



The Legal Regime of the Self-Contractor in Algerian Law: What Role...?

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Received: 11/02 /2025

Accepted: 01/03 /2025

Published: 20/03 /2025

Abstract:

The concept of the self-employed contractor, an individual entrepreneur operating within a streamlined legal structure, represents a pivotal innovation in contemporary business paradigms. Acknowledging this significance, the Algerian legislature established the self-employed contractor framework through Law 22-23, which delineates the fundamental regulatory principles governing such entrepreneurs. This research aims to analyze the self-employed contractor's impact on regularizing informal economic activities, generating employment opportunities, and facilitating integration into the formal economy. In doing so, it explores the core attributes of the self-employed contractor designation, the prerequisites and procedures for obtaining the official contractor card, and the attendant legal rights and responsibilities. Additionally, the study examines the role of the Support and Accompaniment Authority, a national institution dedicated to fostering and guiding self-employed contractors. While the system exhibits a notable degree of effectiveness, certain deficiencies pose challenges to its optimal implementation and overall efficacy.

Keywords: Independent Entrepreneurship, Self-Employment Framework, National Contractor Agency, Formal Economy Integration.

Introduction:

In the era of the Fourth Industrial Revolution, global economic landscapes are undergoing profound shifts, with advanced technology and innovative industries emerging as pivotal drivers of growth. Within this transformative framework, entrepreneurial initiatives, particularly those led by self-employed contractors,

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have become instrumental in spurring innovation, project development, and employment generation. Recognizing this potential, the Algerian legal system has introduced the self-contractor model as a specialized form of entrepreneurship.

Faced with both economic and social challenges, the Algerian legislator established this framework under Law 22-23, which serves as the foundational legal statute for self-employed contractors. This legal initiative seeks to foster individual entrepreneurial activities, regularize previously unregulated sectors, and integrate these activities into the formal economy. Although implemented somewhat belatedly in comparison to similar international frameworks, the self-contractor system aims to address pressing economic needs by promoting structured, regulated entrepreneurial ventures.

The central question then arises: To what extent does the self-contractor law succeed in fulfilling its intended objectives? This study seeks to elucidate the legal underpinnings of the self-contractor model, detail the procedural requirements for obtaining official recognition under this framework, and examine the system's contributions to legitimizing informal economic activities, generating employment, and facilitating integration into the formal economy.

Chapter One: The Conceptual Framework of the Self-Contractor

Entrepreneurship serves as a cornerstone of contemporary economic systems, acting as a catalyst for job creation, investment stimulation, and the promotion of innovative endeavors. Within this context, the self-contractor emerges as a distinctive model of individual entrepreneurship formalized under Algerian legislation. This chapter is divided into two sections: the first outlines the definition and conceptual underpinnings of the self-contractor, while the second examines the associated rights and obligations that define this legal status.

The First Section: The Self-Contractor Concept

Algerian legislation introduced the self-contractor framework under Law 22-23,¹ establishing a distinct legal category of individual entrepreneurship. This section explores the self-contractor's definition, followed by its defining characteristics.



First: Defining the Self-Contractor

Prior to delineating the self-contractor, it is essential to understand the broader notions of contracting and contractors.

• **Entrepreneurship:** This term encompasses the activities of identifying, assessing, and capitalizing on opportunities, which may result in the introduction of new products or services, the creation or transformation of institutions, or the expansion of existing enterprises—all shaped by market demands. Beyond profitability, entrepreneurship may also be motivated by philanthropic goals or environmental sustainability².

• **Contracting in Algerian Civil Law:** According to Article 549 of the Algerian Civil Code, contracting is defined as³ “a contract whereby one of the parties undertakes to produce a result or perform a task in exchange for a remuneration committed by the other party.” This broad definition allows for diverse activities under the contracting umbrella, including both physical production and service-based tasks such as digital services.

The self-contractor, as a specific legal concept, thus emerges as a form of entrepreneurship tailored to streamline individual efforts under a well-defined legal structure, blending the broader entrepreneurial aspirations with a more formalized contractual framework.

