

Reading of the Texts of Law 24/02 Dated February 26, 2024, Related to Counterfeit and the Use of Counterfeit

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Abstract: Forgery crimes rank among the most severe offenses confronting nations and societies today, primarily due to their detrimental effects on transactions and the erosion of trust between individuals. This is particularly significant in light of the growing importance of written documents, which serve as official instruments issued by the state or as private documents prepared by individuals to verify and safeguard rights and legal status. In response to this pressing issue, the Algerian legislator, through Law No. 24/02 on the combat against forgery and the use of forged documents, endeavored to tackle this phenomenon by criminalizing all forms and manifestations of falsifying and distorting the truth. These acts undermine state interests, infringe upon legal rights, and threaten individual legal status. The law stipulates punitive measures for offenders and seeks to intensify penalties for certain crimes owing to their grave nature. Moreover, the law incorporates procedural provisions designed to uncover these crimes and apprehend perpetrators, particularly in the domain of information technology. This area of crime is characterized by technical aspects that distinguish it from traditional offenses, which were generally easier to detect and track. Additionally, the law establishes preventive measures aimed at deterring the occurrence of such crimes.

Keywords: Forgery, Forms of Forgery, Procedural Rules.

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Introduction:

The Algerian legislator, similar to many other legal systems, has made concerted efforts to combat acts that undermine public trust. Among these, forgery is one of the most critical issues addressed by penal legislation worldwide, given its harmful effects on public confidence. This issue has become even more pronounced with the increasing role of written documents in transactions, both between the state and its citizens and among individuals. The importance of these documents has led legal systems to define any alteration of their content as forgery, recognizing that such actions conceal or distort the truth, thereby jeopardizing the state's interests and violating the legal status of individuals. Such acts infringe upon personal rights and, consequently, require robust legal responses.

In this context, the Algerian legislator has sought to address these crimes through Law No. 24/02, which pertains to the combat against forgery and the use of counterfeit documents. This law criminalizes various forms of forgery and establishes punitive sanctions to safeguard public trust and protect individuals' legal rights. The law aims to ensure that the penalties for specific crimes are proportionate to their severity. Furthermore, the law outlines procedural rules to detect and investigate these offenses, particularly in the field of information technology, where the technical nature of such crimes differentiates them from traditional offenses. In addition to punitive measures, the law also provides precautionary strategies to prevent the occurrence of forgery.

Forgery refers to the alteration or concealment of the truth in a document by any means, whether through speech or writing. It is a material act and a form of deception carried out by an individual with criminal intent, characterized by conscious and deliberate action to commit the offense. The penalty for forgery varies depending on the harm caused and the criminal intent of the perpetrator.

A document is defined as any written or electronic material that identifies the person who issued it and contains an expression of intent or a factual statement that creates, modifies, or terminates a legal status, or proves it, whether the document was originally prepared for that purpose or resulted from legal necessity. Forgery specifically refers to the alteration of the truth in currency, banknotes, or bonds that were originally valid. Some common forms of forgery include altering marks, drawings, or numbers on currency or financial documents. Forgery is typically associated with paper currency, bonds, official and private documents, and commercial papers.

From this definition, it is evident that forgery involves the manipulation of any document, whether financial papers or bonds, by changing signatures, dates, or through imitation. In essence, forgery is the act of concealing the truth using any means—whether through speech or writing—with the intent to alter the truth for the benefit of the forger and to the detriment of others.

Forgery crimes are outlined in Chapter Seven, titled "Forgery Crimes," which the legislator divides into four categories: crimes related to the forgery of currency or anything related to it, crimes involving the forgery of state seals, stamps, and marks, crimes related to the forgery of documents, and the crime of perjury, impersonation of positions or titles, or the abuse of such impersonations.

This framework prompts an examination of the provisions of Law 24/02, which is designed to combat forgery and the use of counterfeit documents. The focus is to assess whether

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the legislator has comprehensively addressed all forms of forgery, as well as the precautionary and procedural measures incorporated to tackle these crimes. Furthermore, it is important to consider the severe punitive sanctions imposed to punish the perpetrators of such crimes. This leads to the central question:

Did the Algerian legislator succeed in addressing forgery crimes through Law 24/02, and does it cover all forms of forgery, including the precautionary and procedural measures provided in the law?

To explore this question, the descriptive-analytical method has been adopted, aiming to shed light on the provisions of this law and to critically analyze them.

Chapter 1: The Crime of Forgery in Documents and Records

Documents of all types, whether official, public, or private, and in written or electronic form—are considered highly susceptible to forgery. Therefore, this chapter will address, in the first section, the concept of forgery and its elements, and in the second section, the forgery of official and public documents, as well as other records.

