



DECIPHERING AND ANALYZING THE REGULATORY AND LEGISLATIVE FRAMEWORK FOR STARTUPS IN ALGERIA: (2020-2025)

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Abstract:

This article decrypts and then analyzes the regulatory and legal framework that facilitates startup activity in Algeria between 2020 and 2025. The methodology used is mixed, including a literature review based on the analysis of legislative and regulatory texts and a comparative approach between Algeria and Tunisia. The results show that Algeria has focused its policy on launching and encouraging small and medium-sized enterprises through the institutionalization of the 'startup' label and significant, but still insufficient, tax incentives. The Tunisian experience shows that comprehensive, flexible, and structured support maximizes the impact of public policies.

Keywords: Startups, Regulatory and legislative framework, Government policy, Algeria, Tunisia.

JEL classification code: K22, L26, O31, O38.

Introduction

Like other developing countries, Algeria lacks a robust industrial base. In its strategy to adapt to global economic shifts, it is relying on the entrepreneurial potential of its young companies (Faria, Ogura, & Prado, 2023). Within this dynamic, startups are gradually establishing themselves as drivers and catalysts for innovation, growth, and digital transformation. Endowed with strong disruptive potential, these young companies are attracting significant attention

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from public authorities(OECD, 2021). The latter are committed to entrusting them with the responsibility of moving beyond the rentier paradigm of the current economy.

However, the development and success of startups in fulfilling their assigned mission depends on several factors, notably the existence of a well-suited political and fiscal framework capable of facilitating their emergence and long-term growth(Khelil, 2022). Public policy, through tax policies and the preferential tax regimes dedicated to them, plays a crucial role in promoting young companies. Indeed, having long been perceived as a confiscator of income(Deira, 2022), the tax administration in its new conception and its new missions is, today, an actor in supporting and accompanying new forms of entrepreneurship.

In this context, it is legitimate to inquire about the contribution of Algerian public policy to startups and how it acts as a promoting actor(Harrar, 2021). Thus, the objective of this article is to answer the following question:

Question Statement

To what extent does government policy contribute to the promotion and expansion of startups in Algeria?

Hypothesis

A proposed answer to this question is formulated as follows: The government, through its public institutions, is committed to promoting innovative entrepreneurship by implementing incentive-based legislative and regulatory measures, which are part of a strategy to promote and expand startups.

Research Objective

The focus of this work is primarily on:

- analyzing the legislative and regulatory framework governing startups in Algeria;
- evaluating the contribution of public policy, particularly fiscal policy, to Algerian startups;
- the study of the weaknesses of the established policy and to put forward some recommendations for its improvement.



Methodology

The methodology adopted is primarily based on a documentary analysis of legislative and regulatory texts, enriched by a comparative approach with countries exhibiting a more or less similar economic model, notably Tunisia, which has also focused on encouraging innovative entrepreneurship.

Work Structure

- Theoretical evolution of state intervention in promoting entrepreneurship;
- Conceptual framework governing startups;
- Analysis of the legislative and regulatory framework governing startups in Algeria;
- Benchmarking of Tunisian practices and areas for improvement.

2. Literature Review: State Policies and the Promotion of Entrepreneurship

2.1. Theoretical Approaches to State Intervention in Entrepreneurial Development

In the 21st century, economic theories on state intervention in the entrepreneurial sphere have shifted from an ideology of the sovereign state to an ideology of the state as an active participant in the economic landscape.

Within this framework, we present in this first section the various theoretical developments of contemporary authors and researchers on state intervention and its active role in encouraging and supporting entrepreneurship in general, and startups in particular.

In 2013, Mariana Mazzucato developed the concept of the "entrepreneurial state" in her book, "The Entrepreneurial State: Debunking Public vs. Private Sector Myths." (Mazzucato, 2013) With this concept, Mazzucato designates a model of public intervention in which the state plays an active and strategic role in the creation, financing, and development of innovation.

The state, far beyond its regulatory functions and its role in correcting market failures, participates in catalytic innovative projects that support the economy and, by extension, foster growth. This new conception of the state contrasts with the classic neoliberal view that

innovation originates solely from the private sector, with the state playing a passive supporting role.

