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Law n° 2008-4 dated 11 February 2008, approving the convention relating to the rights of persons with disabilities and its facultative protocol (1).

In the name of the People,

The Chamber of Deputies having adopted.

The President of the Republic enacts the following law :

Single article - The convention on the rights of persons with disabilities and its facultative protocol, annexed to the law herein, adopted by the General Assembly of the United Nation Organization in New York on 13 December 2005 and entered into by the Republic of Tunisia on 30 March 2007, is ratified.

The law herein shall be published in the Official Gazette of The Republic of Tunisia and implemented as law of the state.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 5 February 2008.

Law n° 2008-5 dated 11 February 2008, approving the protocol of agreement concluded on 25 October 2007, between the government of the Republic of Tunisia and the government of the Republic of Italy, relating to the grant of a loan in favor of the small and medium -sized enterprises (1).

In the name of the People,

The Chamber of Deputies having adopted.

The President of the Republic enacts the following law :

Single article - The protocol of agreement concluded in Tunis on 25 October 2007, between the government of the Republic of Tunisia and the government of the Republic of Italy, relating to the grant of a loan in favor of the small and medium- sized enterprises, of an amount of thirty six thousand and five hundred euros, is ratified.

The law herein shall be published in the Official Gazette of The Republic of Tunisia and implemented as law of the state.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 5 February 2008.

Law n° 2008-6 dated 11 February 2008, approving the protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nation Convention against transnational organized crime (1).

In the name of the People,

The Chamber of Deputies having adopted.

The President of the Republic enacts the following law :

Single article - The protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nation Convention against transnational organized crime, annexed to the law herein, adopted in New York by the General Assembly of the United Nation Organization on 31 May 2001, and entered into by the Republic of Tunisia on 10 July 2002, is ratified.

The law herein shall be published in the Official Gazette of The Republic of Tunisia and implemented as law of the state.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 11 February 2008.

Organic law n° 2008-7 dated 11 February 2008, amending law n°72-40 dated 1st June 1972 relating to the administrative court (1).

In the name of the People,

The Chamber of Deputies and the Chamber of Advisors having adopted.

The President of the Republic enacts the following organic law :

Single article - In the end of article 19 of law n°72-40 dated 1 June 1972 relating to the administrative court, the following paragraph is added :

- the lodged appeal against the decisions of the committee general of insurances.

The organic law herein shall be published in the Official Gazette of The Republic of Tunisia and implemented as law of the state.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 22 January 2008.

Discussion and adoption by the Chamber of Advisors during its session held on 31 January 2008.

Law n° 2008-8 dated 13 February 2008, amending and completing the insurances code (1).

In the name of the People,

The Chamber of Deputies and the Chamber of Advisors having adopted.

The President of the Republic enacts the following law :

Article one - A sixth title called “the Insurances General Committee” and comprising articles from 177 to 200 is inserted to the insurances code promulgated by law n°92-24 dated 9 March 1992 :

**TITLE VI
THE INSURANCES GENERAL
COMMITTEE**

CHAPTER I

**The establishment of the Insurances
General Committee and the fixation of its
organization and missions**

Article 177 - A Committee called “The Insurances General Committee”, having a legal entity and a financial autonomy is established. Its head office is located in Tunis, subjected to the Ministry of Finance. It is indicated by “the Committee” in the articles of the code.

Article 178 - The committee is looking after the protection of the insured rights, the insurance contracts beneficiaries and the solidity of the financial basis of the insurance and reinsurance companies and its ability to meet their commitments.

Article 179 - The committee, within the frame work of the missions which are attributed to it, is charged notably of :

1- controlling the insurance and reinsurance companies and the professions linked to insurances sector and to the follow-up of their activities,

2- studying legislative, statutory and organizational issues related to the insurances and reinsurances operations and to the insurances and reinsurances companies which are submitted to it by the Minister of Finance and elaborating the related texts drafts upon his request,

3- studying technical and economic issues related to the development of insurances sector and to its organization and to the presentation of proposals, to this effect, to the Minister of Finance.

4- and generally, studying and delivering its opinion on any other issue related to its attributions.

The committee may be charged of representing the state in enterprises, committees, institutions and funds having a relation with the insurances sector.

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 22 January 2008.

Discussion and adoption by the Chamber of Advisors during its session held on 31 January 2008.

Article 180 - The committee cooperates with all the authorities charged of supervising and controlling the financial sector. For this purpose, the committee may propose the conclusion of conventions with these authorities notably on :

- the exchange of information and experiences,
- the organization of training programs,
- the achievement of joint operations of control.

The committee may within the framework of the exercise of its missions cooperate with counterpart foreign establishments and institutions confirmed or assuming equivalent attributions and conclude the conventions with them after approval of the competent authorities.

The committee can also exchange information with the authorities charged of the competition within the framework of their respective missions. The collected information are covered by the professional secrecy.

Article 181 - The committee is composed of :

- the president of the Committee,
- the college,
- the disciplinary committee,
- the technical and administrative departments of the committee.

Section 1

The college

Sub-section 1 - The college composition

Article 182 - The college is composed of the president of the committee , as a president , and of the ten following members :

- a Judge of a third degree,
- an advisor in the Administrative Court,
- an advisor in the Court of Auditors,
- a representative of the Ministry of finance,
- a representative of the Ministry of Social Affairs, Solidarity and Tunisians Abroad,
- a representative of the Central Bank of Tunisia,
- a representative of the Financial Market Council,
- three members chosen for their competences and experience in the insurances field among those who does not exercise a trade in the insurances sector. One of them is an actuary.

Article 183 - The president of the committee is appointed by decree on proposal from the Minister of Finance. He has to be competent in the economic and financial field.

The college members are appointed by decree on proposal from the Minister of Finance after a designation by the relevant structures.

The duration of the mandate of the college members is fixed to five years renewable only once.

The president and the members of the college should be of Tunisian nationality, enjoy their civil rights and meet the enumerated conditions in article 85 of the code herein.

The president and the members of the college can not participate in a direct or indirect way in the capital of a company exercising in the sector of insurance or reinsurance or in both of them at the same time.

Article 184 - The college members receive allowances fixed by decree for their functions.

Article 185 - The president of the committee carries out his duties in full time. He cannot be a member in a board of directors of an enterprise subjected to the control of the committee or its general director or its assistant general director or the president of its directory or a member of its directory.

The president of the college cannot, also, manage an enterprise subjected to the control of the committee during the three years following the end of its duties within the committee unless an authorization from the Minister of Finance.

Article 186 - The president, the college members as well as the officials and agents of the committee, have to keep the professional secrecy concerning the information that they knew during the exercise of their duties.

Sub-section 2 - Attributions and the operation of the college

Article 187 - The college is the authorized authority to accomplish the tasks of the committee. It makes the necessary decisions to reach the objectives of the committee, and notably disposes, to this effect, of the following attributions :

- fixing the general policy of the committee and fixing the plans and programs necessary to its achievement and notably those related to the organization of the control operations and its methods,
- studying legislative, statutory and organizational issues in the field of insurance and elaborating the related texts drafts upon the Minister of Finance request,
- looking after an efficient enforcement of the provisions of the insurances code and its implementing texts and putting forward the necessary regulations to this aim. The regulations shall be published in the bulletin issued by the committee,
- studying the approval requests of the insurance companies,
- granting and withdrawing the authorization of the intermediaries in insurance,
- approving the rules of ethics to be compulsorily elaborated by the professions linked to insurance,
- examining the control reports and determining the follow-up that should be given to them according to article 87 of the code herein.
- examining the requests related to the insurance services,
- following up the activity of the sector of insurances and its professions,
- elaborating the studies on the development of the insurances sector, its organization and its upgrading according to the international standards,
- fixing the organization chart of the committee in accordance with the provisions of article 190 of the code herein,
- approving the financial statements and the provisional budget of the committee,
- fixing the operations of contracting procurements in accordance with the legislation in force.

With the exclusion of the attributions mentioned in the first, seventh, twelfth and thirteenth dashes of the first paragraph of the article herein, the college may delegate some of its attributions to the president of the committee.

Article 188 - The college meet upon call of its president or by request of the half of its members each time when the

need arises or at least once every three months. The college can duly deliberate only in presence of at least seven members necessarily including the president.

In case of the president impediment, the representative of the Minister of Finance should preside the college.

The decisions of the college shall be made with the majority vote of the present members. In case of tied vote, the president has the casting vote.

In case one of the member is absent without reason during three sessions, the president of the college may ask for his replacement. The new member continues the remaining duration of the mandate according to the provisions of article 183 of the code herein.

The president of the college may invite at its meetings anyone among the professionals of insurances sector or any other person for his/her competences in the field of insurance and that he deems his/her presence as helpful. Those latter can participate in the college deliberations but they don't have a deliberative vote.

The president of the committee appoints a "rapporteur" among the officials of the committee.

The deliberations and decisions of the college are recorded in the minutes signed by the president, a member of the college and the "rapporteur" of the committee.

Article 189 - Each member who has a direct or indirect interest in a matter put into the college agenda, has to inform the president and abstain to participate in its deliberations.

The college deliberations in which a member who has taken part having direct or indirect interest in a matter, are invalid.

Article 190 - The particular status of the committee staff is fixed by decree. It may derogate from some of the provisions of law n°83-112 dated 12 December 1983, relating to the general status of the officials of the State, the local collectivities and the public establishments having an administrative nature which might be incompatible with the nature of the functions of the committee staff.

The organization chart of the committee is approved by decree.

Section 2

The Disciplinary committee

Sub-section 1 - The composition of the disciplinary committee

Article 191 - The disciplinary committee is composed of the following college members :

- a judge of a third degree : President,
- an advisor in the administrative court : member,
- a representative of the Ministry of Finance : member,
- one of the members chosen for their competence and experience in the field of insurance : member.
- a general delegate of the Professional Association of Insurance Companies or its legal representative among the employees of the aforesaid association.

