

# **WORLD TRADE ORGANIZATION**

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**Working Party on the Accession of Algeria**

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## **ACCESSION OF ALGERIA**

### Information on Policy Measures Affecting Trade in Services

The Permanent Mission of the Democratic People's Republic of Algeria has communicated to the Secretariat information on policy measures affecting trade in services.

TABLE 1: Measures Relating to Market Access

Mode(s) of Supply	Measures	Relevant Laws and Regulations
<b>A. HORIZONTAL</b>		
(3) <u>Commercial presence</u>  (4) <u>Presence of natural persons</u>	(3) Mandatory inscription in the Commercial Register by all commercial enterprises with foreign headquarters and which open an agency, branch or any other establishment in Algeria.  (4) Meet the legal conditions of residence for foreigners.	Article 4 of Decree No. 97-41 of 18 January 1997 concerning the requirements for registration in the Commercial Register, implementing Law No. 90-22 of 18 August 1990 on the Commercial Register. Order No. 66-211 of 21 July 1966 regarding the status of aliens in Algeria. Decree No. 66-212 of 21 July 1966 implementing the aforementioned Order. Law No. 81-10 of 11 July 1981 governing the terms and conditions of employment of foreign workers.
<b>1. BUSINESS SERVICES</b>		
<b>A. Professional Services</b>		
<b>(d) Architectural services</b>		
(3) <u>Commercial presence</u>  (4) <u>Presence of natural persons</u>	(3) Registration in the national register of architects. This registration is equivalent to approval. Registration in the Commercial Register.  (4) Professional qualifications. Approval given by the board of the association of architects and the law on the movement of persons.	Legislative Decree No. 94-07 of 18 May 1994 regulating the requirements for architectural products and the practice of the profession of architect.
<b>(e) Engineering services</b>		
(3) <u>Commercial presence</u>  (4) <u>Presence of natural persons</u>	(3) Approval delivered by the Ministry for Housing and Urban Development.  (4) Professional abilities. Approval by the Ministry for Housing and Urban Development.	Decree No. 68-652 of 26 December 1968 establishing the conditions under which private persons may conclude design contracts with the Ministry for Public Works and Construction. Inter-Ministerial Order of 15 May 1988 governing the terms and conditions for building project management and the remuneration therefor, as amended by the Inter-Ministerial Order of 4 July 2001.

Mode(s) of Supply	Measures	Relevant Laws and Regulations
F. Other Business Services		
(h) Services incidental to mining - Prospecting, exploration and exploitation of petroleum and gas: hydrocarbon sector		
(1) <u>Cross-border supply</u>	(1) Obligation to conclude a contract with the public enterprise in order to build and operate hydrocarbon transport pipelines	Article 17 of Law No. 86-14 of 19 August 1986, as amended and supplemented. Articles 20 to 29 of Law No. 86-94 of 19 August 1986 on hydrocarbon prospecting, exploration, exploitation and transportation. Above-mentioned Law. Decree No. 87-159 of 21 July 1987 on the participation of foreign companies in hydrocarbon prospecting and exploration.
(2) <u>Consumption abroad</u>	(2) Conclusion of a contract with the national company. Hydrocarbon prospecting, exploration and exploitation are under State monopoly. Public companies are responsible for exercising this monopoly.	
(3) <u>Commercial presence</u>	(3) Foreign participation limited to 49 per cent of the overall investment. Obligation to conclude a contract with the national company. The operating body is chaired by a representative of the national company.	
- Research and extraction of minerals: mining sector		
(3) <u>Commercial presence</u>	(3) Obligation to enter into partnership with a national company. The parties to a contract may agree to create either a joint venture without legal personality or a joint-stock trading company under Algerian law.	Minerals are the property of the State (Article 1 of Law No. 84-06 of 7 January 1984 on mining activities).
(j) Services incidental to energy distribution: - Distribution of petroleum products		
(3) <u>Commercial presence</u>	(3) Authorization by the Ministry responsible for hydrocarbons.	Executive Decree No. 97-435 of 17 November 1997 regulating the storage and distribution of petroleum products.
2. COMMUNICATION SERVICES		
B. Courier services		
(a) Ordinary mail weighing less than 2 kg.		
(3) <u>Commercial presence</u>	(3) Service established, run and provided by the public operator "Algérie Poste" on an exclusive basis.	Law No. 2000-03 of 5 August 2000 (Arts. 61 to 66) establishing the general rules governing postal and telecommunication services. Executive Decree No. 01-418 of 20 December 2001 regarding the operating system applicable to each postal service.
(b) Express international courier services		

