it allocates a part for electronic insurance brokerage.

**B- Requirements for Electronic Insurance**

Electronic insurance operates practically through essential factors for its establishment, which include the following:

**- Electronic payment methods**

These have emerged from the development of the internet and the rise of e-commerce, and they include magnetic bank cards, smart cards used through ATMs or mobile devices, electronic wallets, which allow payments to be made without the need for a bank account, and commercial papers that serve as money for settlement, such as the AMEX bank card, Each insurance company chooses the electronic payment method that suits it and its insured clients (hafifi, 2022, p 6).

**-Smart mobile phones Mobile**

phone technologies allow access to the internet, which operates through text messages that contribute, for example, to informing clients about insurance coverage or reminding them of the impending expiration of their insurance contract, allowing clients to report accidents, and shortening the time required to carry out insurance procedures... etc.

**- Smart Contracts**

They are self-executing contracts built and programmed within a decentralized distribution network that organizes the terms and conditions of the relationship between the seller and the buyer, and are recorded using encrypted tokens, Obligations under the agreement can be activated and executed automatically, replacing traditional contracts.

**-Artificial intelligence and algorithms**

are computer programs used to perform knowledge functions, The algorithms specific to commerce are used in the insurance sector for investment and to provide automated advice without the need for physical presence.

**-Blockchain technology**

is a distributed database characterized by its ability to manage an ever-increasing list of records known as blocks.

**- Digital Insurance**

This is achieved by providing various insurance services through digital platforms such as the internet, mobile phones, and social media.

**- Internet of Things**

This is a vast network connecting millions of devices, allowing for the collection and sharing of data, as well as other tools for data generation and storage, Through this, insurance companies gain management insights to improve the quality of insurance services.

**-Peer-to-Peer**

technology is a business model that allows a group of believers to pool their capital, organize themselves, and manage their insurance process together, This technology relies on transparency while simultaneously reducing costs.

### 1.2. Features of the Electronic Insurance Contract

According to Article 54 of the Algerian Civil Code, a contract is an agreement by which one person or several persons commit to another person or several other persons to grant, do, or refrain from doing something. This definition pertains to traditional, ordinary contracts, outside the electronic domain, and relates to transactions that occur between two or more parties. On the other hand, an electronic contract is defined by Article 06 of Law No. 18-05 dated May 10, 2018, concerning electronic commerce, as "a contract in the sense of Law No. 04-02 dated June 23, 2004, which sets out the rules applicable to commercial practices, and is concluded remotely, without the physical and simultaneous presence of its parties, relying exclusively on electronic communication technology."

Regarding the definition of an insurance contract in general, we have previously discussed it, What distinguishes the electronic insurance contract is that it is concluded remotely via the internet. However, the characteristics of the contract remain the same; they only differ in terms of the electronic aspect, The legal obligations are also the same as those stated in the insurance law, of course, taking into account the electronic aspect related to digital transformation.

Any transformation of all insurance services provided by insurance companies to all clients into digital services, meaning the automation of processes aimed at enhancing efficiency and speed, Automation is the use of computers and devices based on processors or controllers, along with software in various industrial, commercial, and service sectors, to ensure the smooth and accurate operation of procedures and tasks with the least possible errors (Mohammed Abdul Latif Zayed, 2019, p 193).

The electronic insurance contract is characterized by several features that stem from its digital nature. It is concluded through electronic communication means without the need for a physical meeting between the parties, which provides speed and flexibility in concluding and executing the contract, It also relies on the digital exchange of documents and information, including submitting applications, signing contracts, and paying premiums, which reduces administrative costs and enhances efficiency, In this type of contract, electronic signature methods are used to verify the identity of the parties and their consent, and the contract is subject to the provisions of laws governing electronic transactions, granting it recognized legal validity Additionally, electronic insurance poses new challenges, the most prominent of which are the protection of personal data and securing transactions against breaches, necessitating that insurance companies adhere to the highest standards of cybersecurity.

#### A- Characteristics of the Electronic Insurance Contract

The electronic insurance contract has several characteristics that distinguish it from other contracts, which are evident in the following points:

- Electronic contract: because it is conducted remotely via the internet, and thus the parties to the contract are not present in the same location during the contract formation. It takes place between parties present in terms of time, and the fulfillment of the contract is also done

electronically Therefore, the electronic insurance contract goes through electronic stages from start to finish

-From adhesion contracts: Because the client (the insured consumer) has no choice but to click on a number of proposed options in front of him on the electronic insurance company's website, he finds that all the terms are pre-written and he does not have the freedom to discuss them, unlike traditional insurance, where the insured has the freedom to sign or not to sign. Therefore, it is preferable to have an electronic intermediary.