In this regard, Mazzucato demonstrates in his work, through various examples, that the state has participated in the implementation of innovative projects, thus demonstrating its capacity and potential to provide public services in the fields of biotechnology, green energy, and many other areas of a state's economic and social life.

This exponential surge in efficiency stemmed from the proliferation of startups, which thrived in an external environment conducive to disruptive technologies. Through these developments, here is a comparison between the traditional functions of the State in the neoclassical era and the entrepreneurial State.

Table 1. Functions of the traditional state vs. functions of the entrepreneurial state

Traditional functions of the State	Functions of an entrepreneurial state
Market regulator	Strategic investor
Infrastructure provider	Financier of risky R&D
Guarantor of economic order	Catalyzer of innovation

Source: authors, based on the analysis of the book "The entrepreneurial state: debunking public VS private sector myths" by Mariana MAZZUCATO, 2013.

Based on this comparative table, several characteristics of an entrepreneurial state can be highlighted, namely that an entrepreneurial state is one that:

- grants subsidies to innovative startups;
- focuses on creating support structures for startups through the establishment of public or mixed incubators;
- participates directly in the capital of startups via public funds;
- participates in massive investments in disruptive technologies (AI, health, climate);
- directs its public procurement towards innovation.

Consequently, an entrepreneurial state stimulates the innovation ecosystem by reducing initial financial risks; attracts private and foreign investment; creates a legislative and regulatory framework conducive to the creation of companies operating in the technology sector. Finally, serves the state's social policies by contributing to improving the quality of life, particularly by directing



startup activities towards the fields of health, education, technological sovereignty, etc.

It appears that the entrepreneurial state is considered a driving force of innovation(Fernez-Walch & Francois, 2013). A true entrepreneur takes risks, finances; guides and structures the economy to support startups. It provides tax incentives, streamlined administrative processes, and technical and technological support in the public interest.

In 2015, in their article entitled “The role of state in the entrepreneurship ecosystem: insights from Germany,” published in the journal Triple Helix, Georg Fuerlinger, Ulrich Fandl, and Thomas Funke positioned the state at the heart of German entrepreneurial activity(Fuerlinger, Fandl, & Funke, 2015). The authors put forward the theory that the state has a responsibility to transform scientific research from universities into promising innovations. Indeed, for the authors, synergy between these predominantly state-run institutions and industries fosters innovation dynamics.

Following their synthesis of the literature on documented German public initiatives and interviews with policymakers, researchers, and entrepreneurs, Georg Fuerlinger, Ulrich Fandl, and Thomas Funke advocate for German policy and demonstrate the role of subsidies, incubators, and university-industry partnerships in the creation of startups and the flourishing of the economic fabric in cutting-edge fields. Today, Germany is a true economic powerhouse and an example of industrial capitalism in its entire splendor.

Indeed, the study of the “EXIST” program, which focuses on subsidies in Germany, shows a high startup creation rate with impeccable financial health for the first five years. This has a real positive impact on the development of founders' skills, their professional networking, and their ability to secure external funding.

In 2023, in their contribution to the arXiv journal on "Government Investments and Entrepreneurship," Joao Ricardo Faria, Laudo Ogura, Mauricio Prado, and Christopher J. Bourdeaux proposed a theoretical model comparing active intervention in the form of public investment with a passive approach by the state. This passive approach is characterized by the allocation of tax incentives, the attraction of talent through universities, and the reduction of

startup launch costs. They emphasize and conclude that the effects of these actions depend not only on the amounts invested but also on an overall favorable environment to ensure the exponential growth of entrepreneurship.

In 2025, Bojan Moric Milovanovic, Matea Cvjetkovic, and Jasmina Msovic, affiliated with the Institute of Public Finance in Zagreb, Croatia, focused on governance theories. Within this framework, the authors published an article entitled "Public Sector Entrepreneurship: Present State and Research Avenues for the Future"(Milovanovic, Cvjetkovic, & Masovic, 2025) in which they examine the theory of "public entrepreneurship: entrepreneurial practices," focusing on a literature review based on the PRISMA protocol (preferred reporting items for systematic reviews and meta-analyses).