Entrepreneurship transcends the mere establishment of businesses, encompassing a creative process that demands strategic foresight, resource allocation, and calculated risk-taking to achieve defined goals. The entrepreneur, often referred to as the contractor, is an individual who transforms innovative concepts into operational ventures, undertaking the inherent risks to produce goods or deliver services that meet market needs⁴.

The concept of the self-contractor, as introduced in Algerian legislation, reflects a specific model of small-scale individual entrepreneurship. Jurisprudential definitions frequently characterize the self-contractor as someone who primarily relies on personal effort rather than substantial capital, earning modest profits sufficient to sustain their livelihood. This definition highlights the self-contractor's



focus on using practical skills and managerial acumen to transform ideas into viable economic projects, all while navigating the associated risks⁵.

Legally, Algeria has followed the French precedent by adopting the term “auto-entrepreneur” for its equivalent status. The legal framework, as established in Article 2 of Law 22-23, defines the self-contractor as a natural person who independently carries out an income-generating activity, provided that the activity falls within a designated list of eligible professions and the annual turnover does not exceed 5 million DZD. Crucially, this status exempts the self-contractor from trader obligations. Notably, the law restricts this designation to natural persons, explicitly excluding legal entities, and confines the scope of eligible activities to those listed under regulatory guidance. As such, while the law is an important step in recognizing individual entrepreneurship, it does not encompass all forms of solitary entrepreneurial endeavors⁶.

The legislature’s intent appears to center on granting legal recognition and protection to independent workers who would otherwise lack a formal legal designation. However, the law’s practical application depends on the specified list of permissible activities and the defined revenue threshold. By enabling individuals to engage in entrepreneurial activities within a streamlined regulatory framework, the self-contractor system aims to simplify the process for solo entrepreneurs, encouraging innovation and economic participation without the complexities associated with larger corporate structures.

Second: Characteristics of the Self-Contractor

Based on the various definitions presented, the self-contractor’s characteristics can be summarized as follows:

- **Legal Scope:** The self-contractor is strictly a natural person, meaning that legal entities are excluded from this status.
- **Independence:** Self-contractors work independently, managing their activities individually without external dependency.



• **Simplified Procedures:** The self-contractor framework offers streamlined processes for registration, tax filing, and social security contributions, without imposing the more complex obligations that typically apply to traders.

• **Revenue Ceiling:** The self-contractor's annual turnover is capped at 5,000,000 DZD.

• **Specific Activity Scope:** Only certain predefined activities qualify for self-contractor status, as outlined in the official list of eligible professions.

The Second Section: Rights and Obligations of the Self-Contractor

The legal framework recognizes certain rights granted to self-contractors, balanced by a set of obligations they must adhere to.

First: Rights of the Self-Contractor

Drawing on Law 22-23 and its related decrees, the following rights are established:

• **Issuance of the Self-Contractor Card:** Self-contractors receive an official card bearing a unique national registration number. This card, issued by the National Self-Contractor Agency, remains valid for five years upon payment of specified administrative fees (as set forth in Article 6 of Law 22-23 and Article 5 of Executive Decree 23-196)⁷.

• **Choice of Workplace:** Self-contractors may operate from their residence or shared coworking spaces, reducing overhead costs and simplifying logistical arrangements (Article 7, Law 22-23).

• **Protection of Personal Assets:** Self-contractors' personal or family residences cannot be seized due to debts incurred through their professional activities (Article 8, Law 22-23).

• **Simplified Accounting Requirements:** A self-contractor is only required to maintain a basic financial ledger approved by the regional tax authorities, in which revenue and expenses are recorded (Article 9, Law 22-23).



• **Exemption from Commercial Registration:** Self-contractors are not obligated to register with the Commercial Register, setting them apart from traditional business operators. This distinction acknowledges the unique, often digital, nature of their activities.

• **Favorable Taxation:** Self-contractors are subject to a simplified tax regime, with a reduced flat tax rate of 0.5% (as per Article 282, chapter 4, of the Direct Tax and Similar Fees Law of 2025). This rate, lowered from a prior 5% under the 2023 Finance Law, reflects efforts to align taxation with the modest scale and digital orientation of most self-contractor enterprises.