Section 1: The Concept of Forgery

The Algerian legislator, like other legal systems, has not provided a specific definition of forgery, leaving this task to legal scholars and judicial interpretations. Upon examining the term "forgery" linguistically, it is understood to mean falsification or deceit. The term is used when an individual manipulates something in a manner that would increase its likelihood of being accepted by the observer.¹

Subsection 1: Definition of Forgery

Legal scholars have made various attempts to define the concept of forgery. Garson defines forgery as: "The alteration of the truth with the intent to deceive in a document through one of the methods specified by law, an alteration likely to cause harm."

Garou, in contrast, defines it as: "Forgery consists of altering the truth with the intent to deceive in a document, which changes the original content of the document and is likely to cause harm."²

Guan's definition is: "Forgery, as a crime, involves falsifying the truth in a document in a way that causes harm, occurring through one of the methods prescribed by law."³

According to these definitions, forgery is understood as the alteration of the truth with the intent to deceive, employing one of the legally specified methods, and resulting in harm—

¹ Meki Dardous, *Special Criminal Law in Algerian Legislation*, Vol. 2, University Publications House, Algeria, n.d., p. 65.

² Abdelmalek Jandi, *The Criminal Encyclopedia*, Vol. 2, Dar Ihya' al-Turath al-'Arabī, Beirut, Lebanon, 1931, p. 361.

³ Meki Dardous, *Op. cit.*, p. 65.

whether immediate or potential. For the crime of forgery to occur, both the material and mental elements must be present. These elements are:

- The alteration: The act of changing an established truth or creating a false truth without authorization.
- The truth: What is affirmed by the concerned party, constituting the criminal act punishable by law.
- The document or record, the object of the forgery.
- The methods of forgery.
- The harm.

Subsection 2: Elements of the Forgery Crime

First – The Material Element of the Forgery Crime

The material element of forgery is represented by the alteration of the truth through one of the methods or means defined by law. For this element to exist, there must be a subject or object upon which the truth can be altered, and a criminal activity that involves changing the truth in one of the methods defined by law. The criminal result is inherently linked to this activity, thereby establishing a causal relationship.

For the material element of forgery to apply to documents, the alteration of the truth must occur in a document that constitutes evidence. This includes official, public, private, and commercial documents, as well as certain administrative records and certificates. Forgery can only be considered a crime if the truth is altered through speech or action in a document that is used to exercise a right or conduct a transaction.

Forgery does not constitute a crime if the truth is altered in a document that cannot be used for the exercise of a right or in the course of a transaction. Therefore, the material element of forgery in documents is the alteration of the truth using a legally prescribed method, and this alteration must result in harm or at least have the potential to cause harm.

To realize the material element of forgery in official, administrative documents, and other records, the truth must be altered in a document, as confirmed by Law No. 24/02, specifically in Articles 22 to 55. This law acknowledges the occurrence of forgery in official documents, as well as in certain administrative records, certificates, and financial and commercial bonds.⁴

From the above, it can be concluded that the material element requires the alteration of the truth, and this alteration must take place in a document, meaning that the document is the object of the crime.

⁴ Law No. 24/02, dated February 26, 2024, relating to Combating Forgery and the Use of Forged Documents, *Official Journal of the Government*, Issue 15, published on February 29, 2024, pp. 4-15.

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Second – The Mental Element

Forgery crimes are considered intentional offenses, requiring the perpetrator to possess a criminal intent, along with a specific purpose or goal related to what the perpetrator aims to achieve through the forgery.

Section 2: Forgery in Documents and Records

In this section, the issue of forgery in official and public documents, as well as in other records, will be examined.

Subsection 1: Forgery in Official and Public Documents

The legislator has addressed these crimes in Articles 31 and 32 of Law 24/02 regarding forgery.

First: The Material Element in the Crime of Forging Official Documents

As previously mentioned, for the crime of forgery in official documents to occur, the object of the forgery must specifically be an official document, and not any other type of document.

1- Official Document:

Article 03 of Law 24/02 defines an official document based on general principles as follows:

"An official document is any document in which an employee, a public officer, or a person tasked with a public service records what has been done in their presence or what has been received from the concerned parties, in accordance with legal forms and within the scope of their authority and jurisdiction, and any document to which the law grants this form."⁵

This definition is consistent with the Civil Code, which broadly defines an official contract to encompass both public and official documents without distinguishing between them. Article 324 of the Algerian Civil Code defines it as: "An official contract is a contract in which an employee, a public officer, or a person tasked with a public service records what has been done in their presence or what has been received from the concerned parties, in accordance with legal forms and within the scope of their authority and jurisdiction."⁶

In general, an official document is any document issued by an employee or a person tasked with a public service within the scope of their authority, which they endorse, thereby giving it an official status.