In their theory, the authors highlight the advantages of entrepreneurial practices applied to the public sector. Indeed, they advocate the use of modern management policies applied to the private sector to eradicate the bureaucratic environment that contrasts with public entrepreneurship. Thus, they propose a more diverse structuring of public services and aim to equip decision-makers with a proactive and responsible management strategy for creating innovative projects and supporting startups and micro-enterprises.

After this brief overview of the State's role in creating an ecosystem conducive to the expansion of startups, we believe it is useful to examine, in the second point, the conceptual framework governing startups in general, and in Algeria in particular.

2.2. Conceptual Framework Governing Startups

An emerging concept that originated in the USA, the startup concept was fundamentally defined as "a company in its initial phase," linked to an essential characteristic: innovation and the high potential for exponential growth(MIHRAJ & ALAOUI MDAGHRI, 2024).

This innovative concept had already been defined in 1988. In 1998, Low & Macmillan (1998) defined a startup as "a new business that entrepreneurs launch by combining business ideas and resources." Its characteristics are not limited to the fact those startups:

- offer new solutions based on new technologies;



- often possess a competitive advantage that allows them to quickly differentiate themselves from established companies, hence their rapid growth;
- are young companies that, after becoming well established, transform into scale-ups.

In Algeria, the provisions of Article 11 of Executive Decree No. 20-254(JORADP, 2025), which stipulates that any company incorporated under Algerian law that meets specific conditions be considered a startup, define the awarding of the startup label. The conditions defined in this article are summarized as follows:

- the company must not have existed for more than eight (8) years ;
- the company's business model must be based on innovative products, services, business models, or any other innovative concept;
- annual revenue must not exceed the amount set by the national committee;
- at least 50% of the share capital must be held by individuals, approved investment funds, or other companies with the "startup" label;
- the company's growth potential must be sufficiently high;
- the company must not have more than 250 employees.

Thus, in the Algerian context, a startup is simply an SME whose innovative business model is the essential condition for its classification.

2.3. Legislative and Regulatory Framework Governing Startups

Having provided an overview of the conceptual framework that defines startups, the third point of this article will analyze the legislative and regulatory framework governing startups(Bekaddour, 2021). The objective is to identify and analyze the positive and negative aspects of the Algerian model.

Table 2. Identification and analysis of the legislative and regulatory framework governing startups in Algeria.

Legislative texts	Content of the text	Positive aspects	Negative Aspects
Executive Decree No. 20-254 of	Establishment of the national committee for the accreditation	• Institutional recognition of startups by the State;	-Lack of definitions for the concepts of "innovative project"

September 21, 2020.	of "Start-ups," "Innovative Projects," and "Incubators," defining its missions, composition, and operating procedures. Amendment and supplementation of Executive Decree No. 20-254.	• Establishment of criteria for defining a startup; • Creation of a multi-sectoral labeling committee; • Digitization of the "Startup" labeling process.	and "growth potential"; -No requirement for prototyping; -No R&D quotas; -Revenue and employee caps prevent the startup from scaling up.
Executive Decree No. 21-422 of November 4, 2021.		• Streamlining the application process for obtaining startup status; • Mandatory presentation of the concept and a prototype; • Expanding the membership of the accreditation committee; • Defining the minimum revenue to be allocated to R&D ; • Requirement to submit proof of incubation.	• Lack of definitions for the concepts of "innovative projects" and "growth potential"; • Limitation of the academic qualification level of founding members to a doctorate for at least half.
Order of November 2, 2020.	Appointment of members of the national committee for the labeling of "start-ups", "innovative projects" and "incubators".	/	/
Order of January 11, 2022.	Amends and supplements the decree of November 2, 2020.	/	/
Order of January 2, 2023.	Amends the decree of 11 January 2022.	/	/



Order of April 2, 2024.	Appointment of members of the national committee for the labeling of "Start-ups", "Innovative Projects" and "Incubators".	/	/
Order of October 15, 2024.	Amends the decree of April 2, 2024.	/	/

Source: authors, data compiled from the website www.joradp.dz, accessed on 19/07/2025.