• **Banking Privileges:** Self-contractors can open commercial bank accounts, facilitating access to electronic payment systems and enabling them to receive 100% of their service export earnings in foreign currency. This initiative is supported by Memorandum No. 01/2024 from the Bank of Algeria.

Second: Obligations of the Self-Contractor

While enjoying certain legal rights, the self-contractor is also bound by obligations stipulated in Chapter Three of the Self-Contractor Law, specifically Articles 10 through 14. These obligations include:

• **Obtaining a Tax Identification Number (TIN):** Within 30 days of receiving the Self-Contractor Card, the self-contractor must register with the competent regional tax authority by submitting the required G8 form to obtain a TIN.

• **Annual Administrative Certificate Submission:** The self-contractor must file an annual administrative certificate with the National Agency for Self-Contractors. This certificate, issued by the tax administration, must include the yearly revenue figure, presented on the standard form (G12 bis) designated by the General Directorate of Taxes. Additionally, the self-contractor must report their earnings to the tax authorities and remit any corresponding tax obligations in accordance with prevailing tax laws.

• **Social Security Declaration:** The self-contractor is required to register with the National Fund for Non-Wage Earners to access social security benefits.



• **Transition to Commercial Status:** If the self-contractor's annual revenue exceeds the prescribed limit (5 million DZD as per Article 51 of the 2023 Finance Law) for three consecutive years, they must register as a merchant with the Commercial Register to continue their activity. This transition reflects a shift from the self-contractor framework to the commercial trader category.

Chapter Two: Procedural Framework for the Self-Contractor in Algerian Law

To gain self-contractor status, an individual must fulfill certain conditions and complete the necessary registration steps. Additionally, the legislator has established a specialized entity—the National Agency for Self-Contractors—to oversee and facilitate this process.

• First Section: Procedures for Obtaining Self-Contractor Status

To become a self-contractor, one must meet the legally defined criteria (first) and follow the official registration process with the National Self-Contractor Register (second).

First: Conditions for Granting Self-Contractor Status

According to Article 3 of Law 22-23, the conditions for self-contractor eligibility fall into two categories: those related to the individual and those related to the nature of the activity.

A. Individual Conditions

1. **Natural Person Requirement:** The law restricts the self-contractor status to natural persons only, as defined in Article 2 of Law 22-23. This exclusion of legal entities is intended to promote independent entrepreneurship and preserve the individual nature of the self-contractor framework.

2. **Legal Capacity:** While the Civil Code sets the age of majority at 19 years (Article 40), the Self-Contractor Law refers to the minimum legal working age, as defined by Labor Law 90-11⁸. Article 15 of that law establishes 16 years as



the minimum working age, provided that minors have guardian approval. This ensures that individuals have the necessary legal capacity to enter into contracts and manage their activities.

3. **Algerian Nationality or Residency:**The self-contractor must either be an Algerian citizen or a foreigner residing in Algeria, in compliance with relevant legal and regulatory provisions.

B. Conditions Related to the Activity

The legislator requires that the self-contractor engage in one of the activities listed as eligible under the self-contractor framework. These activities are delineated across seven broad categories, as defined in Article 4 of Executive Decree 23-196⁹:

- Consultancy and expertise services.
- Digital services and related activities.
- Household services employing domestic staff.
- Leisure and entertainment services.
- Cultural, communication, and audiovisual services.

Each category includes a range of specific activities within its scope. The official list serves as the authoritative reference, detailing over 1,400 individual eligible activities. Individuals applying for self-contractor status must choose from this prescribed list, as noted in Article 7 of the decree. The purpose of this list is to clearly define which activities qualify under the self-contractor designation and to provide a uniform standard for applicants.

Many of these activities are associated with modern technology and digital innovation, such as web platform development, software and application development, and digital marketing consultancy. It is important to note that the law explicitly excludes certain professions, such as licensed professions and traditional crafts that already have their own legal frameworks and benefits (e.g., the craftsman's card). This exclusion ensures that the self-contractor framework is



focused on activities that fall outside the scope of established professional or commercial laws.