Mode(s) of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence</u>	(3) Services subject to authorization by the regulatory authority for postal and telecommunication services through acceptance of the contract specifications and the payment of an annual fee.	Law No. 2000-03 of 5 August 2000. Executive Decree No. 01-418 of 20 December 2001. Decree 02-44 of 14 January 2002 setting the amount of the annual fee payable by holders of operating licenses to provide postal services.
C. Telecommunication services		
(a) Voice telephone services		
- Fixed - trunk telephone service network		
(3) <u>Commercial presence</u>	(3) None as from 2005. Subject to licensing.	Law No. 2000-03 of 5 August 2000. Decree 01-123 of 9 May 2001 establishing the operator systems. Decree 01-124 of 9 May 2001 prescribing the procedure for the award of contracts based on competitive bidding for telecommunications licenses.
- Mobile		
(3) <u>Commercial presence</u>	(3) Operated under a duopoly until the end of 2003. None as from 2004. Subject to licensing.	Law No. 2000-03 of 5 August 2000. Decree No. 01-123 of 9 May 2001 establishing the operator systems. Decree No. 01-124 of 9 May 2001.
- Mobile/Satellite services (maritime and aeronautical)		
(3) <u>Commercial presence</u>	(3) None as from 2003, subject to licensing.	Law No. 2000-03 of 5 August 2000. Decree No. 01-123 of 9 May 2001 establishing the operator systems. Decree 01-124 of 9 May 2001.
- Dedicated telephone service networks (specialized)		
(3) <u>Commercial presence</u>	(3) Subject to authorization.	Law No. 2000-03 of 5 August 2000. Decree No. 01-123 of 9 May 2001 establishing the operator systems.
(b) Packet-switched data transmission services		
(c) Circuit-switched data transmission services		
(1) <u>Cross-border supply</u>	(1) None as from 2005.	Law No. 2000-03 of 5 August 2000. Decree No. 01-123 of 9 May 2001 establishing the operator systems. Decree 01-124 of 9 May 2001.
(3) <u>Commercial presence</u>	(3) None as from 2005, subject to licensing when it is a network open to the public.	
(d) Telex services		

Mode(s) of Supply	Measures	Relevant Laws and Regulations
(1) <u>Cross-border supply</u>	(1) Unbound	Law No. 2000-03 of 5 August 2000. Decree No. 01-123 of 9 May 2001 establishing the operator systems.
(2) <u>Consumption abroad</u>	(2) Unbound	
(3) <u>Commercial presence</u>	(3) Services subject to the simple declaration system.	
7. FINANCIAL SERVICES		
A. Insurance and insurance-related services		
(a) Life, accident and health insurance services		
(3) <u>Commercial presence</u>	(3) Only companies created as duly approved joint-stock companies or mutual insurances.	Articles 204, 207, 215, 216 and 218 of Order No. 95-07 of 25 January 1995 on insurance. Executive Decree No. 95-344 on minimum capital requirements for insurance companies.
(b) Non-life insurance services		
(3) <u>Commercial presence</u>	(3) Only companies created as duly approved joint-stock companies or mutual insurances may have access to the market.	Articles 204, 207, 215, 216 and 218 of Order No. 95-07 of 25 January 1995 on insurance. Executive Decree No. 95-344 on minimum capital requirements for insurance companies.
(c) Reinsurance and retrocession services		
(1) <u>Cross-border supply</u>	(1) Subject to mandatory cession for direct insurance transactions to the reinsurer designated by the Ministry of Finance.	Articles 208 and 211 of Order No. 95-07 of 25 January 1995 on insurance. Executive Decree No. 98-213 of 30 September 1998 amending Executive Decree No. 95-409 of 9 December 1995, in particular Art. 3 on mandatory cession for reinsurance.
(d) Services auxiliary to insurance (including brokerage and general agency services)		
- Brokers and general agents		
(3) <u>Commercial presence</u>	(3) Prior authorisation. Authorisation is accorded to nationals only.	Articles 252 to 268 of Order No. 95-07 of 25 January 1995. Articles 4 to 21 of Decree No. 95-340 of 30 October 1995.
- Damage assessment experts		
(3) <u>Commercial presence</u>	(3) Prior authorisation.	Articles 269 to 273 of Order No. 95-07 of 25 January. Decree No. 96-46 of 17 January 1996.
B. Banking and other financial services (excluding insurance)		