From the text of this article, it can be inferred that the essential elements of an official document, which is the subject of forgery, include:

⁵ Law 24/02, *Op. cit.*, p. 5.

⁶ Order 75-58, dated September 26, 1975, containing the Civil Code.

• **Issuance by a public employee, public officer, or person tasked with a public service:**

For a document to be classified as official, it must be issued by one of the individuals mentioned above. However, the legislator does not provide a specific definition for these individuals in this law, in contrast to Law 06-01 on the fight against corruption, which offers a broader definition of a public employee. This is in alignment with the provisions of Ordinance 06-03, dated July 15, 2006, containing the Civil Service Act. Article 2 of this ordinance states:⁷ "This basic law applies to public employees who carry out their activities in public institutions and administrations."

As a result, this ordinance restricts the category of public employees to those affiliated with public institutions and administrations, excluding categories such as judges, military and civilian defense employees, and parliamentary staff.

Furthermore, Article 4, paragraph 1, specifies: "Any agent appointed to a permanent public position and officially assigned a rank in the administrative scale is considered a public employee."

These two articles make it clear that the legislator has not provided a definition for "public employee" but has instead limited the scope of the law to individuals subject to it, along with the necessary conditions to qualify as a public employee under this ordinance.⁸

From this, it is evident that the legislator has established four conditions for someone to acquire the status of a public employee, which include:

• **Appointment:** Appointment refers to the decision or resolution issued by the public administration, which involves assigning an agent to a specific position or rank as a probationary employee. This can only be done following certain procedures established in the relevant decrees governing the recruitment process, whether through internal promotion based on qualifications or external recruitment via exams or tests.

• **Appointment within a public administration or institution:** Public administrations and institutions include central state administrations, their decentralized branches, local communities, public institutions with an administrative function, as well as scientific, cultural, and professional public institutions, and institutions of a scientific and technological nature. Any institution whose employees are subject to the provisions of this fundamental law is also included.⁹

• **The appointment must be for a permanent position:** This refers to the organizational relationship between the public employee and the administration they belong to, which is not

⁷ Order 06/03, dated July 15, 2006, containing the General Public Service Law, *Official Journal of the Government*, Issue 46, dated July 16, 2006, p. 3.

⁸ André de Laubadère and Yves Gaudemet, *Treatise on Administrative Law, Vol. 5, Public Service, 11th Edition*, General Legal and Jurisprudence Publishing, Paris, 1998, pp. 29-30. "The present title applies to individuals who are governed by the provisions of Title 1 of the General Statute, appointed to a permanent full-time position and confirmed in a grade within the hierarchy of the central state administrations, its external services, or state public institutions."

⁹ Nourddine Soudani, *The Public Employee and His Relationship with the Administration in Algerian Public Service Law*, *Journal of Law and Human Sciences*, University of August 20, 1955, Skikda, Vol. 15, Issue 01, 2022, p. 988.

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contractual but governed by the regulations and bylaws that organize the public service sector. This relationship is permanent and can only be terminated for reasons defined by law¹⁰. Once appointed to a position, a public employee must dedicate their full time and effort to performing their duties and is prohibited from engaging in any other profitable activities, except as permitted by law.

• **Confirmation in a rank on the administrative scale:** Confirmation refers to the procedure used by the relevant administration to formally establish a probationary employee in a position after successfully completing the probation period. This procedure involves a decision or resolution from the appointing authority, following approval from the equal members committee, and the successful completion of the probation period, which is legally set at one (1) year from the date of appointment¹¹. Thus, Article 4 of Ordinance 06/03 establishes that acquiring the status of a public employee is contingent upon confirmation. Probationary employees who have not been confirmed do not acquire public employee status, even if they meet other conditions, such as being appointed to a permanent position and working in public service.

Public officers are regulated under specific laws. These individuals have been granted this title by the legislator and have been delegated part of the state's authority in specific fields. Documents issued by them are stamped with an official seal. Public officers include notaries, judicial officers, public auctioneers, official translators, and civil status officers. Public service personnel are private individuals who contribute to the management of certain public facilities.¹²

a) **The employee must be specialized in drafting the document.**

b) **Adherence to the legal conditions for drafting the official document.**

2. Methods of Forgery:

Articles 31 and 32 of Law 24/02 define the methods of forgery, or the alteration of truth, with respect to official and public documents, as outlined in Article 31:

- Imitating or falsifying handwriting or signatures.
- Fabricating agreements, texts, obligations, or receipts, or inserting them into these documents after the fact.
- Adding, omitting, or falsifying terms, declarations, or events that the documents were intended to receive or prove.