Second: Procedures for Obtaining Self-Contractor Status

Once the conditions are met, a natural person wishing to become a self-contractor may proceed with registration, cancelation, or re-registration through a simplified and digitized process.

Registration in the National Self-Contractor Register:Registration is completed via the digital platform of the National Self-Contractor Agency. Applicants create an account, provide their name, surname, email address, and password, and submit the required administrative documents¹⁰.This process can also be initiated through direct application to the agency. On average, registration is processed within 12 to 24 hours. To date, approximately 30,000 applications have been submitted.

In line with the government's broader digitization efforts, the registration process has been fully digitized. Article 14 of Decree 23-197 specifies that applicants do not interact directly with the agency's administration; all submissions and verifications occur through the electronic platform. The only physical interaction occurs when the applicant receives the Self-Contractor Card.

Once the registration process is complete and all conditions are met, the applicant is issued the Self-Contractor Card. This card, governed by Executive Decree No. 23-198, grants access to the privileges outlined in the Self-Contractor Law. Additionally, the card's unique national registration number establishes the individual's official status within the National Self-Contractor Register¹¹.

2. Cancellation and Re-Enrollment in the Self-Contractor National Register

Following initial registration, a self-contractor's status may be terminated and subsequently reinstated. The scenarios in which such cancellation occurs are outlined in Article 22 of Executive Decree 23-197 and Article 14 of Law 22-23. These include:



- Voluntary withdrawal, requested directly through the National Agency or via the online platform.
- Authorization of an invalid or non-existent business number within three consecutive years of registration.
- Exceeding the legislated annual turnover threshold over three consecutive fiscal years.
- Legal or judicial impediments rendering the continuation of the activity unfeasible.
- The contractor's demise.

These situations, though not exhaustive, illustrate the legislator's intent, as evidenced by the use of terms suggesting non-limiting examples. Notifications of cancellations are issued by the National Agency through all available channels within a fifteen-day period from the cancellation decision. This notification is directed to the self-contractor, tax authorities, social security institutions for non-wage earners, and relevant banking or postal organizations. Cancellation results in the invalidation of the self-contractor's card, as stipulated in Article 22 of the decree and Article 15 of the foundational law.

In cases where registration is denied or canceled, self-contractors are afforded a thirty-day window to appeal. Appeals must be addressed to the minister responsible for emerging enterprises, who in turn has thirty days to respond to the appeal.

3. Re-Enrollment in the Self-Contractor National Register

Individuals previously removed from the register may request re-enrollment once the reasons for their delisting have been rectified and any outstanding fiscal or parafiscal debts have been settled. This provision reflects the legislator's objective of encouraging continued participation in the program. Although the specific re-registration procedures are not explicitly outlined, it is assumed that the original registration steps must be followed again to obtain a new self-contractor card.



Second Section: The National Agency for Self-Contractors

The legislator established the National Agency for Self-Contractors to oversee modern, unregulated economic activities, particularly in technology-driven sectors. This section first defines the agency, followed by an exploration of its responsibilities.

1. Definition of the National Agency for Self-Contractors

According to Articles 2, 3, and 4 of Executive Decree 23-196, the National Agency for Self-Contractors is an administrative public institution under the supervision of the minister responsible for the knowledge economy, startups, and micro-enterprises. Its purpose is to promote entrepreneurship, support young individuals in accessing self-employment opportunities, and integrate emerging activities—especially those related to digitization—into the formal economy. The agency is headquartered in Algiers, with provisions for additional branches as jointly determined by the minister responsible for emerging enterprises, the finance minister, and the public service authority. The agency is a legally and financially autonomous public entity, as demonstrated by its organizational structure.

2. Governance and Organization

The agency operates under the guidance of a board of directors and is managed by a director general. According to Articles 6 through 8 of the decree, the board is chaired by a representative of the minister responsible for emerging enterprises and comprises representatives from several ministries, including defense, interior, justice, finance, telecommunications, trade, labor, vocational training, and digitization. These representatives are appointed for renewable three-year terms and can consult experts to aid in their deliberations¹².