The member chosen for his/her experience is appointed by the college on proposal from the president of the committee.

Sub-section 2 - The attributions and the operation of the disciplinary committee

Article 192 - The disciplinary committee rules on cases incurring sanctions according to the provisions of the code herein notably articles 61, 87, 88, 113 and 113 bis.

Article 193 - The disciplinary committee meets each time if needed upon call of its president. The calls are addressed to the members at least ten days before the date provided for the committee meeting. It can duly deliberate only in presence of all its members.

If the quorum is not reached, the committee members will be recalled for a second meeting in a deadline that does not exceed ten days as from the date of the first meeting, in this case the committee deliberates in presence of the majority of its members, on condition that its president and the general delegate of the professional association of the insurance companies or its legal representative, are present.

The disciplinary committee makes its decisions with the majority of votes. In case of a tied vote, the president has the casting vote.

No sanction can be pronounced if the concerned person or his legal representative has not been duly called to be heard. The person summoned to appear in the disciplinary committee is called at least ten days before the date provided for the committee meeting. The concerned person may obtain on his request the communication of copies of constituent documents of the file. This person may also be assisted by a lawyer. The absence of the concerned person does not prevent the disciplinary committee to rule on the file and impose a sanction.

The deliberations and decisions of the disciplinary committee are recorded in a special register, signed and preserved in the committee head office, it is signed by all the present members and by the committee "rapporteur" appointed by the president of the committee among the executives of the committee.

Article 194 - The disciplinary committee decisions are motivated and executory as from the date of their issuance. They are notified to the concerned persons by a registered letter with acknowledgement of receipt in a deadline not exceeding seven days as from the date of their issuance.

CHAPTER II

THE FINANCIAL AND ADMINISTRATIVE ORGANIZATION OF THE INSURANCES GENERAL COMMITTEE

Section 1

The technical and administrative management of the committee

Sub-section 1 - The president of the committee

Article 195 - The president ensures the technical and administrative management of the committee. At this concern, he notably exercises the following attributions :

- preparation and management of the committee annual budget,
- establishment of the financial statements of the committee and its activity report,
- proposal of the committee organization chart,
- contracting procurements in accordance with procedures provided for by article 187 of the code herein,
- achievement of purchases, exchanges and all real estate transactions which fall within in the framework of the committee activities,
- order to pay the expenditures and returns of the committee,

- representation of the committee to the third parties in all civil, administrative and judiciary acts.

The president of the committee may delegate his power of signature or a part of his attributions to the officials placed under his authority, and this, within the limits of the duties that they were entrusted with.

The president of the committee may call for Tunisian or foreign experts as for their experience and competence in order to assist to the conduct of researches, the development of studies and expertise which fall within the committee attributions, and this by the mean of contracts subject to the college approval.

Article 196 - The remuneration and advantages granted to the president of the committee are fixed by decree on a proposal from the Minister of Finance.

Sub-section 2 - The administrative and technical departments of the committee

Article 197 - The committee departments are constituted of the administrative and financial structures provided for by the organization chart mentioned in article 190 of the code herein.

The departments provide the secretariat and the follow up of the committee matters. They prepare and instruct the files, elaborate the studies and accomplish the duties which were entrusted to them by the president of the committee and by its college, in accordance with the provisions of articles 187 of the code herein. They are, in addition, charged of preserving the files, registers and documents of the committee, which are legally delivered or addressed to them.

The president has the authority on all the officials of the committee. He is charged of recruiting and appointing them to all the posts and their dismissal in accordance with the legislation in force.

Section 2

The financial organization of the insurances general committee

Article 198 - The committee resources are coming from :

- an annual royalty paid by the insurance and reinsurance companies on the basis of the turnover,
- royalties received for granting the authorization to the insurance companies and intermediaries,
- products of the sale of its assets elements,
- incomes from its properties,
- aids and donations from national and foreign organizations that the committee accepts after approval of competent authorities,
- any other endowment reserved by the state to the committee in need be.

The royalties rates and amounts as well as the methods of their collection are fixed by decree on proposal from the Minister of Finance.

Article 199 - The accounts of the committee are established according to the commercial accounting rules. The annual financial statements of the committee are subject to the annual revision of an auditor registered in the chartered accountants association of Tunisia appointed by the college for three renewable years only once.

Chapter three

Miscellaneous provisions

Article 200 - Extracts from the committee decisions are published in its bulletin each time their effects are interesting to third parties.

Art. 2 - The expression "Minister charged of Finance" is replaced by the expression "the Insurances General Committee" at the start of article 46, in paragraph 1 of article 47, in the fourth and fifth dashes of article 58, in the last paragraph of article 60, in number 1, 2 and 3 of paragraph 1 of article 61, in article 71, in paragraph 1 of article 75, in the last paragraph of article 84, in number 1 of article 87 and in paragraph 1 of article 92 of the insurances code promulgated by law n° 92-24 dated 9 March 1992.

The expression "Minister charged of Finance" is replaced by the expression "Minister of finance on a proposal from the committee" in paragraph 2 of article 44, in article 45, at the end of article 46, in paragraph 2 of article 47, in paragraph 2 of article 49, in paragraph 2 of article 61, in article 63, in the last paragraph of article 79 and in article 86 of the insurances code promulgated by law n° 92-24 dated 9 March 1992.

The expression " by order of the Minister charged of Finance" is replaced by the expression "by the committee" in paragraph 2 of article 60 of the insurances code.

The expression "from a convention concluded between the Minister charged of Finance and the concerned insurance or reinsurance agent" mentioned in paragraph 2 of article 67 of the insurances code is replaced by the expression "from a convention concluded on the opinion of the committee between the Minister of Finance and the concerned insurance or reinsurance agent".

The expression "Ministry of Finance" is replaced by the expression " Insurances General Committee" in paragraph 1 of article 60, in paragraph 1 of article 70 and in paragraph 1 of article 82 of the insurances code.

The expression "after the opinion of the insurances consultative committee provided for by article 94 of the code herein " is replaced by the expression " on the opinion of the insurances consultative committee" in paragraph 1 of article 50, in paragraph 1 of article 51 and in number 2 of article 87 of the insurances code.

The expression " is liable to a fine" in numbers 1, 2, 3, 4, 5, 6 and 7 of article 88 of the insurances code is replaced by the expression " is indebted of a fine".

The expression " statement of liquidation ordered by the Minister charged of finance" is replaced by the expression " statement of liquidation ordered by the Minister of Finance on a proposal from the committee" in paragraph 1 of article 88 of the insurances code.

The expression "the aforesaid Minister" is replaced by the expression " the aforesaid committee" in article 92 of the insurances code.

The expression "or to a fine" is replaced by the expression " indebted of a fine" in article 113 of the insurances code.

The expression "the Minister charged of Finance" is replaced by the expression "the Minister of Finance" in all the articles of the insurances code.

Art. 3 - The fine provided for by article 113 of the insurances code is raised from " from thousand to five thousand dinars" to "from five thousand to thirty thousand dinars".

Art. 4 – It is inserted in articles 48, 50, 54, 62, 65, 68 and 113 of the insurances code, paragraphs written as follows :

Article 48 (paragraph 3) - The requests for authorizations and information files are addressed to the committee which proceeds to their examination. It is entitled to this effect, to ask for the information and documents that it deems necessary.

Article 50 (paragraph 3) - " The authorization decision is made in a four(4)-month deadline as from the date of communication of all requested information. The committee is charged of notifying the concerned of the decision of the Minister of Finance made as regard to the authorization request.

Article 54 (paragraph 2) - " Each acquisition made directly or indirectly by a person or a defined group of persons of parts of the capital of insurance and reinsurance companies likely to involve a control on it, is subject to the authorization mentioned in article 48 of the code herein, and in all cases, each operation that has as a result the acquisition of the tenth, the fifth, the third, a half or two-thirds of the voting rights .The request for authorization is addressed to the insurances general committee which prepares, to this effect, a report to the Minister of Finance. The committee is authorized to this aim to ask for all the information and documents that it deems necessary. The insurances general committee is charged of notifying the fixed decision of the Minister of Finance on the request to the concerned in a maximum one-month deadline as from the date of its deposit"

Article 54 (paragraph 3) - "The acquisition of parts of capital of an insurance or reinsurance company made in violation of the provisions of paragraph 2 in this article, are considered invalid."

Article 62 (paragraph 3) - " The Minister of Finance grants his approval on the basis of the committee report which is charged of informing the concerned".

Article 65 (paragraph 2) - " The Minister of Finance delivers his opinion on the basis of the committee report".

Article 68 (paragraph 5) - " The Minister of Finance grants his approval on the basis of the committee report which is charged of informing the concerned".

Article 113 (paragraph 2) - " The recovery of fines provided for by the article herein is carried out through a statement of liquidation fixed by the Minister of Finance on a proposal from the committee".

Art. 5 - The paragraph 3 of article 67 of the insurances code is completed by the following sentence " and shall be ratified by decree".

Art. 6 - Shall be inserted to the insurances code promulgated by law n° 92-24 dated 9 March 1992, articles 50 bis, 50 ter and 113 bis, written as follows :

Article 50 bis - "The grant of authorization to foreign enterprises is not subordinate to the obtaining of the trader

card provided for by decree-law n° 61-14 dated 30 August 1961, relating to the conditions of exercising certain commercial activities".

Article 50 ter - "The insurance and reinsurance enterprises shall be bound to inform the Minister of Finance of any planned appointment within their board of directors, the supervisory board or their directories, their principal managers while providing a detailed statement of their competences and experiences.

The Minister of Finance can be opposed to this appointment in a maximum deadline of a one-month as from the date of this notification in case he notices a lack of necessary competences and experiences in one person among those mentioned in the previous paragraph.