¹⁰ Mohamed Anas Kasim, *Notes on Public Service*, University Publications House, Algeria, 1982, p. 5.

¹¹ Ahcen Belourna, *Public Service in Algerian Legislation: Between Theory and Practice*, Dar Hammouma for Printing, Publishing, and Distribution, Algeria, 2019, p. 67.

¹² Zahra Ben Abd Elkader, *The Material Element in the Crime of Forgery in Official Documents – The Issue of Applying Legal Provisions*, *Journal of Law and Political Sciences*, University of Khenchela, Vol. 8, Issue 01, 2021, p. 131.

- Impersonating someone else or assuming their identity.¹³

Article 32 stipulates that any judge, employee, or public officer who intentionally commits forgery in public or official documents during the course of their duties is guilty of:

- Placing forged signatures.
- Making alterations to documents, writings, or signatures.
- Impersonating someone else or assuming their identity.
- Writing in registers or other public documents, or altering them after completion or closure.¹⁴

3- The Damage:

Damage is a fundamental element in the crime of forgery. The material element of the forgery crime is absent if no damage results from it, as indicated by Article 03 of Law 24-02. This article defines forgery as any alteration of the truth through deception in one of the documents or records specified in the law, by any means that may cause harm. The term "damage" in the context of the material element of the forgery crime refers to the actual, direct harm intended by the perpetrator to affect a legally protected interest or to violate the rights of others as a result of altering the truth.¹⁵

Second: The Mental Element of the Forgery Crime

1. General Criminal Intent

General intent is based on knowledge and will. It requires the perpetrator to be aware of the existence of all the elements of forgery and to have the intention to engage in the criminal activity and its resulting consequences. Specifically, the perpetrator must know that they are altering the truth in a document in one of the methods prescribed by law, and they must also be aware that this alteration will either cause harm to others or have the potential to do so.¹⁶

2. Specific Criminal Intent

In addition to general intent, the crime of forgery also requires the presence of specific intent, which refers to a particular purpose. This specific intent is required for both material and moral forgery. The nature of the intent does not change depending on the method by which the forgery is committed. Legal scholars have debated the precise nature of the specific intent in forgery crimes. Some contend that it is "the intent to harm others" or "the intent to deceive."

However, the prevailing view in legal doctrine is that specific intent is defined by the goal of the perpetrator in committing the forgery, which is to use the forged document for the purpose

¹³ Law 24/02 related to Combating Forgery and the Use of Forged Documents, *Op. cit.*, p. 8.

¹⁴ *Ibid*, p. 8.

¹⁵ Raouf Obeid, *Crimes of Counterfeiting and Forgery*, Nahda New Printing Press, Cairo, 3rd Edition, 1978, p. 84.

¹⁶ Abdallah Al-Chadli Fattouh, *Explanation of the Algerian Penal Code*, General Part, University Publications House, 1997, p. 474.

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for which the truth was altered. It is not necessary for the forged document to be actually used; the intent is determined by the perpetrator's goal at the time of altering the truth.

Subsection 2: Forgery in Commercial, Banking, or Private Documents

This issue is addressed by the legislator in Articles 35 to 37 of Law 24/02, which replaced Articles 219 and 220 of the now-repealed Penal Code. These articles stipulate that forgery in commercial, banking, or private documents is committed in the same manner as in official and administrative documents, as outlined in Article 31 of this law. Forgery may occur in commercial or banking documents or in private documents.

Commercial and banking documents refer to negotiable instruments, promissory notes, bills of exchange, and trade ledgers. Private documents, on the other hand, refer to any documents that are not classified as public, official, commercial, or banking documents.

First: Forgery in Administrative Documents and Certificates

According to this law, particularly Article 03, a document refers to communications, records, and documents, including historical documents, created or obtained by the state, its institutions, legislative, judicial, and executive bodies, public administrations, local communities, and any institution fully or partially owned by the state, or any institution providing a public service, during the exercise of its activities. This also includes documents issued by legal entities under private law or by foreign states or international or regional organizations.

1. Forgery in Administrative Documents:

The legislator addresses these crimes in Articles 22 to 30 of Law 24/02, where the legislator discusses the documents that are subject to forgery in administrative documents and certificates. In addition to the common elements of all forms of forgery, such as the alteration of the truth, harm, and the mental element, the forgery must occur in a document issued by a public administration or institution. Forgery must also occur using one of the clear methods outlined in Article 22 of Law 24/02, which include the following:

- **Licenses:** For example, driver's licenses, fishing licenses.
- **Certificates:** This refers to any documents issued by public administrations, through which they affirm or prove a status, right, or grant permission, except for statements issued by doctors or midwives, which are specifically addressed in Article 26 of the same law.
- **Books and Cards:** These include, for example, family books, national identity cards, professional cards, residence cards, vehicle registration cards, etc.
- **Bulletins, Receipts, Service Orders, Mission Orders, Travel Documents, Identity Documents, Passes, Residence Documents, and Similar Records.**¹⁷

¹⁷ Ahcen Bousguia, *Concise Special Criminal Law*, Vol. 2, 23rd Edition, Dar Balqis, Algeria, 2024, pp. 446-447.