Indeed, establishing fundamental principles is essential to enriching the initial framework. In this respect, and compared to more mature regulatory systems, Algeria must strive to address the negative aspects of the regulatory texts cited in Table 2. Consequently:

- Defining basic concepts such as "innovation/innovative project" or "growth potential" will give SMEs greater visibility and allow them to identify themselves more easily;
- The absence of a single, digital window prevents the entire startup labeling process from being digitized, leaving it precarious and representing an unsuccessful attempt at modernization;
- Limiting the number of employees and revenue targets hinders startups from achieving "scale-up" status. A scale-up, in fact, represents a startup with a successful and established business model and whose growth potential is at its peak. At this stage, startups are expanding internationally, raising funds, and recruiting heavily.

However, Executive Decree No. 21-422 of November 4, 2021 (JORADP, Décret exécutif n°20-254, 2025), amending and supplementing Executive Decree No. 20-254, aimed to address certain aspects not covered in the original text. Specifically: it proposes a streamlined version of the startup incorporation process by removing the statistical identification card;

- It also provides a basic framework for innovation, requiring a prototype and mandating that at least 15% of revenue be allocated to R&D activities;
- It establishes mandatory membership in an incubator;

- It restructures and expands the list of committee representatives, which has improved the processing of applications for accreditation.
- Despite these additions, some shortcomings remain, and the definition of fundamental concepts has not yet been undertaken.

Regarding financing and support, Algeria has made efforts to temporarily waive any potential tax revenue that startups might generate. This tax expenditure materialized through a series of measures in the finance law aimed at granting tax exemptions to support these entities from the date they received the label. These tax measures are designed to assist these economic entities during their start-up phase and thus ensure their sustainability.

Table 3. Details these tax measures supporting startups in Algeria

Article of law	Purpose of measurement
Art. 69 FL 2020.	Initial tax exemptions: Exemption from corporate income tax and VAT on commercial transactions of startups. Refers to the regulatory process to establish the implementing procedures for this article.
Art. 131 FL 2020.	Start-up ecosystem support and development fund: Creation of a Special Treasury Allocation Account No. 302-150. Refers to the regulatory process to establish the terms and conditions of operation of the CAS.
Art. 33 LFC 2020.	Extension of exemptions granted to startups: Exemption of startups from TAP, IRG/IBS, IFU for three (3) years from the start of activity and exemption from VAT for the purchase of investment equipment.
Art .46 LFC 2020.	Funding of startups by venture capital firms: Limitation of holding 49% of the capital for companies except in the case of startups.
Art. 68 LFC 2020.	Strengthening the startup support fund and defining the main authorizing officer for the CAS (Special Administrative Case): Addition of eligible expenses at the case level: studies; business plan; prototype; promotion. Designation of the Minister for Startups as the main authorizing officer.
Art. 86 LF 2021.	Extension of exemptions granted to startups: Exemptions for startups from the TAP (Tax on Professional Activity), IRG/IBS (Income Tax on General Income/Business Tax) for four (4) years, with a one-year renewal.



	Exemption from VAT and application of the reduced customs duty rate of 5% for the purchase of equipment.
Art. 167 LF 2021.	Closure of CAS n°302-150 of the "Start-up Ecosystem Support and Development Fund".
Art. 42 LFC 2021	Reopening of CAS n°302-150 of the "Start-up Ecosystem Support and Development Fund"
Art. 117 LF 2022.	Extension of IFU exemptions for startups: Startups are exempt from the TAP (Tax on Professional Activity), IRG/IBS (Income Tax on Business Activities), and IFU for four (4) years, with a one-year renewal option. VAT exemption and application of the reduced customs duty rate of 5% for equipment purchases.
Art. 183 LF 2022.	CAS n°302-150 will be maintained until December 31, 2022 pending the implementation of the appropriate budgeting procedure for actions eligible for the audit account.
Art. 22 LFC 2022.	Customs facilitation granted to startups: Exemption from the 25% flat-rate tax for customs clearance of new or used goods intended for professional activity not involving resale in their original condition, when the value of the goods exceeds 100,000 DA.
Art. 9 LF 2023.	Encouraging companies to finance startups: Obligation to reinvest an amount equal to 30% of the distributable profit of the financial year concerned of companies subject to the preferential regime granted in the operating phase within the framework of investment support schemes.
Art. 11 FL 2023.	Tax deductibility of R&D expenses incurred within the framework of open innovation programs carried out with companies holding the "start-up" or "incubator" label: Encouragement of companies to invest in startups to benefit from a deductibility of 30% of the amount of income or profit, up to a ceiling of 2,000,000 DA.
Art. 122 LF 2024.	Definition of reduced rates by INAPI for the benefit of startups : Establishment of reduced rates to ensure the industrial and intellectual protection of the works of startups (patents, certificates, trademarks, industrial designs for startups and incubators).
Art. 10 LF 2025.	Agreement on a 30% tax deduction from accounting profit up to a limit of 2, 000,000 DA for companies participating in open innovation programs with startups.
Art. 39 LF 2025.	Exemption from transfer duties for the benefit of startups : Exemption from transfer duties for their real estate acquisitions