The information files are addressed to the committee which proceeds to their examination and submits them to the Ministry of Finance, the committee is authorized, to his aim, to ask for all information and documents that it deems necessary.

Article 113 bis - " It is prohibited for each insurance company to subordinate its approval of all insurance applications having civil liability provided for by article 110 of the code herein to additional subscription guarantees covering any other risk.

When it is proved that an insurance company subordinates its approval to an obligatory insurance application to additional subscription guarantees in accordance with the provisions of paragraph 1 of this article, this enterprise will be liable to a fine of five thousand dinars to thirty thousand dinars, and this, notwithstanding the fines which may be individually pronounced against its intermediaries in infringement which varies between one thousand dinars and ten thousand dinars.

The recovery of the fines provided for by this article is carried out by the mean of a statement of liquidation fixed by the Minister of Finance on a proposal from the committee.

Art. 7 - Shall be repealed, the provisions prior and contrary to the law herein, notably the provisions of the last paragraph of article 61 and article 94 of the insurances code promulgated by law n° 92-24 dated 9 March 1992.

Art. 8 - The officials and agents of the Ministry of Finance exercising in the current insurances general committee are compulsory placed at the disposal of the insurances general committee established by article 177 of the insurances code promulgated by law n° 92-24 dated 9 March 1992.

Art. 9 - The current insurances general committee shall keep on exercising the duties that they were entrusted with till the placement of the committee established by article 177 of the insurances code.

The law herein shall be published in the Official Gazette of the Republic of Tunisia and implemented as law of the State.

Tunis, 13 February 2008.

Zine El Abidine Ben Ali

Law n° 2008-9 dated 11 February 2008, amending and completing guiding law n° 2002-80 dated 23 July 2002, relating to education and school teaching (1).

In the name of the People,

The Chamber of Deputies and the Chamber of Advisors having adopted,

The President of the Republic enacts the following law:

Article one - The provisions of articles 22, 23, 24, 25, 26, 27, 29, the last paragraph of article 32 and articles 35 and 61 of guiding law n° 2002-80 dated 23 July 2002, relating to education and school teaching are repealed and superseded as follows :

Article 22 (new) - The basic education lasts nine (9) years divided into two complementary stages:

-Primary stage : It lasts six (6) years, and aims at enabling the learner to acquire the knowledge instruments, the fundamental means of oral and written expression, the reading and calculation, to be skilled when communicating in Arabic and at least in two foreign languages. In addition, it aims at helping the learner to develop his mind, practical intelligence, art sensibility and physical and hand potentialities, as well as teaching citizenship values and requirements of living together.

-preparatory stage : It lasts three (3) years, and aims at enabling the learner with the skills of communication in Arabic and at least two foreign languages, and to acquire the necessary knowledge and abilities in the scientific, technical, artistic and social fields that allow the integration in the secondary education, vocational training or integration in society.

Article 23 (new) - An alternate training in the centers of vocational training and in the economic enterprises may be organized, in case of need, for the benefit of pupils of preparatory stage, within the scope of the partnership between the Ministry charged of education and the Ministry charged of vocational training and the interested ministries, in accordance with the methods set by order of the Minister charged of education and the interested Minister.

Article 24 (new) - Social, scientific, technical and art subjects are taught in Arabic language in either stage of basic education. However, one or many foreign languages may be used in all the stages of education.

The organization of the basic education, programs and timetables are set by decree.

The assessment and passing system in this stage of studies is set by order of the Minister charged of education.

Article 26 (new) - Secondary education lasts four (4) years. It aims at enabling the learners, in addition to a strong general culture, with a deep training in one of the fields of knowledge or a special training in a special branch allowing him to carry on his studies in universities, to be integrated in vocational training or in active life.

The organization of the secondary education, its programs, timetable and guiding system are set by decree. The assessment and passing system in this course of study are set by order of the Minister charged of education.

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 29 January 2008.

Discussion and adoption by the Chamber of Advisors during its session held on 7 February 2008.

Article 27 (new) - An alternate training in the in the centers of vocational training and in the economic enterprises may be organized, in case of need, for the benefit of pupils of secondary education, within the scope of the partnership between the Ministry charged of education and the Ministry charged of vocational training and the interested ministries, in accordance with the methods set by order of the Minister charged of education and the interested Minister.

Moreover, learners carrying on a training in vocational training centers may enroll at secondary schools to carry on courses helping them to sit for the baccalaureate exam, in accordance with the conditions set by order of the Minister charged of education.

Article 29 (new) - Courses are for free in the following public and private educational and training establishments:

- Establishments and spaces specialized in pre-school education,

- Primary schools,

- Colleges,

- Exemplary colleges,

- Secondary schools,

- Exemplary secondary schools,

- At a distance educational and training establishments.

Article 32 (last new paragraph)- Within the scope of school project, public school establishments may benefit from a margin of freedom at the level of school modes, continuous assessment and division of the contents, according to national criteria and standards in the matter.

Article 35 (new)- Colleges and secondary schools, as well as at a distance educational and training establishments are public establishments having an administrative nature and financial autonomy, and the budget of which is attached to the budget state.

Article 61 (new) - According to the preparatory stage education, any pupil may sit for a national exam with a view to obtain "diploma of end of general basic education" or "diploma of end of technical basic education", in accordance with the rules set by order of the Minister charged of education.

Art. 2 - The following article 60 (bis) is added to guiding law n°2002-80 dated 23 July 2002, relating to education and school teaching:

Article 60 (bis)- According to primary education, any pupil may sit for a competitive examination to be admitted to exemplary colleges, in accordance with criteria set by order of the Minister charged of education.

Art. 3 - The terms "all categories included" are added to paragraph two of article 30 of guiding law n°2002-80 dated 23 July 2002, to be inserted right after the term "colleges".

In addition, the terms "in exemplary colleges" are added to paragraph four of the same article to be inserted right after the terms "studies regime".

Art. 4 - The terms "primary schools, colleges, secondary schools, exemplary secondary schools and virtual schools" provided for by paragraphs one of articles 31, 32 and 33 of guiding law n°2002-80 dated 23 July 2002, relating to education and schools teaching, are superseded by the term "educational establishments".

The terms "virtual schools" provided for by article 36 of guiding law n° 2002-80 dated 23 July 2002, relating to education and school teaching are superseded by the terms "at a distance educational and training establishments".

Art. 5 - The provisions of article 28 of guiding law n°2002-80 dated 23 July 2002, relating to education and school teaching are repealed.

The law herein shall be published in the Official Gazette of the Republic of Tunisia and implemented as law of the state.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

Law n° 2008-10 dated 11 February 2008, relating to the vocational training (1).

In the name of the People,

The Chamber of Deputies and the Chamber of Advisors having adopted,

The President of the Republic enacts the following law:

FIRST TITLE

General provisions

CHAPTER I

The vocational training functions

Article one - The vocational training is one of the fundamental components of the national system of human resources preparation and one of the development levers.

The vocational training, in complementarity and synergy within the sector of education, higher education and employment, is aiming at qualifying the training applicants on the vocational, social and cultural levels; developing the vocational abilities of workers and endowing the economic enterprise with necessary means to improve its productivity and increase its competitiveness.

Art. 2 - The vocational training is aiming at allowing the trainees to acquire necessary knowledge, competences and skills in order to exercise a trade or a profession requiring a qualification, and ensuring the appropriateness of this knowledge, competences and skills to the economic and technological mutations and within the trades evolution.

In this scope, the vocational training contributes notably in :

- meeting the economy needs in qualifications for different jobs,
- promoting the work as a value,
- developing the culture of the enterprise and the spirit of initiative and creativity among young people,
- spreading technological and technical culture linked to the evolution of production and labor systems and contributing in innovation and modernization,
- preparing for the trades of the future and for new work methods.

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 29 January 2008.

Discussion and adoption by the Chamber of Advisors during its session held on 7 February 2008.

The vocational training as one of the components of the national system of human resources development, is also aiming at strengthening the proud and loyalty to Tunisia among the trainees and rooting the love for the homeland and awareness of the national identity and reinforcing their openness on human civilization.

Art. 3 - The vocational training within its contents and its organization, is founded on the principle of equal chances for all the training applicants, with ensuring the respect of the provisions of the legislation in force concerning the handicapped people.

Art. 4 - The State defines the general orientations in the vocational training field and looks after its promotion, organization and development. The State establishes, for this purpose, incentives and encouragements in conformity with national priorities.

CHAPTER II

The look-out and the prospective

Art. 5 - The Ministry charged of vocational training, in coordination with the concerned parties, ensures the look-out and the prospective function, in order to assist in the definition of orientations and to implement the development programs of the vocational training system on the national, regional and sectoral levels.

Art. 6 - The look-out and prospective function consists notably in :

- observing the technological mutations and evolution of work methods and analyzing their effects on trades, on the national and international levels,
- realizing studies allowing to determine the economy needs in medium and long terms competences and the prospective of promising trades,
- drawing up and updating the national and regional map of the vocational training,
- developing data bases on trades and competences and defining the indicators in this field.

TITLE II

The vocational training system

Art. 7 - It shall be meant by vocational training according to the provisions of the law herein :

- The initial training,
- The continuous training.

CHAPTER I

The initial training

Art. 8 - The initial training consists in helping to acquire the knowledge, competences and skills necessary to exercise an activity in professional or handicrafts sectors and to integrate the work life.

Art. 9 - The course of the initial training consists of three cycles :

- a) a first cycle ended by the vocational aptitude certificate, opened to those who continued their

studies till the end of the ninth year of the basic education (preparatory, technical and general).

- b) a second cycle including two branches :
 - a branch ended by the professional technician diploma, opened to the holders of professional aptitude certificate and to those who continued their studies till the end of the second year of secondary education,
 - a branch ended by the professional baccalaureate, opened to the laureates holders of the professional aptitude certificate and those who passed the second year of secondary education. In addition, the laureates holders of the professional technician diploma can be authorized to stand as candidates in the professional baccalaureate examination.

