

Polycopié – Unit 11: Self-Entrepreneurship Law

Module: Entrepreneurship

Level: 2nd Year Bachelor's (Licence) – Economic Sciences

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 **Title:** Understanding the Legal Framework of Self-Entrepreneurship in Algeria

Lesson Overview

Algeria has recently introduced a new employment mechanism through the **Self-Entrepreneur Law (Law No. 22-23)**. This legal framework is designed to support individual entrepreneurship, diversify job creation strategies, and promote autonomous income-generating activity. This polycopié offers an in-depth analysis of the legal concept, eligibility criteria, benefits, and obligations associated with becoming a self-entrepreneur in Algeria.

Learning Objectives

Upon completing this unit, students will be able to:

- Understand the legal definition and criteria for being recognized as a self-entrepreneur.
- Identify the rights, obligations, and benefits granted under Law 22-23.
- Distinguish between eligible and ineligible individuals for self-entrepreneur status.
- Analyze the process of registration and withdrawal from the national self-entrepreneur registry.
- Reflect on the role of self-entrepreneurship in Algeria's labor market and economy.

I. Definition of the Self-Entrepreneur (المقاول الذاتي)

According to **Article 2 of Law 22-23**, a self-entrepreneur is:

“A natural person who exercises a profit-generating activity individually, within a legally defined annual turnover limit, and whose activity falls under the officially approved list.”

◆ Key Criteria:

1. **Natural Person:** Only individuals (not companies or legal persons) are eligible.
2. **Individual Activity:** The activity must be practiced individually, without employing others.
3. **Profit-Oriented:** The activity must aim to generate financial gain.

4. **Turnover Threshold:** Annual turnover must not exceed **5 million DZD**. Exceeding this for 3 consecutive years leads to disqualification.
5. **Not a Liberal or Regulated Profession:** Activities such as law, medicine, or pharmacy are excluded.
6. **Included in the Official List of Eligible Activities:** Seven sectors are authorized, including digital services, consulting, audiovisual, home services, and more.

II. Eligibility Conditions and Exclusions

1. Eligibility Requirements (Article 3):

- Must have reached the **legal working age**.
- Must be **Algerian with residence** or a **resident foreigner**.
- Must conduct a legally **approved activity** (one of the seven domains).

2. Exempt Categories:

- **Public servants:** Forbidden by Article 43 of the Civil Service Law to engage in private profitable activities, even though exceptions exist for startup creation (Law 22-22).
- **Practitioners of liberal and regulated professions:** Not eligible under the self-entrepreneur scheme.

III. Benefits and Incentives for Self-Entrepreneurs

1. Legal Benefits under Law 22-23 (Article 9):

- **Simplified accounting:** Bookkeeping in a stamped and numbered ledger.
- **Exemption from Commercial Registry:** Simplifies formalities and reduces administrative burden.
- **Preferential tax rate:** **5%** flat tax on gross income (Finance Law 22-24).
- **Right to open a professional bank account.**
- **Self-Entrepreneur Card:** A national ID card issued by the National Agency.
- **Protection against seizure:** Home office and personal residence cannot be seized due to business debts.

2. General Legal Rights:

- May **delegate tasks** to subcontractors unless otherwise specified.
- Entitled to **remuneration** for completed services according to general labor laws.

IV. Obligations and Compliance Requirements

To benefit from the self-entrepreneur status, the following **obligations** must be fulfilled:

- Obtain a **Tax Identification Number (NIF)**.
- Register with the **social security fund (CASNOS)** and pay contributions.
- Apply for registration in the **National Self-Entrepreneur Registry**.
- Submit an **annual turnover certificate** from the tax administration to the National Agency.
- Declare annual income to tax authorities by **April 30** each year.

V. Registration and Withdrawal from the Self-Entrepreneur System

1. Registration Procedures:

- Submit an application to the **National Self-Entrepreneur Agency**.
- Application is reviewed within **3 working days**.
- If approved, a **national registration number** and a **Self-Entrepreneur Card** are issued.

2. Voluntary Withdrawal:

- Entrepreneurs may **opt out** of the system at any time.
- **Re-registration** is possible if the reasons for withdrawal cease to exist.

Conclusion

The Self-Entrepreneur Law in Algeria represents a strategic tool for promoting economic inclusion and encouraging independent initiative. It simplifies administrative procedures and lowers entry barriers for individuals looking to engage in legal, small-scale, and autonomous business activities. Understanding this legal framework equips students with the knowledge to explore self-employment opportunities, particularly in the evolving Algerian labor market.