-From the contracts of good faith: the matter relies on the mutual trust between the insurer (insurance company) and the insured (consumer client), especially from the side of the insured, as the contract is based on their truthful statements without deceit. If deceit occurs, the insurance company will apply the provisions of Article 19 of Order No. 95-07 dated January 25, 1995, related to insurance.

**B- Obligations of the parties to the electronic insurance contract**

- In the traditional insurance contract, Order No. 95-07 concerning insurance obligations of the parties to the insurance contract stipulates that the obligations of the insurer (the insurance company) according to Article 12 are as follows:

- Compensation for losses and damages: resulting from emergencies caused by an unintentional error of the insured, which are caused by individuals for whom the insured is civilly responsible, regardless of the nature and severity of the error committed, and compensation for damages caused by objects or animals for which the insured is civilly responsible.

- Providing the service specified in the contract, as applicable, upon the occurrence of the insured risk or at the expiration of the contract, and the insurer is not obligated to provide anything beyond that. As for Article 15 of Order No. 95-07 concerning insurance, it stipulates the obligations of the insured, which are:

• The declaration when subscribing to the contract with all the data and circumstances known to him so that the insurer can assess the risks they are responsible for.

• Payment of the insurance premium

• Accurate declaration of any change in risk or its aggravation, whether due to the actions or inactions of the insured, within a legally specified timeframe.

• Respecting the commitments agreed upon with the insurer regarding cleanliness and security to prevent damages and/or to determine their extent.

• Notifying the insurer of any incident that may lead to a claim as soon as it becomes known, within specified timeframes according to the type of insurance.

- In the electronic insurance contract, the Algerian insurance law does not specify the obligations of the parties to the insurance contract; therefore, they are the same as those mentioned above, taking into account the electronic aspect In this way, it is as follows (Malika, 2022, p 182).

-The obligations of the insured in the electronic insurance contract are represented by:

✓ Providing the necessary data to conclude the electronic insurance contract: This is done through the website established by the insurance company, aimed at obtaining insurance coverage, It requires providing accurate identification and correct information about the risk, as well as ensuring data protection from any breaches. Therefore, it is essential to continuously develop countermeasures by the insurance company.

✓ Paying the insurance premium: This is done through various electronic payment methods, which necessitates securing the necessary requirements to address issues related to the electronic payment system, especially those concerning privacy and security.

✓ Notifying the insurance company of the occurrence of the insured risk: This is done by sending a notification electronically to the insurance company's website unless the insurance company specifies another form for this notification, It is essential to ensure its receipt, such as using an electronic signature, which plays an important role in enhancing reliability and credibility in electronic transactions.

- The obligations of the insurer (insurance company) in the electronic insurance contract are represented in:

The compensation is granted when the insured risk occurs, by the insurance company, using electronic payment methods to fulfill its obligation, It is required to select electronic payment methods that ensure ease of use and guarantee the security of the insurance transaction.

**2. The contribution of electronic management to improving the performance of electronic insurance in Algeria**

The rapid development of information and communication technology has significantly impacted modern management and reflected on the performance of insurance companies in this environment As a result, several attempts have emerged to rely on electronic management (Aaras, 2019, p 29).

Since insurance is based on information as a primary resource, electronic management for this sector has become more than necessary for companies that want to maintain their position and enhance their competitiveness, For electronic insurance to exist, there must first be e-government in Algeria, as it represents the most important aspect of electronic management, encompassing within it the overall management of all the requirements of electronic administration (Kholoud Hadi Aboud Al-Rubaie, 2014, p 186).

In this regard, it has been approved in Algeria the action plan of the World Summit on the Information Society, which held its first session aimed at the gradual transition to a knowledge economy in 2003, and the second session in Tunisia in 2005, The plan includes measures that can be implemented by 2015, many of which have indeed been achieved in Algeria, such as connecting villages, post offices, museums, and cultural centers with information and communication technologies, and establishing community access points, It also aims to provide access to information and communication technologies for as many people as possible. Algeria has also relied on possessing these technologies and has adopted ambitious national strategies, the most notable of which is the "Algerian Electronic Strategy 2013." Algeria has been implementing the sectoral policy for postal services and telecommunications since 2000.

A legal and organizational environment that encourages competition and helps improve the utilization of telecommunications services, especially mobile phone services (beghdadi, November

23, 2021) , It is clear that the climate in Algeria is favorable for insurance companies to make their activities electronic, without customer concerns, as the overall situation in the country is conducive to electronic activities, particularly from a protective legal standpoint.