The professional baccalaureate sections are fixed by a joint order of the Minister charged of education and the relevant Ministers charged of the training field.

- c) a higher cycle opened to the holders of the professional baccalaureate or secondary education baccalaureate ended by the advanced technician diploma or an equivalent diploma.

The diplomas mentioned above can be modified and new diplomas may be established by decree.

Art. 10 - The access conditions to each of the cycles mentioned above in article 9, the passing conditions between these cycles as well as the conditions of the candidature of the holders of the technician professional diploma, to the professional baccalaureate examination are fixed by order of the Minister charged of vocational training.

Art. 11 - The trainees following the course of vocational training mentioned in article 9 of the law herein, can integrate the secondary education. The pupils of secondary education can integrate the course of the vocational training. In both cases, the passing is made in view of the valuation of the acquired knowledge.

Art. 12 - The professional baccalaureate is a professionalizing diploma allowing its holders to accede to the employment market as well as the higher education in specialities compatible with the section to which they belong .

In addition, the laureates holders of the advanced technician diploma among the holders of the baccalaureate can carry on their training in higher education in specialities in conformity with their aptitudes and according to conditions fixed by decree.

Art. 13 - A training allowing to obtain a "competence certificate" may be organized for the profit of the training applicants who don't satisfy the conditions of scholar level to have access to the first cycle of the course of vocational training mentioned above in article 9. The conditions for obtaining this certificate are fixed by order of the Minister charged of vocational training.

A preparatory cycle may be organized to the profit of those who are under the age of fifteen, allowing them to have access to the training cycle provided for by the first paragraph of this article that is to say, the first cycle of the

vocational training course mentioned in article 9 referred to above.

Art. 14 - The initial training takes place in the vocational training establishments within the framework of external alternation between the latter and the economic enterprises, and within the framework of an internal alternation between the vocational training establishments and the educational establishments.

The initial vocational training can take place at distance in accordance with the terms and conditions fixed by order of the Minister charged of vocational training.

Section I - Training with the economic enterprises

Art. 15 - The initial training is organized within the framework of partnership between the different structures of the vocational training system and the economic enterprises in accordance with one of the following methods :

- The training in alternation is organized within a contractual framework between the structures on one hand and the economic enterprises or the vocational institutions on the other hand, according to a fixed periodicity taking into account the training objectives and the abovementioned trades specificities . The training methods can be followed by any person who has reached the age of fifteen,
- The apprenticeship is organized within a contractual framework between the trainees and the economic enterprises. It takes place essentially in the production spaces, subject to a complement of theoretical training ensured by training establishments. The age of subscription to apprenticeship varies between the age of fifteen and twenty years,
- Specific programs are organized through a contractual way with the economic enterprise, in conformity with the specifications and in accordance with the national priorities. The specialties concerned with these programs are fixed by order of the Minister charged of vocational training or by a joint order of the Minister charged of vocational training and the concerned Minister.

Art. 16 - The initial training takes place in the training establishments and necessarily includes practical trainings in the economic enterprises, and this, in case it can not be organized within the enterprise.

Art. 17 - The training in alternation is organized within the framework of a convention concluded between the training establishment and the economic enterprise.

The framework conventions can be concluded between one or several training establishments and one or several vocational institutions.

Art. 18 - The apprenticeship is subject to a written contract concluded between the employer and the apprentice or his legal representative.

This contract shall be done in conformity with a specimen established by the departments of the Ministries charged of labor and vocational training and shall be signed by the competent departments of the Ministry charged of vocational training.

The contract shall come into effect by the abovementioned signature.

Art. 19 - The apprentice shall receive, during the apprenticeship contract duration, an allowance on the charge of the economic enterprise. This allowance is not submitted to the social security contributions.

The labor collective agreements as well as the particular status of the employees of public enterprises may provide for provisions related to the training allowance.

The minimum amounts of this allowance are fixed by decree.

Art. 20 - The departments of the Ministry charged of vocational training and the concerned Ministry ensure the follow-up of the apprenticeship contracts implementation and the conventions of training in alternation concerning the quality of supervision, the conditions of training and the compatibility of this latter with the targeted specialty.

Art. 21 - The departments of the Ministry charged of labor ensure the follow-up of the apprenticeship contracts implementation and the conventions of the training in alternation concerning the conformity of the work conditions in the economic enterprise with the provisions of the labor code.

Art. 22 - The Minister charged of vocational training can grant an authorization for apprenticeship registration to the candidates over the maximum age of admission, and this, in order to meet the needs of the sectors of priority or in case other possibilities of training are lacking.

Section II - The rights and duties of the trainee

Art. 23 - The different parties intervening in the apprenticeship and vocational training shall respect, in their relation with the apprentice within the training establishment and the economic enterprise, the principles of equity, objectivity, integrity and equal chances. These parties are aiming at guaranteeing the apprentice's right to be respected and to enjoy a decent treatment and preserving his/her physical and moral integrity.

Art. 24 - The different apprentices' categories have the right to be insured against industrial accidents and occupational diseases in accordance with the legislation in force.

The insurance covers the periods of training in the training establishment and in the professional environment when it concerns the initial training, when it concerns continuous training, the insurance covers only the period of training taking place out of the economic enterprise to which the apprentices belong.

In addition, family allowances are granted for young people who regularly frequent a public or private vocational training establishment in accordance with the legislation in force.

Art. 25 - The trainee shall respect the rules of living together and comply with the internal regulations of the training establishment as well as the regulations of economic enterprise during the periods of apprenticeship, alternation or practical trainings.

He is, in addition, bound to assiduity and should follow the training which is given to him within the vocational training establishment and the economic enterprise and carry out the activities which were entrusted to him within the framework of his training.

Any breach of these obligations and regulations exposes its author to the disciplinary sanctions in force.

CHAPTER II

Continuous training

Art. 26 - The continuous training has for objective the development of the knowledge and vocational competences of workers in different economic sectors, with the intention of following the evolution of the production techniques and methods, improving productivity, strengthening the enterprises competitiveness, providing vocational promotion conditions to the workers, allowing them to progress in the qualifications scale and making them acquire, if need be, the competences necessary to exercise new professional activity.

The continuous training is aiming, also, at the re-qualification of workers for the reinsertion of the dismissed workers or the preservation of the post of those who are threatened to lose it.

Art. 27 - The continuous training includes two types :

- the continuous training organized by economic enterprises intending to upgrade their staff, in accordance with their priorities and requirements,
- the continuous training organized by public or private training establishments, is aiming at vocational promotion of workers.

Art. 28 - A certificate of attendance to the training cycles is attributed to the beneficiaries of the different types of continuous training.

The continuous training beneficiaries registered in the establishment of training or education for vocational promotion, obtain, in case of success, the same diplomas attributed to the holders of diploma of the initial training of these establishments on the basis of the same criteria of valuation.

TITLE III

Information and orientation

Art. 29 - The departments of the Ministry charged of vocational training are looking after, in coordination with the relevant establishments and structures, to provide exhaustive, diversified, and continuous information to the training applicants, to their families and enterprises. This information concerns the training branches, the trades targeted by the training, the perspectives of professional insertion and the training opportunities throughout the life.

Art. 30 - The orientation concerning the vocational training subject is aiming at assisting the training applicants to choose a branch or a speciality in conformity with their aspirations and abilities.

Art. 31 - The orientation operations are ensured by structures specialized in information and orientation related to the Ministry charged of vocational training by collaboration with the concerned parties.

TITLE IV

Structures, establishments and staff of the vocational training

Art. 32 - The national system of the vocational training consists of :

- the structures of conception, management and support, which are public establishments of an administrative or non-administrative nature, endowed with legal entity and financial autonomy and placed under the supervision of the Ministry charged of vocational training or under the joint supervision of the Ministry charged of vocational training and the Ministry concerned with the training sector,
- The public establishment of the vocational training, whether are establishments related to the structures of conception, management and support, or public establishments of an administrative or non-administrative nature, endowed with legal entity and financial autonomy, it is placed under the supervision of the Ministry charged of vocational training or under the joint supervision of the Ministry charged of vocational training and the Ministry concerned with the training sector. The nature of training establishments is fixed in accordance with the conditions laid down by decree.
- Private establishments of vocational training.

Art. 33 - The resources of public structures of conception, management and support and those of public establishments of vocational training consist of :

- subsidies granted by the State,
- Incomes from their properties or their services provisions,
- Returns coming from the subscription and insurance fees,
- Subsidies granted by natural persons, legal entities or other instances,
- Donations and legacies.

Art. 34 - The vocational training establishments may be established notably by a Ministry, local collectivity, professional organization, enterprise, grouping of economic enterprises, association or a private promoter.

The vocational training establishments may be independent or integrated within an economic enterprise.

Art. 35 - The vocational training establishments can be sectoral or polyvalent.

CHAPTER I

Public establishments of vocational training

Art. 36 - Within the framework of a joint supervision on public training establishments, the role of the Ministry charged of vocational training consists in following all the educational aspects and notably the extent of application of training standards, valuation and certification.

Art. 37 - The projects of establishment or restructuring of public establishments of vocational training are

submitted to the opinion of the coordination permanent committee of vocational training, derived from the higher council of human resources development, taking into account the national priorities.

Art. 38 - The organization, the operating procedures and the disciplinary regime of public establishments of vocational training are fixed by decree, on a proposal from the Minister charged of vocational training, if it concerns an establishment of its competence, and on a joint proposal from the Minister charged of vocational training and the relevant Minister, in case the training establishment is submitted to a joint supervision.

CHAPTER II

Private establishments of vocational training

Art. 39 - The natural persons and legal entities may offer services concerning the initial or continuous vocational training, in accordance with specifications, fixing the rules of establishment and operation of private establishments of vocational training which shall be published by order of the Ministry charged of vocational training.