Mode(s) of Supply	Measures	Relevant Laws and Regulations
(a) Acceptance of deposits and other repayable funds from the public		
(1) <u>Cross-border supply</u>	(1) not permitted.	Law No. 90-10 of 14 April 1990 on currency and credit, as amended and supplemented by Order No. 01-01 of 27 February 2001. Regulation No. 95-07 of 23 December 1995 on foreign exchange control, and subsequent texts. Regulation No. 97-04 of 31 December 1997 concerning the bank deposit guarantee system. Directive No. 09-2000 of 31 December 2000 setting the rate of the premium payable as participation in the deposit guarantee company.
(2) <u>Consumption abroad</u>	(2) not permitted.	
(3) <u>Commercial presence</u>	(3) Only banks may accept deposits and other repayable funds.	
(b) Lending of all types		
(1) <u>Cross-border supply</u> (2) <u>Consumption abroad</u>	not authorized except for loans for financing investments and commercial operations under the foreign exchange regulations.	Law 90-10, Regulations 90-03, 95-07, Directives 20-94, 68-94, 07-97, 02-2001, 03-2001, 07-2001, mentioned above in connection with specific sectors.
(3) <u>Commercial presence</u>	(3) Only banks and financial institutions may engage in this activity.	
(c) Financial leasing		
(1) <u>Cross-border supply</u> (2) <u>Consumption abroad</u> (3) <u>Commercial presence</u>	(1) considered as a credit transaction, movements of (2) funds initiated through financial leasing, are governed by the exchange regulations (3) the activities of banks and financial institutions.	Law 90-10, Regulation 95-07, Regulation 96-06, In Directive No. 06-96 mentioned above in relation to specific sectors.
(d) All payment and money transmission services		
(1) <u>Cross-border supply</u> (2) <u>Consumption abroad</u>	Movements of tied funds subject to the exchange regulations.	Law 90-10, Regulations 90-03, 95-07 and 95-08.
(3) <u>Commercial presence</u>	(3) These services are conducted through banks and financial institutions.	
(e) Guarantees and commitments		