Board meetings occur quarterly, with additional sessions convened as needed. Decisions are made by majority vote, with the chair casting the deciding vote in case of a tie. All deliberations are documented and forwarded to the supervising minister within fifteen days. Decisions take effect thirty days after submission, barring any objections from the supervisory authority.



Articles 14 and 15 outline the director general's responsibilities, which include representing the agency, preparing work plans, implementing board resolutions, managing budgets, overseeing human resources, and concluding contracts¹³. The director general also prepares the agency's annual activity report and ensures the smooth functioning of the organization. The director's remuneration aligns with the salary of a central administration director.

Second: Responsibilities of the National Agency for Self-Contractors

Article 5 of Executive Decree 23-196 enumerates the agency's primary responsibilities, including¹⁴:

- Establishing and maintaining the National Register of Self-Contractors.
- Managing the digital platform associated with the register.
- Processing registrations, cancellations, and re-registrations in the National Register.
- Providing guidance, oversight, and monitoring for self-contractor activities.
- Periodically updating the list of eligible activities covered under the Basic Law of the Self-Contractor.
- Promoting awareness and understanding of the self-contractor's legal framework.
- Issuing self-contractor cards, valid for a legally determined period of five years.

To fulfill these responsibilities, the agency operates through several core directorates:

- **Directorate of Information Systems:** This directorate manages the national register and its associated digital platform. It is tasked with maintaining, updating, and processing registration applications, as well as ensuring the issuance of self-contractor cards. It is composed of two departments:

- Department of Development and Electronic Management.



- Department of Databases and Networks.

• **Directorate of Accompaniment and Monitoring:** This division coordinates and supports self-contractor activities. It is responsible for proposing communication strategies to further the agency's objectives and consists of two departments:

- Department of Activity Monitoring.
- Department of Coordination and Communication.

• **Directorate of General Administration and Resource Management:** This directorate oversees the agency's budget, maintains inventory records, and handles financial and administrative affairs. It includes three departments:

- Human Resources Department.
- Finance and Accounting Department.
- Public Resources Department.

The agency plays a pivotal role in guiding self-contractors, connecting them to various sectors, providing legal protection, and streamlining administrative processes through digital platforms. However, the absence of a coherent strategic approach and effective market integration mechanisms remains a significant gap. The agency's primary focus should extend beyond registration and administrative support to include tangible pathways for self-contractors to access and compete in relevant markets, as financial viability and profitability are central to their entrepreneurial success.

The Third Chapter: The Role of the Self-Contractor System and the Challenges It Faces

First Section: The Role of the Self-Contractor in Achieving Economic Development

As previously outlined, the self-contractor system holds notable significance due to its ability to formalize emerging economic activities—particularly those in the digital sphere—and to foster entrepreneurial ventures. This system enables



individuals, particularly younger generations, to transition into formal economic structures, thereby promoting sustainable growth and reducing economic informality.

First: Regularizing Emerging Activities and Generating Employment Opportunities

The self-contractor model addresses the void left by unregulated activities, especially those resulting from rapid technological advancements. These new occupations, previously uncategorized as professional, artisanal, or commercial endeavors, find their place under this system. By formalizing these roles, the self-contractor framework not only stabilizes the economic landscape but also stimulates economic expansion¹⁵.

The initiative is also a targeted response to unemployment, particularly among recent university graduates who often face limited job prospects despite possessing technical expertise. By facilitating pathways into entrepreneurial ventures—many of which align with their skill sets—the system provides a viable alternative to traditional employment, paving the way for job creation.

Furthermore, the flexibility and minimal resource requirements inherent in the self-contractor model make it particularly accessible to underrepresented groups, such as individuals with disabilities and homebound women. With basic tools like a computer and internet access, these individuals can contribute productively to the economy from the comfort of their homes.

The practical impact of the self-contractor framework is evidenced by the 30,000 registration applications submitted thus far, reflecting widespread interest and adoption across various social demographics. This enthusiastic uptake underscores the system's role in expanding employment opportunities and integrating a broader spectrum of society into formal economic activities.