E-government significantly contributes to improving the performance of electronic insurance in Algeria by facilitating administrative procedures and simplifying transactions between insurance companies and clients, Digitization has reduced the time taken to process customer files and accelerated compensation processes and contract approvals, thereby enhancing the effectiveness of the services provided and increasing customer satisfaction. E-government has also enabled the development of unified and secure databases that facilitate the exchange of information among various stakeholders in the insurance sector, improving mechanisms for detecting fraud and monitoring files, Thanks to the use of modern technologies such as electronic signatures and digital platforms, insurance companies in Algeria are now better equipped to offer their services remotely, which has helped expand the customer base and improve the overall productivity of the sector.

## 2.1 The impact of electronic management on the performance of electronic insurance

Given the increasing importance of information and communication technologies in institutions day by day, administrative units have emerged within these institutions that operate in the field of electronic information, Whether referred to as an electronic information unit, information management, electronic information center, or other names, it ultimately signifies an organizational unit within these institutions that has a close relationship with electronic management.

E-government, as it is an activity that undertakes the tasks of public services conducted electronically, without the need for individuals to approach the administration in person, benefits both individuals and organizations, It also fosters interactive relationships with citizens by providing administrative services electronically, in a fast and cost-effective manner, away from the conventional and bureaucratic administrative style.

The electronic insurance is influenced by the quality of electronic management within insurance companies.

Electronic management has significantly contributed to improving the performance of electronic insurance by accelerating processes and simplifying administrative and technical procedures, which has led to a reduction in operational costs and an increase in efficiency. Insurance companies can now use advanced digital systems to manage insurance contracts, assess risks, and process claims more quickly and accurately, enhancing customer satisfaction and trust. These systems have also improved communication mechanisms with clients by providing electronic platforms that allow for immediate applications, inquiries, and follow-ups Additionally, electronic management has provided advanced data analysis tools that assist in making strategic decisions based on accurate information, positively impacting the overall performance of insurance companies and granting them greater flexibility to adapt to changes in the digital business environment.

### A- Requirements for the Success of Electronic Administrative Services for Insurance Companies

The concept of digital insurance is linked to the concept of electronic service, which is considered a form of self-service that requires the client to serve themselves through automated and reciprocal interaction between the service requester and the provider via a medium (technology), The quality of insurance service can be viewed as the degree to which the website facilitates the processes of

purchasing, storing, and delivering a product or service, Electronic services have a set of characteristics and determinants for their practical success, which can be summarized as follows:

- The electronic service is associated with a specific marketing mix for electronic marketing, which includes several elements such as integration, interactivity, individuality, intelligence, and others. In general, the elements of the electronic marketing mix aim, according to value analysis, to provide exceptional value to the customer through information technology and the internet.

- The success of delivering the electronic service requires the availability of a set of standards such as speed, ease of data entry, compatibility with other technologies, and high reliability, All of this aims to meet the needs and aspirations of customers, ensuring that the user does not feel bored and avoiding any form of delay in completing the service due to slow loading, server connection issues, design problems, or other technical issues.

- One of the advantages of electronic communications is that they are interactive and reciprocal. Because of this two-way communication, the chances of building strong relationships with customers and serving them better increase.

- One of the limitations of electronic services in general is the lack of a widespread culture of electronic transactions and the existence of some concerns regarding purchasing products and services online.

**B- Administrative change in insurance companies with the requirements of electronic insurance**

The electronic management project revolves around a fundamental idea, which is to invest in information and communication technologies and the necessary preparation of human resources, linking citizens, government institutions, businesses, and civil society in a unified electronic framework, especially among insurance companies, to facilitate the settlement of compensation claims for the affected parties easily and without delay. Additionally, it aims to enhance the level of electronic administrative performance within insurance companies for the success of electronic insurance:

- At the planning level: Specific plans must be developed for the electronic model within insurance companies to achieve the company's goals.

- At the organizational level: This involves transitioning from traditional organizational structures based on functional foundations to structures designed based on information flows, which are dynamic and continuously interact with internal and external changes.

- At the leadership level: This factor primarily focuses on guiding, developing, and empowering individuals in the electronic model to achieve advantages such as innovation and excellence.

- At the level of human resources: Through the recruitment or training of employees within insurance companies in an electronic manner and their assimilation of information and communication technologies.

- At the level of finance and accounting: Thanks to continuous connectivity with internal and external variables, insurance companies are equipped with various electronic financial transactions for policyholders available in financial markets and what is accessible in Algeria.