Mode(s) of Supply	Measures	Relevant Laws and Regulations
(1) <u>Cross-border supply</u> (2) <u>Consumption abroad</u> (3) <u>Commercial presence</u>	Movements of funds (transfers and repatriations) connected with these transactions, subject to the exchange regulations in force. Banks may issue guarantee bonds to residents and guarantee and counter-guarantee bonds to non-residents.	Law 90-10, Regulations 93-03, 95-07 and Instructions 05-94.
9. TOURISM AND TRAVEL-RELATED SERVICES		
A. Hotels and restaurants		
(a) Hotels		
(3) <u>Commercial presence</u>  (4) <u>Presence of natural persons</u>	(3) Operation subject to prior issue of an operating licence by the administration responsible for tourism. (In addition to an operating license, the creation of a camping site is also subject to prior authorisation from the local Wali). (4) Approval of the manager based on professional qualifications.	Article 52 of the Law No. 99-01 of 6 January 1999 establishing the rules governing hotels. Executive Decree No. 01-138 of 26 March 2001 amending and supplementing Decree No. 8514 of 26 January 1985 laying down the requirements for the creation and operation of camping sites. Article 55 of the Law No. 99-01 of 6 January 1999 establishing the rules governing hotels. Executive Decree No. 2000-130 of 11 June 2000 stipulating the standards and requirements for the categorisation of hotel establishments (annex).
(b) Restaurants		
(3) <u>Commercial presence</u>  (4) <u>Presence of natural persons</u>	(3) Registration in the Commercial Register and prior authorization from the local Wali. The same applies to drinking establishments that are subject to licensing (fast food and unclassified beverages). Licensing on the same basis as classified establishments. (4) None.	Inter-Ministerial Circular dated 5 January 1995 setting out the terms and conditions for the operation and monitoring of restaurants providing fast food and unclassified beverages. Decree No. 59-75 of 29 April 1975 (Ministry of Home Affairs).
B. Travel agencies and tour operators services		

Mode(s) of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence</u> (4) <u>Presence of natural persons</u>	(3) Operating licence issued by the Ministry for Tourism. (4) Professional qualifications.	Article 6 of Law No. 99-06 of 4 April 1999 laying down the rules governing tourism and travel agencies. Article 2 of Executive Decree No. 2000-48 of 1 March 2000 prescribing the terms and conditions for the creation and operation tourism and travel agencies. Article 7 of Law No. 99-06 of 4 April 1999 and Article 3 of Decree No. 2000-48 of 1 March 2000 setting forth the terms and conditions for the creation and operation of tourism and travel agencies.
C. Tourist guides services		
(3) <u>Commercial presence</u> (4) <u>Presence of natural persons</u>	(3) Company under Algerian law. Algerian nationality required. (4) Approval of the guide. Professional qualifications.	Commercial Code - Article 10 of Decree No. 92-121 of 14 March 1992 regulating the profession of tourist guide. Article 11 of the same Decree as amended by Executive Decree No. 96-341 of 12 October 1996. Article 18 of Decree No. 92-121 dated 14 March 1992.
11. TRANSPORT SERVICES		
(f) Services incidental to maritime transport - Shipping brokerage services/Consignment		
(3) <u>Commercial presence</u>	(3) Activities open to competition pursuant to the regulations in force/Elimination of the monopoly granted to national enterprises responsible for these activities (GEMA/ENTMV/SNTM-HYPROC).	Law No. 98-05 of 25 June 1998, amending and supplementing Order No. 76-80 of 23 October 1976 concerning the Maritime Code. Executive Decree No. 01-286 of 24 September 2001 establishing the conditions for engaging in freight and vessel consignment and brokerage.
A. Maritime Transport Services		
- Regular international carriage of passengers		
(3) <u>Commercial presence</u>	(3) Services open to companies incorporated under Algerian law (Shipowners)/Elimination of the monopoly granted to the <i>Entreprise Nationale de Transport Maritime de Voyageurs (ENTMV)</i> [National Maritime Passenger Transport Enterprise].	Law No. 98-05 of 25 June 1998, amending and supplementing Order No. 76-80 of 23 October 1976 concerning the Maritime Code. Executive Decree No. 2000-81 of 9 April 2000 setting out the terms and conditions for the operation of maritime transport services.
(b) Regular international carriage of goods		