Art. 40 - Each person referred to in article 39 mentioned above, is bound, before the start of the training activity, to lodge at the concerned departments of the Ministry charged of vocational training a declaration of establishment of a private establishment of vocational training.

The declaration shall include a written commitment to respect all the provisions provided for by the specifications mentioned above in article 39.

Art. 41 - The director of the private establishment of vocational training shall have a Tunisian nationality. However, exceptionally, a person who is not of Tunisian nationality may ensure the direction of a private establishment of vocational training, on condition of a written authorization from the Ministry charged of vocational training.

The level of education and vocational experience required from the director are fixed by the specifications mentioned above in article 39.

Art. 42 - The private establishments of vocational training shall be bound to recruit a minimum of permanent agents of training and management whose number, level of education and vocational experience required from them are fixed by the specifications mentioned above in article 39.

Art. 43 - The promoter and the agents charged of the direction and training should justify the required moral and vocational qualities and should justify as well that they have not been submitted to judicial conviction of an offence or a crime that affect the honor and trust.

The persons who are prohibited from exercising the activity in question by the Ministry charged of vocational training can not manage a training establishment or exercise a training activity.

Art. 44 - The non-respect of the legislation and regulation applicable to private establishments of vocational training is punished by a decision of a total or partial closure of the establishment, temporarily or definitively, or

by a prohibition of the offender staff to work in those establishments, to exercise any training activity, temporarily or definitively, according to the nature and seriousness of the offense.

The sanctions are pronounced by order of the Minister charged of vocational training, after the opinion of the coordination permanent committee of vocational training sitting, for this purpose, in a restricted formation. This committee shall grant to the legal responsible of the concerned private establishment, the right of defense before a proposal of any disciplinary or administrative decision.

Art. 45 - Shall be punished, in addition to the compensation for the damage undergone by the trainers, by a penalty which varies between five thousand and ten thousand dinars, each person who does not respect the decision of closure of the establishment according to article 44 of law herein. In case of a second offense, the penalty varies between two thousand and twenty thousand dinars.

Shall be punished, in addition to the compensation for the damage undergone by the trainers, by a penalty which varies between five thousand and ten thousand dinars or by corporal sanctions mentioned in article 294 of the penal code or by one of both sanctions, each person, who illegally establishes a training establishment or who closes it before the end of the current training unless in case of cause beyond control.

Art. 46 - It is prohibited for the private establishments of vocational training to accept the donations and legacies coming from natural persons and legal entities, being Tunisians or foreigners without prior authorization from the Minister charged of vocational training.

Art. 47 - The Minister charged of vocational training ensures the control on the private establishments of vocational training in all the fields provided for by the law herein.

He can seize, in case of prohibition to exercise the activity of a private establishment of vocational training and in order to preserve the trainees' interest, the judge of summary procedures, by a petition for designation of an administrator among the qualified persons in the field of training, to manage the establishment during a period not exceeding the end of the current training.

CHAPTER III

The staff of the vocational training

Art. 48 - The staff of the vocational training notably includes the trainers from different categories, the apprenticeship advisors, the educational advisors, the programs designers, the vocational training inspectors, the advisors of information and orientation in the vocational training field and the administration staff.

Experts among professionals and craftsmen can be charged of ensuring the missions of training and supervision within the framework of a contractual relation.

Art. 49 - The staff of vocational training carries out, in a spirit of cooperation and complementarity, the missions and attributions which were entrusted to them within the framework of the law herein.

The trainers and apprenticeship advisors ensure the training, the supervision and the follow-up of the trainees in the training establishments and in the economic enterprises. In addition, guardians among the staff of the economic enterprises take part in training and supervision of the trainees in these enterprises.

Art. 50 - The staff of vocational training take part in programs of training and improvement in the technical, scientific and educational fields, organized for them whether in order to prepare them to exercise their functions or to be adapted to the technological mutations and to the evolution of educational approaches.

Art. 51 - The trainers and the apprenticeship advisors are periodically submitted to the valuation and educational inspection.

TITLE V

Referentials, valuation and certification

CHAPTER I

Referentials and training standards

Art. 52 - For each of the diplomas mentioned above in articles 9 and 13, the profile of the graduate, the minimum duration of the initial training and the general training disciplines, are defined within a general framework of reference fixed by order of the Minister charged of vocational training after opinion of the coordination permanent committee of the vocational training.

The vocational training diplomas shall be registered in the national classification of qualifications fixed by decree.

Art. 53 - The training standards, for each specialty, are fixed, on the basis of the general framework of reference provided for by article 52 mentioned above. These standards include the definition of the concerned specialty, the determination of competences and knowledge required for the diploma, the specific conditions for subscription and the valuation criteria of acquired knowledge.

The training standards are fixed by order of the Minister charged of vocational training after opinion of the coordination permanent committee of the vocational training.

Art. 54 - The training standards are periodically reviewed in order to adapt with the evolution of the needs of employment market within the concerned specialty and on the basis of information and data provided by the national observatory of competences and innovating trades.

Art. 55 - Each public or private training establishment desiring to organize a training in the specialties for which training standards have been defined, shall obtain an approval, from the Ministry charged of vocational training after opining the coordination permanent committee of the vocational training.

In case of a default of training standards in one of the specialties, the concerned public or private establishment may exceptionally obtain, before the start of the training, an authorization from the Ministry charged of vocational training for the concerned diploma classification with reference to the diplomas mentioned above in articles 9 and 13.

The conditions of attribution of the approval and classification to vocational training establishments are fixed by order of the Minister charged of vocational training.

CHAPTER II

Valuation and certification

Art. 56- The vocational training system and all its components in the public and private sectors are subject to an external and internal periodic valuation. This valuation is aiming at objectively measuring:

- The acquired knowledge of the trainees,
- The performances of the training staff with reference to the educational, administrative and technical referentials which are specific to them,
- the efficiency of the training establishments on the basis of qualitative and quantitative indicators fixed by the Ministry charged of vocational training in the light of the fixed objectives,
- The vocational training system as a whole, on the basis of qualitative and quantitative indications and criteria on the national and international level, and this, in order to introduce regulations and reforms necessary to guarantee the realization of the fixed objectives.

Art. 57 - The supervision and coordination of the valuation concern a committee established within the Ministry charged of vocational training, called "the national committee of valuation and quality insurance in the vocational training". The composition of this committee, the operating procedures and the profit-sharing scheme of its members are fixed by decree.

Art. 58- The valuation of the trainees acquired knowledge is made in a continued way during the current training and by the mean of the valuation of certification in the end of each training cycle.

Art. 59 - The Ministry charged of vocational training grants the diplomas mentioned above in articles 9 and 13 after passing an examination organized by its departments.

The list of specialties concerned by this examination as well as its organization are fixed by order of the Minister charged of vocational training.

Art. 60 - the professional baccalaureate is granted to the successful candidates in the national examination supervised by the Ministry charged of education.

The examination regime of the professional baccalaureate is fixed by order of the Minister charged of Education.

Art. 61 - The diplomas mentioned above in articles 9 and 13, except for the professional baccalaureate can be granted by the mean of validation of the acquired competences within the framework of work life. The validation conditions of the acquired experiences are fixed by order of the Minister charged of vocational training.

Art. 62 - The diplomas referred to in articles 9 and 13 mentioned above, except for the professional baccalaureate, can be exceptionally granted on authorization of the

Minister charged of vocational training, by private or public training establishments having obtained approval or classification mentioned above in article 55.

Art. 63 - The Ministry charged of vocational training grants equivalence to the foreign diplomas of vocational training in accordance with conditions fixed by order of the Minister charged of vocational training.

TITLE VI

International cooperation

Art. 64 - The Ministry charged of vocational training as well as all the concerned structures are looking forward to benefit from the foreign experiences within the framework of international, bilateral and multilateral cooperation, and to promote the radiance of the vocational training national system abroad.

TITLE VII

Transitory provisions

Art. 65 - All provisions prior and contrary to the law herein shall be repealed. At the same time that the law herein comes into effect, the law n° 93-10 dated 17 February 1993, relating to law of orientation of vocational training, the application of all amending and completing texts will be progressively put to an end.

The law herein shall be published in the Official Gazette of The Republic of Tunisia and implemented as law of the State.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

Law n° 2008-11 dated 11 February 2008, amending law n°97-48 dated 21 July 1997 relating to the public financing of the political parties (1).

In the name of the People,

The Chamber of Deputies and the Chamber of Advisors having adopted.

The President of the Republic enacts the following law :

Article one - The provisions of article 4 (new) of law n° 97-48 dated 21 July 1997 relating to the public financing of the political parties, as amended by law n°2006-7 dated 15 February 2006, are repealed and substituted by the following provisions:

Article 4 (new) : Concerning the political parties as referred to in article 2 of the law herein, the fixed part of the premium consists on grant for the functioning expenses, the amount of which is fixed, for each party, at two hundred and seventy thousand dinars, payable on two installments.

Art. 2 - The provisions of the law herein shall come into force as from 1 January 2008.

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 29 January 2008.

Discussion and adoption by the Chamber of Advisors during its session held on 7 February 2008.

The law herein shall be published in the Official Gazette of The Republic of Tunisia and implemented as law of the state.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

Law n° 2008-12 dated 11 February 2008, amending and completing law n° 99-40 dated 10 May 1999 relating to the legal metrology (1).

In the name of the People,

The Chamber of Deputies and the Chamber of Advisors having adopted.

The President of the Republic enacts the following law :

Article one - The provisions of the third dash of article 1 and sub- paragraph 1 of article 9 of law n°99-40 dated 10 May 1999 relating to the legal metrology, are amended as follows :

Article one (3rd dash new) :

* determine the national system of metrology.