- At the level of decision-making: To enhance the capabilities of the insurance company and the ability to find and evaluate different alternatives, and to make necessary decisions in a timely manner while correcting deviations.

- At the production level: This involves the use of computer-aided design and production systems, as well as monitoring and measurement through integrated systems in underwriting and issuing insurance documents that rely on digital information and the extensive use of communication technologies.

- At the marketing level: The insurance company must market its insurance services electronically, through its multidisciplinary digital space to reach various markets, gather necessary information about them, and also be able to carry out promotional and distribution operations, issue documents, collect dues, and more, all within the framework of e-commerce services.

- At the level of oversight: Thanks to digital technologies, it is easier to detect errors and correct deviations promptly, and to activate self-regulation through training and qualification processes, clear definition of tasks and responsibilities, and the flexible exchange of information through open communication channels with all parties, especially from the Ministry of Finance in Algeria Additionally, the possibility of oversight by the Insurance Supervisory Committee is also made available digitally, which applies to insurance companies to monitor potential legal and technical shortcomings.

- At the level of clients: Insurance companies within the digital framework can quickly access and attract transactions from targeted customer segments, maintain constant communication with them, and listen to their suggestions and aspirations, in addition to engaging with all other segments of society.

### 2.2 The legal protective dedication to the practice of electronic insurance in Algeria

In order to practice electronic insurance in Algeria, it is necessary for the state to adopt a protective policy in cyberspace through: the establishment of permanent legal frameworks for both preventive and deterrent measures, as well as the allocation of an institutional framework responsible for detecting and monitoring breaches of this space, This is essential for creating a secure environment for electronic transactions to take place comfortably between individual users and organizations, including insurance companies and their clients.

The insurance sector in Algeria is witnessing an increasing shift towards digitization, which necessitated the intervention of the legislator to establish a legal framework that ensures the practice of electronic insurance in a safe and organized environment, Algerian law has dedicated special protection to this type of insurance by incorporating regulatory texts that require operators to adhere to information security standards, protect the personal data of policyholders, and ensure transparency in electronic transactions. Legal protection is also evident in the requirement for electronic insurance platforms to be approved by the relevant regulatory authorities, as well as in defining the responsibilities of the parties involved in the digital insurance process, including insurance companies and digital insurance brokers. These legal measures are a fundamental step in enhancing consumer confidence in digital transactions and ensuring a balance between the freedom of economic initiative and the requirements of legal protection in cyberspace.

### A- The legal framework for the use of information and communication technology in Algeria

The evaluation of the legislative aspect of information systems varies from one sector to another and is characterized differently from one field to another In any case, the laws that have been enacted will improve in the coming years based on experience, service, and the technical needs of legislative applications Therefore, the Algerian legislator has:

- Amending the Penal Code to protect data when processed electronically, and adding Section 07 titled "Interference with Automated Data Processing Systems," and introducing Articles 394 bis 7, which provides criminal protection for personal images and private communication under Article 303 bis.

- Stipulating crimes related to information and communication technologies under Law No. 09-04 dated August 5, 2009, which includes specific rules for the prevention and combating of crimes related to information and communication technologies.

- The issuance of Law No. 18-07 dated June 10, 2018, concerning the protection of natural persons in the field of personal data, aims to protect private life both civilly and criminally, against any infringement of individual privacy, which is one of the fundamental human rights and has become a matter of increasing concern in light of the implications and effects of the use of information technology.

- The issuance of Law No. 18-05 dated May 10, 2018, concerning electronic commerce, which regulates cross-border electronic transactions, the conditions for practicing electronic commerce, the requirements related to electronic commercial transactions, the obligations of consumers and the duties of suppliers, and the criminal penalties for violating the provisions of this law, etc.

-The presidential decree No. 20-05 dated January 20, 2020, relates to the establishment of a national system for the security of information systems, within the framework of the national strategy for the security of information systems and the coordination of its implementation. It includes the National Council for the Security of Information Systems and the Agency for the Security of Information Systems, which have specialized structures from the Ministry of National Defense in this field, It requires public institutions and bodies, as well as private operators, to appoint their designated official responsible for the security of information systems within a maximum period of one year.

-The issuance of Law No. 21-09 dated June 8, 2021, concerning the protection of information and administrative documents, states in Article 39 that anyone who intentionally disseminates, through media and communication or an information system, classified information or documents with the intent to undermine public order and tranquility shall be punished with imprisonment for a term of 10 to 15 years and a fine ranging from 1,000,000 to 1,500,000 DZD.

- The Self-Employed Contractor Law: This is Law No. 22-23 dated December 18, 2022, which allows holders of this status to export certain digital services such as web development, applications, online marketing, social media management, infographics, etc., in accordance with what the law permits. This law aims to regulate the new economic activities that have emerged with the rise of the knowledge economy and the digital economy.