2- Forgery of Certificates

The legislator addresses the forgery of certificates in Articles 24 to 30, which includes several forms:

- Forging medical certificates, such as sickness or disability certificates, in the name of a doctor, dentist, or midwife, with the intention of exempting oneself or others from obligations such as national service.
- Room renters and hotel owners who intentionally register false or impersonated names in their records for guests, or deliberately omit their registration in collusion with the guests.

Article 26 specifically addresses forgery committed by doctors, dentists, and midwives who provide false declarations while performing their duties, favoring others by falsely declaring or concealing a disease, disability, or cause of death.

Chapter 2: Other Forms of Forgery Crimes and Procedural and Precautionary Rules

In this chapter, the remaining forms of forgery crimes addressed by the legislator in Law 24/02 are discussed in the first section, followed by the procedural and precautionary rules and penalties for all crimes specified in this law in the second section.

Section 1: Other Forms of Forgery Crimes

This section focuses on the remaining forms of forgery crimes.

Subsection 1: Forgery to Obtain Public Aid, Subsidies, and Exemptions

This issue is addressed in Article 38 of the law, which refers to any false declaration, alteration of the truth, or use of false or incomplete personal or non-personal information, with the intent to obtain financial, material, or in-kind aid or exemptions. This includes acquiring housing or property from the state, local communities, or any other public body, or obtaining social exemptions, grants, or other advantages. The crime is further detailed in Articles 38 to 43 of the law.

Forms of this crime include:

- Obtaining public aid, subsidies, or exemptions through deception.
- Continuing to benefit from public aid, subsidies, or exemptions after the grounds for receiving them have ceased.
- Diverting aid or assistance.
- A public employee facilitating or assisting others in obtaining public aid, subsidies, or exemptions without justification.

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- Presenting forged or incorrect documents to obtain tax benefits.¹⁸

Subsection 2: Imitation of Seals, Stamps, and Marks

This refers to the imitation or forgery of the state seal or the use of a forged state seal, as well as the imitation or forgery of national stamps or official hammers used in forest markings, and the marks used to stamp gold or silver materials. The use of forged or imitated stamps, papers, hammers, or marks, with the knowledge of their falsity, is also addressed in Articles 49 to 55 of the law. These crimes are defined by both the material and mental elements.

The material element of these crimes consists of two parts: the imitation or use of a forged object and the object itself. Imitation involves creating a false object that closely resembles the original, enabling it to be used or dealt with. The object of the crime includes seals, stamps, marks, and other items mentioned in the aforementioned articles.

The mental element is characterized by criminal intent, where the perpetrator's will is directed toward using the imitated object to harm the state, with full knowledge that the item being used is forged and not authentic.¹⁹

Subsection 3: Perjury and False Oaths

First: Perjury

Perjury refers to any witness providing false testimony—lying—in criminal, misdemeanor, or civil cases, or in administrative proceedings, whether compensated or not. It involves altering the truth by testifying falsely before judicial authorities, regardless of whether the testimony is given for compensation. It is important to note that testimony provided by a witness, which contradicts the truth in a criminal case concerning a civil claim before the court, is also considered perjury, as stated in Articles 56 to 59 of the law.

The material element of this crime involves a witness testifying before the court after taking an oath, and then providing false or incorrect information that cannot be retracted, or presenting something untrue as if it were the truth, potentially causing harm to one of the parties in the case.

The mental element involves the presence of criminal intent to falsify the truth with malicious intent, as previously discussed.

Second: False Oaths

This is addressed in Article 62 of Law 24/02,²⁰ which replaced Article 240 of the now-repealed Penal Code. For this crime to occur, both its material and mental elements must be present.

The material element of this crime consists of two components: the oath and the lie. The oath refers to the judicial oath taken during civil or administrative proceedings, irrespective of the

¹⁸ Law 24/02, *Op. cit.*, pp. 9-10.

¹⁹ *Ibid*, p. 421.

²⁰ Law 24/02, *Op. cit.*, p. 12.

judicial body, whether courts or councils. The oath may be directed to the perpetrator or made in response to them. The second element is the lie, meaning that the oath taken by the perpetrator is false.