Mode(s) of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence</u>	(3) Services open to companies incorporated under Algerian law (Shipowners)/Elimination of the monopoly granted to the SNTM-CNAN and the SNTM-HYPROC.	Law No. 98-05 of 25 June 1998, amending and supplementing Order No. 76-80 of 23 October 1976 concerning the Maritime Code. Executive Decree No. 2000-81 of 9 April 2000 setting out the terms and conditions for the operation of maritime transport services.
(b) International carriage of goods by sea as required (TRAMPING)		
(3) <u>Commercial presence</u>	(3) Services open to companies incorporated under Algerian law (Shipowners)/Elimination of the monopoly granted to the SNTM-CNAN and the SNTM-HYPROC.	Law No. 98-05 of 25 June 1998, amending and supplementing Order No. 76-80 of 23 October 1976 concerning the Maritime Code. Executive Decree No. 2000-81 of 9 April 2000 setting out the terms and conditions for the operation of maritime transport services.
(c) Rental of vessels (chartering)		
(3) <u>Commercial presence</u>	(3) Services open to companies incorporated under Algerian law (Shipowners)/Elimination of the monopoly granted to the National Maritime Transport Enterprises.	Law No. 98-05 of 25 June 1998, amending and supplementing Order No. 76-80 of 23 October 1976 concerning the Maritime Code. Implementing text (executive decree) under preparation.
E. Rail Transport Services		
(a) Passenger transportation		
(1) <u>Cross-border supply</u>  (3) <u>Commercial presence</u>	(1) No restrictions.  (3) Railway network under a concession system.	Observance of national legislation (Customs-Police) and the International Convention on Carriage of Goods by Rail (COTIF). Article 17 of the Constitution. Law No. 01-13 of 7 August 2002 on the guidelines for and organization of transport by land.
(b) Freight transportation		
(1) <u>Cross-border supply</u>  (3) <u>Consumption abroad</u>	(1) No restrictions.  (3) Railway network under a concession system.	Observance of national legislation (Customs-Police) and the International Convention on Carriage of Goods by Rail (COTIF). Article 17 of the Constitution. Law No. 01-13 of 7 August 2002 on the guidelines for and organisation of transport by land.
F. Road Transport Services		
(a) Passenger transportation		

Mode(s) of Supply	Measures	Relevant Laws and Regulations
(1) <u>Cross-border supply</u> (3) <u>Commercial presence</u>	(1) Permission to circulate, payment of fees. (3) Authorized.	1981 Finance Law. Law No. 01-13 of 7 August 2002 on the guidelines for and organisation of transport by land. Executive Decree No. 91-195 of 1 June 1991 establishing the general conditions for engaging in the carriage of passengers and goods by land.
(b) Freight transportation		
(1) <u>Cross-border supply</u> (3) <u>Commercial presence</u>	(1) Permission to circulate, payment of fees. (3) Authorized.	198 Finance Law. Law No. 01-13 of 7 August 2002 on the guidelines for and organisation of transport by land. Executive Decree No. 91-195 of 1 June 1991 establishing the general conditions for engaging in the carriage of passengers and goods by land.
(e) Services incidental to road transport - Freight brokerage		
(3) <u>Commercial presence</u>	(3) Authorized.	In keeping with Executive Decree No. 94-231 of 27 July 1994 establishing the conditions and procedures for exercising the professions of freight broker and forwarding agent.
- Forwarding agents		
(3) <u>Commercial presence</u>	(3) Authorized.	In keeping with Executive Decree No. 94-231 of 27 July 1994 establishing the conditions and procedures for exercising the professions of freight broker and forwarding agent.