Article 9 (sub- paragraph 1 new): The legal metrology supervision is carried out, in using standards or reference materials joint to the national standards, by the staff of supervision, belonging to the national agency of metrology, created in conformity with the law herein.

Art. 2 - The provisions of article 2 of title III, of article 15 and of article 27 of law n°99-40 dated 10 May 1999 relating to the legal metrology are repealed and substituted by the following provisions:

Article 2 (new) : According to the law herein, these terms means :

a/ metrology (science of measurement) : The scope of knowledge relating to measuring, which includes the legal metrology, the scientific metrology and the industrial metrology.

b/ legal metrology : The whole legislative, administrative and technical procedures, established by the public authorities or by reference to them, and implemented in their name in order to specify and ensure, by a statutory or contractual way, the appropriate level of quality and credibility of measuring, relating to the official supervision, to trade, to health, to security and to environment.

c/ scientific metrology : The component relating to the primary standards and laboratories which materialize and preserve them.

d/ industrial metrology : The component relating to metrological activities in the field of industrial production and applied technologies.

e/ measuring instrument : All instruments, measures and machines, or their combinations, exclusively or subsidiary planned and realized, in order to measure, directly or indirectly, the physical sizes, which units are specified in title I of the law herein.

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 29 January 2008.

Discussion and adoption by the Chamber of Advisors during its session held on 7 February 2008.

f/ legal metrology supervision : The supervision carried out by the measuring instruments and methods, as well as by the conditions according to which the measuring results are get, expressed and used, and which target is to notice and ensure that these instruments and methods of measuring comply with the legal and statutory requirements in force.

Title III (new)

National system of metrology

Article 15 (new) - A public establishment having a non administrative nature and having the civil status and financial autonomy, called "National Agency of Metrology" placed under the administrative supervision of the Ministry in charge of trade, is created.

The seat of the agency is in Tunis and the agency may have branches all over the Tunisian territory.

The staff of the National Agency of Legal Metrology is governed by the general status of the officials of the State, local public collectivities and public establishments having administrative nature.

The administrative and financial organization and the operation methods of the National Agency of Metrology, are fixed by decree.

Article 15 (bis)- The National Agency of Metrology shall ensure the following tasks:

- To implement the strategic guidance for developing the national policy in the metrology matter,
- To coordinate the activities of the several Ministerial districts in the field of metrology,
- To represent Tunisia in the international and regional practicing in the field of metrology, to contribute in their technical works, to pilot the programs of cooperation with these organization,
- To carry out the activities of training and technical assistance in the field of metrology, to contribute in establishing the national programs of training in this field, in order to help the education establishments and the training centers,
- To ensure the technological watch in the field of metrology,
- To establish the standards and the technical guidance relating to the metrology and to proceed to their publication in accordance with the national institute of standardization and industrial property,
- To diffuse the information and promote the research in the field of metrology,
- To fix the prescriptions necessary to the establishment and to the publication of the rules enabling the production of measuring units which may not be materialized,
- To pilot the production, the preservation and the scattering of the national standards and when necessary to adapt the national standards with the international ones,
- To ensure the connection of the measuring instruments to the national standards,

- To transfer the technology in the field of metrology and research to the industrial application,
- To carry out the approving experiments on the patterns of the measuring instrument and the elaboration of the decisions relating to it,
- To carry out the technical activities relating to the legal metrology, notably the definition of the technical and metrological specifications of the measuring instruments, the performance of the technical expertise and the operations of primary and periodic inspection of the measuring instruments, as well as the supervision of the prepackaged products,
- To study the files of import and export of the measuring instruments and expertise them if necessary,
- To study the files of consent of the authorities in charge of the operations of the legal metrology supervision over the measuring instruments, their fixing and fitting, as well as the following up of the activities of the authorized authorities,
- To carry out every task entrusted to it by the supervisory authority within the scope of its duties.
- Article 27 (new)- The staff in charge of verifying the infringements to the provisions of the law herein shall, in the specified premises, seizes the following measuring instruments relating to the legal metrology:
 - The instruments covered with the refusal brand,
 - The falsified instruments,
 - The instruments which are not in compliance with the approved standard in Tunisia.
- A minute of seizure is established for the purpose and shall include the following mentions:
 - The date, the hour, the day, the month and the year,
 - The names and capacity of the staffs,
 - The premise of the verification,
 - The identity and the capacity of the holder of the instruments and, if necessary; the identity and the capacity of the person present during the verification,
 - The legal basis,
 - The identification of the seized product: its name, quantity, brand, category, metrological characteristics and if necessary the serial number or the number of the lot of manufacturing,
 - The identity and the capacity of the person with whom the seized products are deposited,
 - The signatures the staffs and the person present during the verification and if necessary the person with whom the seized products are deposited. If the signature is refused to be given, the minute shall mention it.
- The minute may include all other mentions which the staffs, reporting the infringement, judge necessary to the investigation.

- The seized measuring instruments shall be deposited at the clerk office of the court, when the court is in charge of investigating the files, at the National Agency of Metrology.
- The seized measuring instruments may be kept by the holders. In this case, they shall be sealed in order to identify them and forbid their use.
- The holders are the guardians of the sealed and seized instruments.
- Art. 3 - Article 14 subparagraph 2, article 15 ter, article 15 quarter, article 21 bis, a third dash to the subparagraph one of article 25 and article 44 bis, are added to the provisions of law n°99-40 dated 10 May 1999 relating to the legal metrology, which are the following:
- Article 14 - (subparagraph 2 new): These royalties are collected by the National Agency of Metrology, provided by in article 15 new of the law herein.
- Article 15 (ter) - The movable and immovable properties belonging to the state and necessary to carry on the missions of the National Agency of Legal Metrology may be transferred as private property.

In case of the winding up of the enterprise, its properties shall be refunded to the state, which shall perform the commitments undertaken by the agency.

Article 15 (quarter)- On a proposal from the National Agency of Metrology, the Minister in charge of trade may confer to some laboratories, within the scope of the Ministerial districts, national organisms and private or public establishments, the preservation and the development of the national standards in conformity with an order taken jointly, if necessary, with the other concerned Ministers.

These orders shall fix, notably, the measuring units of the international system and the national standards which materialize them, as well as the rules organizing the relations between the concerned laboratory and the National Agency of Metrology.

Article 21 (bis): Notwithstanding the provisions of article 21 of the law herein, the specific measuring instruments of the national defence, are exempted of the

import conditions of the measuring instruments subjected to the legal metrology supervision.

Article 25 (third dash of subparagraph one)-The sworn engineers and technicians practicing in the National Agency of Metrology and entitled for the purpose by the Minister in charge of trade.

Article 44 (bis) - With the exception of the infringements provided by in article 21 and paragraph two of article 24, the public prosecutor may, before initiating the public action, as well as the court referred to, authorize the compromise on the request of the offender. The public prosecutor or the court referred to, approve the compromise concluded in writing between the National Agency of Metrology and the offender. The compromise shall be concluded on the basis of criteria and schedule of compromise amounts fixed by decree, taken on the basis of a proposal from the Minister in charge of trade.

The limitation term of the public action shall be suspended during the period of achieving the compromise procedures as well as during the period of its performance. The performance of the compromise leads to the termination of the public action and the termination of the prosecutions or the judgment or the carrying out the punishment.

The compromise shall neither discharge the offender of the duties provided in by law, nor his third party liability for the damage caused or will be caused to others due to the committed infringement.

Art. 4 - The expression “legal” shall be suppressed from the title of law n°99-40 dated 10 May 1999 relating to the legal metrology, and the provisions of article 10 of the law shall be repealed.

Art. 5 - All the previous provisions contrary to the law herein shall be repealed, and remain into force all the statutory provisions taken in order to implement law n°99-40 dated 10 May 1999 relating to the legal metrology, as much as they are not contrary to the provisions of the law herein.

The law herein shall be published in the Official Gazette of The Republic of Tunisia and implemented as law of the state.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

CONSTITUTIONAL COUNCIL (*)

Opinion n° 44-2007 of the constitutional council, relating to the draft law amending and completing law n° 99-40 dated 10 May 1999 relating to the legal metrology.

Opinion n° 50-2007 of the constitutional council, on the draft law amending and completing the insurance code.

Opinion n° 53-2007 of the constitutional council, relating to the draft law approving the protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nation Convention against transnational organized crime.

Opinion n° 56-2007 of the constitutional council, on the draft law amending and completing law n° 99-40 dated 10 May 1999, relating to the legal metrology.

Opinion n° 61-2007 of the constitutional council, relating to the draft law amending and completing the insurance code.

Opinion n° 62-2007 of the constitutional council, relating to the organic draft law amending law n° 72-40 dated 1 June 1972 relating to the administrative court.

Opinion n° 64-2007 of the constitutional council, relating to the draft law, relating to the vocational training.

Opinion n° 71-2007 of the constitutional council, relating to the draft law amending and completing the guiding law n° 2002-80 dated 23 July 2002, relating to education and scholar teaching.

Opinion n° 01-2008 of the constitutional council, relating to the draft law amending law n° 97-48 dated 21 July 1997 relating to the public financing of the political parties.

Opinion n° 05-2008 of the constitutional council, relating to the draft law approving the convention on the rights of persons with disabilities and its facultative protocol.

Opinion n° 12-2008 of the constitutional council, relating to the draft law amending and completing the insurance code.

(*) These opinions are published only in Arabic and French.

decrees and ministerial orders

PRIME MINISTRY

Decree n° 2008-344 dated 11 February 2008, amending decree n° 93-982 dated 3 May 1993, fixing the general scope of the relation between the administration and its users.