The mental element is represented by the perpetrator's criminal intent, knowing that what they affirmed after taking the oath is untrue.

Impersonating Jobs, Titles, or Names, or Misusing Them

This refers to any individual who impersonates someone else's position or name, intervenes in public, civil, or military duties, or performs any of these duties, or uses a title associated with a legally regulated profession, public certificate, or a title determined by public authority, or claims such things for themselves without meeting the required conditions for holding them. It also refers to publicly wearing clothing similar to that of the National People's Army, the gendarmerie, police, customs, forest services, civil protection, or judicial officers, which could create confusion among the public. This is addressed in Articles 63 to 70 of this law.

Forms of the Crime:

This crime takes four forms:

- **Impersonation of a Position:** This is stipulated in Article 63, which replaces Article 242 of the repealed Penal Code. For this crime to occur, both the material and mental elements must be present.

The material element involves the perpetrator intervening in a public, civil, or military position or performing duties associated with such a position. It must involve either a civil or military position, and the perpetrator must carry out tasks that are not assigned to them. The mental element of this crime is the malicious intent of the perpetrator, with the knowledge that the act performed is not their responsibility.

- **Impersonation of Titles.**

- **Impersonation of a Name.**

- **Impersonation of Symbols Reserved for Public Authorities.**

Section 2: Penalties for Forgery Crimes and Procedural Rules for Detection

Subsection 1: Procedural Rules and Precautionary Measures

The legislator has outlined these procedural rules in Articles 12 to 21. Under Article 14, the legislator grants the public prosecution the authority to initiate public legal proceedings automatically. Additionally, for the crimes specified in this law, special investigative techniques provided by the applicable Criminal Procedure Code may be employed. These techniques include surveillance and the interception of communications.

The competent judicial authorities, either on their own initiative or upon request from a judicial police officer and under their supervision, may order electronic searches, even remotely, of an information system or part of it, as well as data stored within it or in other information storage systems. The search shall conclude once the electronic evidence of the crime has been

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obtained. Moreover, it is permissible to employ any person who is familiar with the system being searched or examined.

Service providers must also assist these authorities and maintain the confidentiality of the operations they carry out on behalf of the competent authorities. They are subject to penalties for disclosing investigative secrets, in accordance with Law 09/04, dated August 5, 2009, which contains provisions for the prevention and combat of crimes related to information and communication technologies.²¹

The legislator has also introduced a set of precautionary measures aimed at reducing forgery crimes. These measures include:

- The need for cooperation between state bodies responsible for oversight, with the direct exchange of information either directly or through a dedicated digital platform.
- Ensuring the security of documents and records by implementing technical specifications that are difficult to forge and establishing access control mechanisms for databases.
- Adopting vigilance mechanisms, alert systems, and early detection methods, as well as establishing systems for monitoring documents and records, and developing techniques to identify forgery.
- Implementing systems to monitor and track the destination of aid.
- Promoting the use of electronic signatures and certifications.²²

Subsection 2: Penalties for Crimes Specified in This Law

1. Penalties for Forgery of Administrative Documents and Certificates

Crime + Criminalization Text	Penalty
Imitating and forging licenses, certificates, books, cards, bulletins, receipts, service orders, travel documents, etc. (Article 22)	Imprisonment from 5 to 7 years and a fine from 500,000 DZD to 700,000 DZD
Obtaining a right from one of the documents specified in Article 22 based on false declarations (Article 23/1)	Imprisonment from 3 to 5 years and a fine from 300,000 to 500,000 DZD
An employee who issues or orders the issuance of one of the documents specified in Article 22 to a person knowing they are not entitled to it (Article 23/2)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD

²¹ Law 09/04, dated August 5, 2009, containing special provisions for the prevention of crimes related to information and communication technologies and their combat, *Official Journal of the Government*, Issue 47, dated August 16, 2009, p. 7.

²² Law 24/02, *Op. cit.*, p. 6.

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Issuing a false statement or certificate confirming materially incorrect facts (Article 34/1)	Imprisonment from 3 to 5 years and a fine from 300,000 to 500,000 DZD
Forging or altering a valid certificate (Article 34/2)	Imprisonment from 3 to 5 years and a fine from 300,000 to 500,000 DZD
Fabricating a medical certificate in the name of a doctor, dentist, or midwife (Article 25/1)	Imprisonment from 1 to 3 years and a fine from 100,000 to 300,000 DZD
Any doctor, dentist, or midwife who falsely claims, during the performance of their duties and to favor someone, the existence or concealment of a disease, disability, or the cause of death (Article 26)	Imprisonment from 3 to 5 years and a fine from 300,000 to 500,000 DZD
Issuing a certificate of good conduct, need, or other false declarations in the name of public employees or officers to obtain assistance, employment, or benefits (Article 27)	Imprisonment from 3 to 7 years and a fine from 300,000 to 700,000 DZD
Committing fraud while executing national or local government budgets (Article 28)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD
Imitating, forging, or falsifying certificates, cards, mission orders, and other documents issued by public administrations or private natural and legal persons, or facilitating this (Article 30)	Imprisonment from 1 to 3 years and a fine from 100,000 to 300,000 DZD