within the framework of creating industrial activities for the benefit of startups.

Source: author, compilation of finance laws from 2020 to 2025, www.joradp.dz, consulted on 07/15/2025.

Analysis of Table 3 reveals that the Algerian legislature has been fully committed to supporting the growth and expansion of startups. Indeed, the Finance Law of:

- **2020** grants exemptions from VAT and Corporate Income Tax (IBS) to startups. However, the reliance on regulations for the implementation of these exemptions has delayed their effective implementation;
- **Supplementary for 2020**, the scope of exemptions for startups was extended to include Income Tax (IRG) and the Business Activity Tax (TAP), before its repeal in 2024, as well as the Single Tax on Unified Businesses (IFU) and VAT, to exempt their activities as a whole from taxation. A special allocation account was also created to provide funding resources related to state grants, revenue from taxes and para-fiscal levies, donations and bequests, and all other resources or contributions. Expenditure, for its part, covers the financing of feasibility studies, the development of business plans, technical assistance, and costs related to prototype creation, training, startup incubation, and finally, the promotion of the startup ecosystem. For 2020, it was observed that the government's public policy, through its tax policy, intensified its efforts to meet the direct needs of startups and to encourage private sector financing. Thus, venture capital funding for startups is not subject to the 49% ownership limit.
- **In 2021**, the Algerian legislature extended the period for obtaining exemptions, with the possibility of renewal for an additional year;
- **In 2022**, the scope of incentives was broadened to exempt startups from paying the flat-rate tax;
- **In 2023**, recognizing the financing needs of these innovative structures, government policy focused on encouraging innovative projects with startups to finance R&D. Companies using this type of activity will be able to deduct related



expenses at a rate of 30% of their accounting profit, up to a limit of 2,000,000 DA;

- **In 2024**, the protection of startups' work received particular attention from the government. Reduced fees are now in place to protect their patents, industrial designs, etc.;
- **In 2025**, tax legislation also introduced tax exemptions for real estate acquisitions by startups to ensure their growth and sustainability.

Given the above, it is very clear that the government's tax policy is working to provide a favorable ecosystem for startups by reducing initial risks. While the institutional framework is certainly supportive, some aspects of economic life still need improvement.

Indeed, certain shortcomings need to be addressed, such as the lack of:

- facilitation for international expansion;
- support for mass investment through the promotion of crowdfunding, business angels, etc.;
- a one-stop shop for simplifying and digitizing the startup creation and support process;
- an entrepreneurial culture and the disconnect between universities and the economic sphere (lack of partnerships for targeted research tailored to the needs of Algerian businesses).

Despite these shortcomings, the emergence of startups has nevertheless experienced more or less acceptable growth, as illustrated in Table 4, where the number of startups created since the decree establishing the label has been increasing.

Table 4. Startups created in Algeria since the promulgation of the label in 2020.

Year	2020	2021	2022	2023	2024	2025
Number of startups created	47	50	830	1050	2300	6000

Source: authors, following the official communication from the minister in charge of startups, www.aps.dz; accessed 07/07/2025.

The institutional, legislative, and regulatory framework for startups has undeniably encouraged the certification of innovative companies in Algeria. However, despite the growth in the number of startups created, this framework remains insufficient for these entities to become a true driving force for the Algerian economy. Comparing

this context with other countries can help identify shortcomings and areas for improvement; this is the objective of the fourth point of this presentation.