The President of the Republic,

On a proposal from the Prime Minister,

Having regard to law n° 72-40 dated 1st June 1972, relating to the Administrative Court, all amending and completing texts and notably organic law n° 2003-70 dated 11 November 2003,

Having regard to law n° 83-112 dated 12 December 1983, defining the general status of the officials of the state, local collectivities and public establishments of administrative nature, all amending and completing texts and notably law n° 2003-20 dated 17 March 2003,

Having regard to law n° 85-78 dated 5 August 1985, defining the general status of the employees of offices, public establishments of industrial and commercial nature and companies whose capital belongs directly and wholly to the state or to the public local collectivities as amended and completed by law n° 2003-20 dated 17 March 2003,

Having regard to law n° 89-9 dated 1st February 1989, relating to the participations, public enterprises and establishments,

Having regard to law n° 2007-69 dated 27 December 2007, relating to the economic initiative,

Having regard to decree n° 69-400 dated 7 November 1969, establishing the Prime Ministry and fixing the attributions of the Prime Minister,

Having regard to decree n° 93-982 dated 3 May 1993, fixing the general scope of the relation between the administration and its users,

Having regard to decree n° 93-1880 dated 13 September 1993, relating to the system of administrative information and communication,

Having regard to the opinion of the Administrative Court.

Decreases the following :

Article one - article 7 and third paragraph of article 8 of the abovementioned decree n° 93-982 dated 3 May 1993 shall be repealed and replaced as follows:

Article 7 (new) - Any person, presenting to a department of the State, the local collectivities or the public establishments and enterprises, a declaration or a file or a request for obtaining an administrative service, is entitled to a receipt, and this, provided that the required service is of the attributions of the aforesaid department.

In the case of sending by postal or electronic way of a file or request for obtaining an administrative service, the postmark or the electronic acknowledgement of receipt shall take place of the receipt referred to in first paragraph of this article.

The form of receipt and the indications which must be inserted in shall be fixed by decree of the concerned Minister .

Article 8(3rd paragraph (new) - The updated lists of the administrative services mentioned in the first subparagraph of this article shall be fixed by orders of the concerned Ministers. These lists shall be published in the Official Gazette of the Republic of Tunisia and in the Web sites of the concerned administrative structures.

These orders shall obligatorily indicate the procedures to be followed and the administrative documents required of the users of the administration for obtaining of the aforesaid services.

Art. 2 - the Prime Minister, the concerned Ministers and the Secretaries of State, each in his respective capacity, shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

Decree n° 2008-345 dated 11 February 2008, fixing the list of the basic public services and the determination methods of the benefit deadlines of the aforesaid services.

The President of the Republic,

On a proposal from the Prime Minister,

Having regard to law n° 2007-69 dated 27 December 2007, relating to the economic initiative and notably articles 4, 5 and 7,

Having regard to decree n° 69-400 dated 7 November 1969, establishing the Prime Ministry and fixing the attributions of the Prime Minister,

Having regard to decree n° 93-982 dated 3 May 1993, fixing the general scope of the relation between the administration and its users,

Having regard to decree n° 93-1880 dated 13 September 1993, relating to the system of administrative information and communication,

Having regard to the opinion of the Minister of Agriculture and Water Resources, the Minister of Industry, Energy and Small and Medium- Sized Enterprises, the Minister of Environment and Sustainable Development and the Minister of Communication Technologies,

Having regard to the opinion of the Administrative Court.

Decreases the following :

Article one - The following services shall be considered as basic public services according to the meaning of article 7 of the abovementioned law, relating to the economic initiative:

- connection with the network of electricity and gas,
- connection with the network of drinking water supply,
- connection with the network of cleaning up,
- connection with the networks of information and communication.

Art. 2 - The enterprises providing the basic public services mentioned in article one of the decree herein, shall fix the maximum deadlines to ensure the aforementioned services, and this, according to specificities of each public service and of the conditions of its realization and in particular the availability of the necessary infrastructure and the means of connection in the concerned region.

These deadlines shall be provided for by orders of the supervising Ministers, fixing the administrative services and the condition of their grant.

Art. 3 - The Prime Minister, the concerned Ministers and the Secretaries of State, each in his respective capacity, shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

APPOINTMENTS

Appointment of chief supervisors of public departments.

(Published only in Arabic and French)

Appointment of supervisors of public departments.

(Published only in Arabic and French)

MAINTAINING ON ACTIVE DUTY

Maintaining on active duty in the public sector.

(Published only in Arabic and French)

Order of the Prime Minister dated 12 February 2008, opening a competitive exam on the basis of tests for the admittance to the training cycle of the junior executives of the subcategory A2, to the national school of administration.

(Published only in Arabic and French)

MINISTRY OF THE INTERIOR AND LOCAL DEVELOPMENT

Decree n° 2008-354 dated 11 February 2008, sharing out the reserve of the common fund of the local collectivities.

(Published only in Arabic and French)

MINISTRY OF JUSTICE AND HUMAN RIGHTS

Decree n° 2008-355 dated 11 February 2008, relating to the organization and functioning of the lawyers contingency and retirement fund.

The President of the Republic,

On a proposal from the Minister of Justice and Human Rights,

Having regard to law n° 73-81 dated 31 December 1973, promulgating the public accounting code, all amending and completing texts and notably law n° 2006-85 dated 25 December 2006, relating to finance law for the year 2007 and notably article 64,

Having regard to law n° 89-87 dated 7 September 1989, organizing the lawyer profession, as amended and completed by law n° 2006-30 dated 15 May 2006 and notably article 76,

Having regard to law n°93-53 dated 17 May 1993, promulgating the registration and stamp duties code, all amending and completing texts and notably law n° 2007-70 dated 27 December 2007, relating to finance law for the year 2008 and notably article 6,

Having regard to law n° 2003-8 dated 21 January 2003, relating to the liquidation of the rights of the people profiting from the cover of several legal schemes from old-age, disability and death insurances,

Having regard to decree n° 93-1148 dated 22 May 1993, fixing the lawyer stamp and the methods of its issuing and distribution,

Having regard to decree n° 2002-543 dated 5 March 2002, fixing the condition of exercising the activity of actuaries authorized to certify the life-insurance tariffs, provided for in article 47 of the insurances code,

Having regard to decree n°2003-1128 dated 19 May 2003, fixing the liquidation methods of the rights of the people profiting from the cover of several legal schemes from old-age, disability and death insurances

Having regard to the opinion of the Minister of Finance,

Having regard to the opinion of the Minister of Social Affairs, Solidarity and Tunisians Abroad,

Having regard to the opinion of the Administrative Court.

Decreases the following :

Chapter one

General provisions

Article one - The lawyers contingency and retirement fund, hereafter called "the fund", shall guarantee the medical cover and temporary allowances in the event of disease, maternity, accidents, death and the payment of the retirement, disability and survivors pensions.

Art. 2 – Shall benefit from the fund services provided for in article one of the decree herein, the following persons :

- the lawyer,
- spouse,
- descendants in charge indicated below :
 - * minor children,
 - * children following studies up to 27 years completed,
 - * the daughter not having source of income and who is not the responsibility of her husband,
 - * the children carrying a handicap, physical or mental, rendering them unable to exercise an activity and who do not have a source of income.

Art. 3 - The affixing of the lawyer stamp and the payment of the annual contribution for the Social Security cover shall constitute a professional obligation for each lawyer.

The benefit of the services provided for by the decree herein shall be subordinated to the non omission by practicing lawyer to affix the lawyer stamp and to the payment by as well practicing lawyer as retired lawyer of their annual contribution to the profit of the fund.

Chapter II

The administrative organization

Art. 4 - The fund shall be managed by a board of directors chaired by the president of the bar of the national order of lawyers and composed of the other members of the aforesaid order.

The board chairman may call for any other person whose opinion is deemed useful for one of the questions registered on the agenda of works of the board of directors.

Art. 5 - The board of directors chairman shall represent the fund before all any other administrative and jurisdictional authorities.

Art. 6 - The board of directors shall manage the funds and the goods of the fund for the account and to the profit of lawyers and it is in particular charged with :

- fixing the services provided by the fund in the field of contingency and retirement, for the profit of its members and of the members of their families,
- fixing the annual provisional budget of management,
- following the administrative and financial management of the fund,
- elaborating the financial statements and fixing them,
- elaborating the annual management report,
- achieving the operations of investment and financial and real placing, in return of financial and in kind products.

The board chairman may charge one of the members or some of them, to study or follow questions which refer to the mission of the board, as he may charge of the experts in the field of the social security, by contractual way, to carry out defined tasks concerned with the attributions of the fund.

These contracts shall be subjected, in all cases, to the prior approval of the board of directors.

Art. 7 - The board of directors shall meet once every three months or each time when deemed necessary, on a call from the chairman to deliberate on questions concerned with his attributions and registered in the agenda, communicated at least, ten days ahead to all the board members.

The agenda referred to above must be accompanied by all the documents having to be examined during the board of directors meeting.

Art. 8 - The deliberations of the board shall be noted by minutes consigned in a special register held at the registered

office and cosigned by the chairman of the board and by a member of the aforesaid board.

The chairman and two board of directors members, at least, shall sign copies or extracts of the minutes to be opposable to the third parties.

The minutes of the board of directors shall be established within a ten-day deadline following the board meeting and put at the disposal of lawyers for consultation.

Art. 9 - The board of directors can only validly deliberate in the presence of the majority of its members.

In the absence of quorum during the first meeting, the board shall meet in the fifteen days which follow, and this, whatever the number of the present members .

The board of directors decisions shall be taken with the majority of votes of the present members and in case of a tied vote, the chairman vote shall be casting.

The functions of the members of the board of directors shall be gratuitously exerted . However, they shall be entitled to the reimbursement of the duly justified expenses that they supported within the framework of their functions to the profit of the fund.

Art. 10 - It shall be prohibited to the member of the board of directors to delegate his prerogatives and to be absent from the board meetings, except in the event of prevention and within the limit of twice per annum.

In the event of absence of the chairman, the board of directors is chaired by the oldest member.