2. Penalties for Forgery of Public or Official Documents

Crime + Criminalization Text	Penalty
Forgery in public or official documents, either by imitating or falsifying writing or signatures, fabricating agreements, texts, obligations, or receipts, or adding or omitting terms, declarations, or events intended to be included in these documents, or impersonating someone else or assuming their identity (except for those specified in Article 32) (Article 31)	Imprisonment from 10 to 20 years and a fine from 1,000,000 to 2,000,000 DZD
Any judge, employee, or public officer who intentionally commits forgery in public or official documents during the performance of their duties, by placing forged signatures, altering documents, writings, or signatures, impersonating someone else or assuming their identity, writing in records or other public documents, or altering them after completion or closure (Article 32)	Imprisonment from 20 to 30 years
Any person who is not a party to the document and provides a statement before a public officer or employee knowing it is false (Article 33)	Imprisonment from 1 to 5 years and a fine from 100,000 to 500,000 DZD
In cases specified in this section, any person who uses a document knowing it is forged (Article 34)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD

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3. Forgery in Private, Commercial, or Banking Documents

Crime + Criminalization Text	Penalty
Forgery using one of the methods specified in Article 31 in commercial, banking, or financial documents, or issuing an invoice that proves materially false facts (Article 35/1)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD
The penalty is increased if the perpetrator is a banker, company director, or any person who approaches the public for issuing shares, bonds, certificates, or any other securities, whether for a company or commercial or industrial project (Article 35/3)	Imprisonment from 7 to 12 years and a fine from 700,000 to 1,200,000 DZD
Forgery using one of the methods specified in Article 31 in private documents (Article 36)	Imprisonment from 1 to 5 years and a fine from 100,000 to 500,000 DZD
Forgery or falsification of a cheque or accepting a forged cheque with knowledge of its falsity (Article 37/1) Forgery or falsification of any other payment method or accepting its receipt with knowledge it is forged or falsified (Article 37/2)	Imprisonment from 2 to 10 years and a fine equal to the value of the cheque or the shortfall in the balance Imprisonment from 2 to 10 years and a fine from 200,000 to 1,000,000 DZD

4. Forgery to Obtain Public Aid, Subsidies, and Exemptions

Crime + Criminalization Text	Penalty
Obtaining financial, material, or in-kind aid (housing, property), or obtaining exemptions in the social field, grants, or advantages of any kind through false declarations, or using incomplete or false information, and anyone who continues to receive such aid after no longer being entitled to it (Article 38)	Imprisonment from 3 to 5 years and a fine from 300,000 to 500,000 DZD
Committing the crime specified in Article 38 by forging residence, housing, tax, health documents, or certificates of poverty or aid, and other documents that allow the acquisition of assistance (Article 39)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD
Diverting the direction of aid, subsidies, grants, or advantages specified in this section (Article 40)	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD
Presenting forged or false documents to reduce taxes, fees, or obtain tax exemptions or benefits, or for VAT refund purposes (Article 41)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD
A public employee facilitating or assisting any person in obtaining aid, subsidies, exemptions, grants, or advantages mentioned in this section without justification (Article 43/1)	Imprisonment from 5 to 7 years and a fine from 500,000 to 700,000 DZD
The penalty is increased if the employee facilitates or assists in forging documents specified in Article 39 (Article 43/2)	Imprisonment from 8 to 12 years and a fine from 800,000 to 1,200,000 DZD

5. Forgery of Currency and Securities

Crime + Criminalization Text	Penalty
Imitating metallic or paper currency with legal tender in the national territory or abroad, or digital currency with legal tender in the national territory, or bonds, certificates, or shares issued by the public treasury, and anyone who intentionally participates by any means in its issuance, distribution, sale, or entry into the national territory (Article 44/1)	Life imprisonment
If the value of the money, bonds, digital currency, certificates, or shares is less than 1,000,000 DZD, the penalty is reduced (Article 44/2)	Imprisonment from 10 to 20 years and a fine from 1,000,000 to 2,000,000 DZD
Coloring legal tender currency in the national territory or abroad to mislead the type of metal or issuing such colored currency or introducing it into the territory (Article 45)	Imprisonment from 6 months to 3 years and a fine from 60,000 to 300,000 DZD
Making, issuing, distributing, or selling counterfeit banknotes with the intent to replace them with legal tender currency, or using them as such (Article 47)	Imprisonment from 3 to 5 years and a fine from 300,000 to 500,000 DZD
Making or obtaining, possessing, or holding materials or tools intended to produce, imitate, or forge money or public loan bonds, or keeping or disposing of them (Article 48)	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD

6. Imitating Seals, Stamps, and Marks

Crime + Criminalization Text	Penalty
Imitating the state seal or using a forged state seal with knowledge of its falsity (Article 49)	Life imprisonment
Imitating or forging national stamps or the state hammer used in forest markings, or the stamp used to mark gold and silver items, or using them with knowledge of their falsity (Article 50)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD
Obtaining, without justification, valid stamps, hammers, or marks and using them in a manner harmful to the rights and interests of the state (Article 50)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD
Making a seal, stamp, or mark of the state or any authority without authorization (Article 51)	Imprisonment from 7 to 12 years and a fine from 700,000 to 1,200,000 DZD
Making, possessing, distributing, buying, or selling a stamp, seal, or mark (Article 51)	Imprisonment from 7 to 12 years and a fine from 700,000 to 1,200,000 DZD
Making, selling, promoting, distributing, or using any items, printed materials, or models obtained or resembling all financial documents issued by the state, its institutions, companies, and associations (Article 54)	Imprisonment from 3 to 5 years and a fine from 300,000 to 500,000 DZD

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7. Perjury and False Oaths

Crime + Criminalization Text	Penalty
Perjury in criminal cases, whether against the defendant or in their favor (Article 56/1)	Imprisonment from 5 to 10 years and a fine from 500,000 to 1,000,000 DZD
If perjury is committed for financial compensation, a reward, or a promise (Article 56/2)	Imprisonment from 10 to 20 years and a fine from 1,000,000 to 2,000,000 DZD
Perjury in misdemeanor cases, whether against the defendant or in their favor (Article 57/1)	Imprisonment from 3 to 7 years and a fine from 300,000 to 700,000 DZD
The penalty is increased if this perjury was in exchange for financial compensation, a reward, or a promise	Imprisonment from 3 to 7 years and a fine from 300,000 to 700,000 DZD
Perjury in cases of violations, whether against the defendant or in their favor (Article 58)	Imprisonment from 1 to 3 years and a fine from 100,000 to 300,000 DZD
The penalty is increased if this perjury was in exchange for financial compensation, a reward, or a promise	Imprisonment from 1 to 3 years and a fine from 100,000 to 300,000 DZD
Perjury in civil and administrative matters (Article 59)	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD
The penalty is increased if this perjury was in exchange for financial compensation, a reward, or a promise	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD

8. Impersonation of Positions, Titles, Names, or Misuse of Them

Crime + Criminalization Text	Penalty
Interfering without qualification in civil or military public positions or performing duties of these positions (Article 63)	Imprisonment from 2 to 7 years and a fine from 200,000 to 700,000 DZD
Using a title related to a legally regulated profession or an official certificate, or a title for which conditions have been specified by public authorities (Article 64)	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD
Publicly wearing a uniform resembling the military, police, national gendarmerie, forestry administration, customs, prisons, or civil protection services (Article 65)	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD
Any person who impersonates, either in an official document or in an administrative record prepared for submission to the public authorities, a title or a rank that is not theirs (Article 66)	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD
Impersonating someone else's name, leading to the registration of a judgment in the criminal record of that person (Article 67)	Imprisonment from 1 to 5 years and a fine from 100,000 to 500,000 DZD

Claiming to be related to a person with a rank and/or position mentioned in this section in order to obtain a service or material or other benefits (Article 69)	Imprisonment from 2 to 5 years and a fine from 200,000 to 500,000 DZD
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Conclusion:

As demonstrated, the legislator, through the law addressing the combatting of forgery and the use of forged documents, has sought to address forgery in all its forms. This includes both traditional forms of forgery related to written documents and certificates, as well as newer forms, particularly those concerning electronic documents. This approach aligns with technological advancements in the field of information technology, as the legislator has introduced a set of procedural rules designed to deal with these emerging crimes.

The legislator has also addressed crimes targeting currency, money, stamps, seals, and official documents, establishing strict deterrent penalties that are proportionate to the severity of these crimes and their impact on the state's security and its credibility with citizens. Additionally, crimes that undermine trust between individuals, destabilize commercial and banking transactions, involve false declarations for obtaining public aid, and those related to impersonating titles, names, and ranks have also been tackled in this law.