## B- Addressing Cyber Crimes in Algeria

The Algerian legislator has established several institutional mechanisms aimed at combating and preventing cyber crimes, including both administrative and practical measures, as a starting point to enhance the organizational and legislative framework for cybersecurity, This framework has initially focused more on deterrent and protective aspects, and the following agencies are responsible for addressing cyber crimes:

- Algerian National Defense Sector: In military strategies, electronic defense refers to the set of systematic capabilities possessed by the armed forces to protect against the impact of cyber attacks, Preventive electronic defense is achieved through: early detection of attacks in real time, proactive cyber attacks by deploying white worms as programs capable of detecting and destroying harmful applications, and the method of deception and concealment, which is also a strategy employed by the military institution by hiding the identities of the state's strategic targets.

- The National Authority for the Prevention and Combating of Crimes Related to Information and Communication Technology: According to Presidential Decree No. 15-261 dated October 8, 2015, which defines the composition, organization, and operational procedures of this authority, its tasks particularly include: proposing elements of the national strategy for the prevention of crimes related to information and communication technologies, activating and coordinating prevention operations against these crimes, assisting judicial authorities and police services in this regard, ensuring preventive monitoring of electronic communications to detect destructive and even terrorist crimes, developing cooperation with national institutions and bodies concerned with crimes related to information and communication technologies, contributing to the modernization of legal standards in its area of expertise, etc.

- The Center for the Prevention of Cybercrime and Information Technology Crimes of the National Gendarmerie: Established in 2008 in the capital, its main objective is to secure the information system to serve public security and to coordinate security efforts among other security agencies.

- The National Institute of Forensic Evidence and Criminal Science: It consists of 11 specialized departments in various fields, all of which ensure expertise, training, education, and the provision of technical assistance. It is affiliated with the General Command of the National Gendarmerie and supports justice while guiding security agencies.

- The Central Directorate for Combating Cybercrime, which is part of the General Directorate of National Security: It was established in response to the demand for cybersecurity and the fight against cybercrime in 2011 and was added to the organizational structure of national security in 2015, This directorate relies on skilled human resources, which qualifies it to carry out its tasks at the international level.

## Conclusion

From the above, we conclude that:

- The law related to insurance was last amended in 2006, and since then, no changes have been made to accommodate the developments of the digital age in the field of insurance, especially with the widespread use of the internet in commercial transactions among people, as well as in informal official transactions.

- The digitization of the insurance sector in Algeria offers numerous advantages, not only in terms of saving time and costs for insured consumers but also in an important matter: the timely entitlement to compensation amounts without delay.

- The development of electronic insurance aligns with the evolution of e-commerce and the online marketing of insurance services, as it is interconnected, One of its features allows major companies to conclude insurance contracts to cover commercial and non-commercial risks electronically through the effectiveness of online insurance marketing.

-There are certain types of risks, especially serious ones, that insurance companies do not cover simply by pressing a button on a computer. Instead, they take time to assess these risks, which can take a while. This is a right of the insurer (a commercial company whose goal is profit). Therefore, electronic insurance does not encompass coverage for all risks, similar to traditional insurance, unless there is a list of risks that insurance companies accept and cover in advance.

**Recommendations:**

Therefore, it is essential to:

- Digitize the insurance sector, which is crucial today in Algeria to facilitate the insurance process both at the beginning and at the end when the insurance amount is due to the insured consumers, especially considering the complaints about delays in compensation payments.

- Practicing marketing for electronic insurance in Algeria is very important for the development and spread of electronic insurance contracts, especially through social media and sending emails to companies and factories, etc.

- A thorough study of e-commerce is necessary to understand it, especially since it contributes to the emergence of new insurance products and services that are not present in traditional non-electronic commerce, meaning the coverage of electronic risks affecting e-commerce by insurance companies, which is done through electronic insurance contracts.

- Innovating applications for smartphones and computers specifically for insurance contracts and all their backgrounds, especially those that explain the types of coverage and clarify the guarantees and exclusions in each type of insurance contract.

- Ensuring that the supervision and regulation of insurance activities are also conducted electronically, and that there is a continuous mechanism in place to protect policyholders electronically.

- The interventions of this forum will be published in a special issue of a journal or in a collectively published electronic book to reach an audience of scholars and all those related to the insurance field, in order to disseminate the scientific benefits of the content of the interventions, and to achieve the practical benefits expected from the forum that reach the relevant parties such as the Ministry of Finance.

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