Second: Integrating Self-Contractor Activities into the Formal Economy

The self-contractor system seeks to harness the innovative potential and entrepreneurial energy of young people by channeling their efforts into the formal economy within a structured legal framework. By codifying self-employment



activities rooted in technology and the digital economy, this model aims to dismantle the parallel informal economy. Encouraging eligible groups to operate under lawful conditions helps combat exploitative labor practices—characterized by low wages and a lack of social protections—thereby integrating workers into formal employment channels. This, in turn, reduces the prevalence of unregulated economic activities and mitigates their detrimental effects on national economic stability¹⁶.

As a mechanism for legally assimilating individuals into the workforce, the self-contractor system opens a pathway for economic integration. It not only provides participants the opportunity to engage in profit-generating activities but also contributes to economic diversification and development, thus benefiting both individuals and the national economy.

The Second Section: Challenges Facing the Self-Contractor System

Although the self-contractor framework offers considerable benefits, it also faces significant challenges. These include the inadequacies of digital infrastructure (first) and the restrictive scope of eligible activities (second).

First: Digital Infrastructure Weaknesses and Their Impact

Despite government initiatives to enhance digital infrastructure, it remains one of the most fragile components in the broader digitization of economic sectors, including the self-contractor framework. The nature of self-contractor activities often demands advanced technical skills in areas like programming and IT, which in turn require reliable and high-speed internet connectivity. However, current internet speeds are frequently slow and inconsistent, creating operational difficulties for self-contractors.

Additionally, the security of digital systems poses a critical challenge. With registration and administrative processes entirely digital, ensuring the protection of self-contractor data is paramount. This raises the question: how effectively can the National Self-Contractor Agency safeguard this sensitive information and prevent cyber threats? A robust cybersecurity infrastructure is necessary to maintain the integrity and trust of the self-contractor ecosystem.



Second: Restrictions on the Scope of Activities

In an effort to regulate and formalize unregulated economic activities, the legislator has established a predefined list of eligible activities under the self-contractor framework. While this approach provides clear boundaries, it also imposes limitations. Many self-contractor activities are linked to modern technology and digital innovation, areas that evolve rapidly. Restricting activities to a static list can hinder adaptability and stifle innovation.

Moreover, the absence of a well-defined promotional strategy further complicates the issue. Even three years after the implementation of the law, confusion and uncertainty about which activities qualify remain prevalent. This lack of clarity not only limits the system's reach but also diminishes its potential impact on economic development.

Conclusion

In light of the foregoing discussion, it is evident that the introduction of the self-contractor system was a strategic legislative initiative aimed at achieving both economic and social objectives. Recognizing the pivotal role that entrepreneurship plays in driving national economies, the Algerian legislator sought to codify digital and technological activities, thereby reducing unemployment and fostering integration into the digital economy. By granting a self-contractor card, coupled with preferential tax treatment, the system offers rights and obligations designed to encourage individual entrepreneurial ventures. Additionally, the establishment of the National Agency for Self-Contractors as a support and oversight body underscores the government's commitment to institutionalizing and managing this framework.

However, while the system has demonstrated a measure of effectiveness, several deficiencies undermine its capacity to fully achieve its intended goals. These shortcomings necessitate targeted interventions to enhance the system's functionality and broaden its impact.

To improve the effectiveness of the self-contractor system, it is crucial to:



• **Enhance Digital Infrastructure:** Strengthen the digital framework supporting the self-contractor platform, including reliable internet access and robust cybersecurity measures, to ensure the integrity and safety of user data.

• **Implement Strategic Market Integration:** Develop a comprehensive marketing and promotional strategy to connect self-contractors with diverse sectors and markets, thereby increasing their opportunities and potential for growth.

• **Expand and Update Eligible Activities:** Broaden the scope of permissible self-contractor activities, regularly updating the list to reflect advancements in technology and the evolving needs of the economy.

• **Offer Tax Incentives:** Consider a tax exemption for self-contractors during their initial two years of operation to alleviate financial pressures and incentivize sustained participation in the formal economy.

By addressing these challenges, the self-contractor system can transition from a promising legislative framework to a transformative economic model that better serves individual entrepreneurs and the national economy as a whole.

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