TABLE 2: Measures Relating to National Treatment

Mode(s) of Supply	Measures	Relevant Laws and Regulations
A. HORIZONTAL		
(4) <u>Presence of natural persons</u>	(4) Minimum level required: technician, provided the post cannot be filled by a national worker.	Articles 3 and 5 of Law No. 81-10 of 11 July 1981 on the conditions of employment of foreign workers.
B. SPECIFIC SERVICE SECTOR OR SUBSECTOR		
7. FINANCIAL SERVICES		
A. All insurance and insurance-related services		
(d) Services auxiliary to insurance (including brokerage and general agency services)		
(3) <u>Commercial presence</u>	(3) Only nationals (natural or legal persons) may engage in brokerage and general agency services).	Articles 4 to 7 and 15 to 21 of Decree 95-340 of 30 October 1995.
B. Banking and other financial services (excluding insurance)		
(a) Acceptance of deposits and other repayable funds from the public		
(b) Lending of all types		
(c) Financial leasing		
(d) All payment and money transmission services		
(e) Guarantees and commitments		
(1) <u>Cross-border supply</u>	(3) Same as for measures relating to market access.	
(2) <u>Consumption abroad</u>		
(3) <u>Commercial presence</u>		
(4) <u>Presence of natural persons</u>		
9. TOURISM AND TRAVEL-RELATED SERVICES		
A. Hotels and restaurants		
(1) <u>Cross-border supply</u>	(1) None.	
(2) <u>Consumption abroad</u>	(2) None.	
(3) <u>Commercial presence</u>	(3) None.	
(4) <u>Physical presence</u>	(4) None.	

Mode(s) of Supply	Measures	Relevant Laws and Regulations
B. Travel agencies and tour operators services		
(1) <u>Cross-border supply</u>	(1) None.	
(2) <u>Consumption abroad</u>	(2) None.	
(3) <u>Commercial presence</u>	(3) None.	
(4) <u>Physical presence</u>	(4) None.	
C. Tourist guides services		
(1) <u>Cross-border supply</u>	(1) None.	
(2) <u>Consumption abroad</u>	(2) None.	
(3) <u>Commercial presence</u>	(3) None.	
(4) <u>Physical presence</u>	(4) Algerian nationality required.	

TABLE 3: Measures Relating to Most-Favoured-Nation Treatment (MFN)

Modes of Supply	Measures	Relevant Laws and Regulations
FINANCIAL SERVICES		
- Banking services		
(3) <u>Commercial presence</u>	<p>Foreign participation in banks and financial institutions under Algerian law, the opening of branches of foreign banks and financial establishments financiers are governed by the principle of reciprocity. The establishment and operation of banks and financial institutions are subject to at least three conditions:</p> <ul style="list-style-type: none"> <li>- Be incorporated as joint stock companies;</li> <li>- Subscribe a minimum capital, with allocations for branch offices amounting to no less than the minimum capital required for banks and financial institutions.</li> <li>- Banks and financial institutions must operate by management safeguard rules.</li> </ul>	<p>Articles 128, 130, 131 of Law No. 90-10 on money and credit, cited in relation to a specific sector. Law No. 90-10 of 14 February 1990 on currency and credit, as amended and supplemented by Order No. 01-01 of 27 February 2001.</p> <p><u>Regulations</u></p> <ul style="list-style-type: none"> <li>- No. 90-01 of 4 July 1990 on minimum capital requirements for banks and financial institutions operating in Algeria;</li> <li>- No. 91-10 of 14 August 1991 on the conditions for opening representative offices of foreign banks and financial institutions;</li> <li>- No. 92-05 of 22 March 1992 on the conditions to be met by the founders, directors and representatives of banks and financial institutions;</li> <li>- No. 93-01 of 3 January 1993 laying down the conditions for the establishment of banks and financial institutions and the opening of branches of foreign banks and financial institutions.</li> <li>- No. 93-03 of 4 July 1993 amending and supplementing Regulation No. 9001 of 4 July 1990 on minimum capital requirements for banks and financial institutions operating in Algeria;</li> <li>- No. 95-06 of 19 November 1995 concerning the incidental activities of banks and financial institutions.</li> </ul>