Art. 11 - The board of directors shall be assisted in the fund management by a technical and financial administration composed of specialized officials and agents of the domain, and which exert their functions under the authority and the supervision of board of directors. The latter is in particular charged with :

- reception of the requests for retirement as well as bulletins of care, the taking over of the expenses and medical control and their examination before their execution,
- establishment and the settlement of the pensions and the refunding of the care expenses,
- the achievement of all the missions which are entrusted to it by the board of directors,
- the fund documents conservation.

The board of directors chairman may, also, after the opinion of the board, delegate the power of signature to one of the officials of the fund.

The board of directors may, also, in virtue of an agreement, charge a third party of a part or all the fund services.

Art. 12 - The management of the fund board of directors shall be subjected to an annual control , in accordance with the legislation in force, by two experts of accountancy and management registered in the order of the chartered accountants of Tunisia appointed by the board of directors, for one three year - period, nonrenewable. They draw up a report for this purpose.

Chapter II

The Financial organization

Art. 13 - The resources of the fund shall be composed of :

- the totality of the returns to the title of the lawyer stamp,
- the totality of the annual contributions taken on lawyers under participation to the funds of medical cover of lawyers,
- the totality of the products of financial and real placing of the funds of the fund.

Art. 14 - The board of directors of the fund shall fix, at the end of September of each year, the provisional budgets of operation and investment as well as the diagram of financing of the projects of investment for the following year.

The financial and accounting year begins on January first of the year and finishes 31 December of the same year.

Art. 15 - The fund shall be subjected to a financial management independent of that of the national order of lawyers.

The accountancy of the fund shall be held in accordance with the rules governing the commercial accountancy . the fund assigns reserve funds to each scheme which it manages, coming from financial surpluses released from each one of these schemes. The technical reserve funds shall be invested in the fields fixed by the board of directors.

Art. 16 - The fund shall communicate to the Ministry charged of the social security and the Ministry charged of finance, within a deadline not exceeding the 15 days following their establishment and at the latest at the end of July of the concerned financial year, the following documents:

- provisional balance sheet of operation and investment and the diagram of financing of the projects of investment,
- the financial statement,
- the reports of legal certification of the accounts and reports of the internal audit,
- the minutes of the board of directors meetings,
- financial statements of the liquidities of the fund,
- the financial placing(banking and products of real estates...).

Art. 17 - Each practicing lawyer or retired shall pay to the profit of the fund, an annual contribution, for the direct participation to the consolidation of the fund, and which amount shall be fixed as follows:

- 300 dinars for lawyer at the Court of Cassation,
- 250 dinars for lawyer at the Court of Appeal,
- 100 dinars for training lawyer.

Chapter IV

The fund services

Art. 18 - The fund shall take over the expenses of the persons medical cover mentioned in article 2 of this decree,

as the expenses of care, examinations, consultations, visits, explorations, medical analyses, drugs, surgical operations, hospitalization at the hospitals and the private clinics, of medical transport, the thermal care establishments, physiotherapy, use of equipment and their installation in replacement or for assistance, of the para-medical acts and all the means which support the cure.

Art. 19 - The fund shall take over the expenses of the medical services provided according to rates of refunding or on the basis of special standard rate, within the limit of an annual threshold, fixed by the national order of lawyers on the basis of a report established for this purpose by two actuary experts registered at the register of the actuary experts held by the Ministry of Finance.

The fund shall take over, completely and without limit, the expenses related to the heavy or chronic diseases as well as the expenses of surgical operations.

Art. 20 - The lawyer having temporarily stopped his work in consequence of a disease, accident, without regard to the cause, as well as the female lawyer in work leave because of her state of pregnancy or her childbirth, shall benefit from a daily allowance for the period of work interruption.

Art. 21 - The lawyer shall benefit from a retirement pension in accordance with the law organizing the lawyer profession.

Art. 22 - The lawyer spouse and his descendants mentioned in article 2 of the decree herein, shall benefit from an allowance of death-capital and pension of survivors.

Art. 23 - The fund board of directors shall fix the amounts of the services provided for in articles 18, 20, 21, and 22 of the decree herein, as well as the conditions and criteria of their attribution, and this, on the basis of a report established for this purpose by two actuary experts registered at the register of the actuary experts held by the Ministry of Finance.

Art. 24 - The fund board of directors may, within the framework of its social action, to grant conjunctural aids for the profit of the beneficiaries of the services of the fund.

Chapter V

Final provisions

Art. 25 - In the event of affiliation of lawyer to one or more other legal schemes of social protection, the rights of lawyer to pension under each scheme are liquidated according to the legislation and regulations in force.

Art. 26 - If the lawyer does not affix the lawyer stamp on his acts or he does not pay his contribution of medical cover , the board of directors orders him to pay the due amount before initiating the proceedings of covering in accordance with the legislation in force.

Art. 27 - The provisions of chapter four of the decree herein shall come into force as of 1st July 2008.

Art. 28 - The Minister of Justice and Human Rights, the Minister of Finance and the Minister of Social Affairs, Solidarity and Tunisians Abroad, each in his respective capacity, shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

MINISTRY OF FOREIGN AFFAIRS

Decree n° 2008-356 dated 11 February 2008, ratifying a letters exchange between the government of the Republic of Tunisia and the people's Republic of China, relating to the realization of fish farming project.

The president of the Republic

Having regard to the constitution notably article 32,

Having regard to the letters exchange dated 17 April 2007, between the government of the Republic of Tunisia and the people's Republic of China, relating to the realization of fish farming project.

Decreases the following :

Article one - The letters exchange dated 17 April 2007, between the government of the Republic of Tunisia and the people's Republic of China, relating to the realization of fish farming project, is ratified.

Art. 2- The Minister of Foreign Affairs shall implement this decree, which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

APPOINTMENT

Appointment of a director.

(Published only in Arabic and French)

MINISTRY OF NATIONAL DEFENCE

APPOINTMENT

Appointment of chief staff of the Air Force.

(Published only in Arabic and French)

MINISTRY OF FINANCE

Decree n° 2008-359 dated 11 February 2008, amending decree n° 93-1148 dated 22 May 1993, fixing the amount of the lawyer's stamp and its issuing and distribution methods.

The president of the Republic,

On a proposal from the Minister of Finance,

Having regard to law n° 73-81 dated 31 December 1973, promulgating the public accountancy code, all amending and completing texts notably law n°2006-85 dated 25 December 2006 relating to the finance law for the year 2007 particularly article 64,

Having regard to law n° 89-87 dated 7 September 1989, organizing the lawyer's profession, as amended and completed by law n° 2006-30 dated 15 May 2006,

Having regard to law n° 93-53 dated 17 May 1993, promulgating the registration duties and stamps code, all

amending and completing texts notably law n°2007-70 dated 27 December 2007 relating to the finance law for the year 2008 particularly article 6,

Having regard to decree n°93-1148 dated 22 May 1993, fixing the amount of the lawyer's stamp and its issuing and distribution methods,

Having regard to the opinion of the Minister of Justice and Human Rights;

Having regard to the opinion of the Administrative Court.

Decreases the following :

Article one - The provisions of article one of decree n° 93-1148 dated 22 May 1993 are repealed and substituted by the following provisions :

Article one (new)- The amount of the lawyer's stamp is fixed, as for the acts provided for in article 6 of decree n°93-1148 dated 22 May 1993, as follow :

- six dinars for the acts submitted to the cantonal court,
- twelve dinars for the requests of the honorary confirmation as well as the acts transmitted to the chambers of first instance of the administrative court, and the first instance courts of the judicial and military system,
- eighteen dinars for the contracts dealing with the real estates registered at the land property preservation as well as the acts transmitted to the chambers of cassation and appeal of the administrative court, the court of cassation and the courts of appeal of the judicial and military system.

Art. 2 - The decree herein shall come into force as from 1 May 2008.

Art. 3 - The Minister of Justice and Human Rights and the Minister of Finance, each in his respective capacity, shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

APPOINTMENTS

Appointment of « chargés de mission ».

(Published only in Arabic and French)

Appointment of directors general.

(Published only in Arabic and French)

Appointment of heads of unit.

(Published only in Arabic and French)

Appointment of administrators of the state budget of the 1st category.

(Published only in Arabic and French)

Appointment of a head of commission.

(Published only in Arabic and French)

Appointment of a director.

(Published only in Arabic and French)

Appointment of a supervisor of finance of the 2nd class.

(Published only in Arabic and French)

**MINISTRY OF DEVELOPMENT AND
INTERNATIONAL COOPERATION**

Decree n° 2008-381 dated 11 February 2008, ratifying the loan agreement concluded in Washington on 20 October 2007, between the government of the Republic of Tunisia and the international bank for reconstruction and development for the complementary financing of the second project of the export development .

The President of Republic,

Having regard to the constitution, notably article 32,

Having regard to law n° 2007-67 dated 27 December 2007, approving the loan agreement concluded in Washington on 20 October 2007, between the government of the Republic of Tunisia and the international bank for reconstruction and development, relating to the loan granted to the Tunisian government for the contribution to the complementary financing of the second project of the export development,

Having regard to the loan agreement concluded in Washington on 20 October 2007, between the government of the Republic of Tunisia and the international bank for reconstruction and development relating to the loan granted to the Tunisian government for the contribution to the complementary financing of the second project of the export development.

Decreases the following :

Article one - The loan agreement concluded in Washington on 20 October 2007, between the government of the Republic of Tunisia and the international bank for reconstruction and development of an amount of four millions and five hundred thousands euros for the contribution to the complementary financing of the second project of the export development, is ratified.

Art. 2 - The Minister of development and international cooperation shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 February 2008.

Zine El Abidine Ben Ali

**MINISTRY OF TRADE AND
HANDICRAFTS**

APPOINTMENT

Appointment of the president director general of the Tunisian trade office.

(Published only in Arabic and French)