3. Benchmarking International Practices and Areas for Improvement

For the benchmark to be more relevant, choosing a country whose economic model is similar to Algeria's will highlight potential differences. The study of this country will help refine the country's strategic vision and provide valuable lessons learned for policymakers. Table 5 presents the various incentives granted to Tunisian startups since the enactment of Law 2018-20 of April 17, 2018, concerning startups. The establishment of the label was implemented two years earlier than in Algeria, giving Tunisia an average experience period of seven years (République tunisienne, 2025). Furthermore, this comparison will highlight the major differences between the Algerian and Tunisian systems.

Table 5. Comparison of incentive measures for Algerian and Tunisian startups.

Tunisia	Algeria
Promulgation of startup status in 2018.	Promulgation of the startup label in 2020.
Commitment to achieving growth objectives by startups.	No commitment.
Allocation of paid leave for startup creation.	Possibility of granting civil servants a one-year leave of absence.
Allocation of financial aid for startups.	Creation of a Special Account (CAS) for startup financing.
Maintained eligibility for employment programs for new graduates creating startups.	No measures in this regard.
Coverage of intellectual property protection costs.	Implementation of a tax for the benefit of INAPI (National Institute of Industrial Property) to ensure the intellectual property protection of startups.
Exemption from corporate tax for the duration of the label.	Exemption from corporate income tax (IBS), personal income tax (IRG), VAT, and single tax (IFU).
Exemption from capital gains tax on the sale of shares.	Exemption from transfer taxes for real estate acquisitions.
Creation of a guarantee fund for cases of amicable liquidation.	No measures in this regard.

Source : Authors.



The benchmark established on the startup development strategies of the two neighboring countries provides insight into the public policies of each state regarding the approach taken to support startup expansion (Deira, 2022). The Algerian approach:

- is structured around a horizontal institutional vision. The emphasis is placed on granting tax incentives during the startup phase, with encouragement of private financing;
- remains static despite the efforts deployed, with a lack of performance-based management requirements, unlike the case in Tunisia, which distances startups from a culture of accountability for results and the obligation to grow and innovate;
- operates within a precarious administrative and legal framework that does not match the speed and efficiency of the modernized one-stop-shop systems adopted in Tunisia;
- is distinguished by the absence of support mechanisms for startups in case of failure, similar to the policy pursued by Tunisia;
- despite the implementation of a tax system reserved for startups, which is certainly more attractive, but does not in itself constitute the determining variable of the entrepreneurial equation.
- Therefore, it would be preferable to develop the ecosystem to enhance its operability and support, encompassing the entire entrepreneurial value chain. Government policy should be based on an economic model that fosters integration between startups and leading companies. Within this framework, startups would act as innovative intermediaries, facilitating the interconnection of different production sectors. The resulting innovation would constitute a strategic lever for competitiveness, offering partner companies sustainable competitive advantages and, consequently, opening up broader access to international markets.

4. Conclusion

Like other developing countries, Algeria has focused its post rentierist policies and vision on launching and encouraging small and medium-sized enterprises (SMEs). The institutionalization of the

"startup" label reflects the State's commitment and expresses the policy undertaken in this area. Indeed, public policy, through incentive-based tax policies, plays a crucial and fundamental role in the initial phase of these entities.

This conclusion confirms our research hypothesis, which states that the State, through its public institutions, is committed to promoting innovative entrepreneurship by implementing incentive-based legislative and regulatory measures. These measures are part of a strategy to promote and expand startups and answer our main research question: the State contributes to the promotion and expansion of startups.

However, this approach, while providing incentives, remains incomplete and requires genuine support through the strengthening of the entire entrepreneurial ecosystem. It is therefore imperative to move beyond a purely tax-incentivized approach to building a coherent and sustainable environment.

This implies improved inter-institutional coordination, simplified procedures, the integration of universities into the entrepreneurial dynamic, the promotion of alternative financing (business angels, crowdfunding), and the establishment of a results-oriented and performance-driven management culture.

The Tunisian experience shows that comprehensive, flexible, and well-structured support maximizes the impact of public policies. In the future, for startups to become a true driver of economic transformation in Algeria, it is essential to foster an open, agile, and resilient ecosystem capable of supporting innovation, tolerating failure, and encouraging large-scale risk-taking.

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