Modes of Supply	Measures	Relevant Laws and Regulations
<ul style="list-style-type: none"> <li>- Banking services excluding insurance and securities</li> <li>- Specific service sector</li> </ul>		
(3) <u>Commercial presence (cont'd)</u>		<ul style="list-style-type: none"> <li>- No. 96-06 of 3 June 1996 establishing the modalities for setting up financial leasing companies and the prerequisites for their approval;</li> <li>- No. 97-02 of 6 April 1997 concerning the terms and conditions for constituting the network of banks and financial institutions.</li> <li>- No. 2000-02 of 2 April 2000 amending and supplementing Regulation No. 93-01 of 3 January 1993 laying down the conditions for the establishment of banks and financial institutions and the opening of branches of foreign banks and financial institutions.</li> <li>- No. 06-96-01 of 22 October 1996 laying down the conditions for the establishment of banks and financial institutions and the opening of branches of foreign banks and financial institutions.</li> <li>- No. 07-96-06 of 22 October 1996 establishing the modalities for setting up financial leasing companies and the prerequisites for their approval;</li> <li>- No. 08-96 of 18 December 1996 laying down the conditions governing the establishment and approval of exchange offices;</li> <li>- No. 13-97 of 19 December 1997 amending Directive No. 08-96 laying down the conditions governing the establishment and approval of exchange offices.</li> </ul>

Modes of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence (cont'd)</u>		<ul style="list-style-type: none"> <li>- No. 01-99 of 7 April 1997 concerning the procedures for the implementation of Regulation 97-02 regarding the terms and conditions for constituting of the network of banks and financial institutions;</li> <li>- No. 02-99 of 7 April 1999 regarding the declaration of loans granted by banks and financial institutions to their managers and shareholders;</li> <li>- No. 04-2000 of 30 April 2000 specifying the component elements of applications for the approval of banks or financial institutions; and</li> <li>- No. 05-2000 of 30 April 2000 setting the terms and conditions for the discharge of their functions by managers of banks and financial institutions, and of representative offices and branches of banks and financial institutions.</li> </ul> <p><u>Safeguard Regulations</u></p> <ul style="list-style-type: none"> <li>- No. 91-09 of 14 August 1991 laying down management safeguard rules for banks and financial institutions;</li> <li>- No. 92-08 of 17 November 1992 on a scheme for bank accounts and accounting rules applicable to banks and financial institutions; and</li> <li>- No. 92-09 of 17 November 1992 on the preparation and publication of individual annual accounts by banks and financial institutions.</li> </ul>

Modes of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence (cont'd)</u>		<ul style="list-style-type: none"> <li>- No. 94-12 of 2 June 1994 on management principles and the setting of standards in the financial sector; and</li> <li>- No. 95-04 of 20 April 1995 amending and supplementing Regulation No. 91-09 of 14 August 1991 laying down management safeguard rules for banks and financial institutions.</li> </ul> <p><u>Directives</u></p> <ul style="list-style-type: none"> <li>- No. 32-91 of 24 October 1991 on the preparation of monthly statements (model form 10r in the annexes);</li> <li>- No. 34-91 of 14 November 1991 concerning the setting of management safeguard rules for banks and financial institutions;</li> <li>- No. 43-94 of 11 July 1994 establishing the implementation procedures for Regulation No. 92-08 of 17 November 1992 on a scheme for bank accounts and accounting rules applicable to banks and financial institutions;</li> <li>- No. 68-94 of 1 October 1994 establishing the level of bank liabilities;</li> <li>- No. 73-94 of 29 November 1994 on the system of reserve requirements;</li> <li>- No. 74-94 of 29 November 1994 concerning the setting of management safeguard rules for banks and financial institutions;</li> <li>- No. 78-95 of 26 December 1995 on the rules governing foreign exchange positions;</li> </ul>



Modes of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence (cont'd)</u>		<ul style="list-style-type: none"> <li>- No. 79-95 of 27 December 1995 on the organization and operation of the inter-bank foreign exchange market; and</li> <li>- No. 04-99 of 12 August 1999 on model declarations of hedge and risk spreading ratios by banks and financial institutions.</li> </ul> <p><u>Exchange Regulations</u></p> <ul style="list-style-type: none"> <li>- No. 90-03 of 8 September 1990 establishing the conditions for the transfer of capital to Algeria for financing economic activities and the repatriation of such capital and the return thereon;</li> <li>- No. 91-03 of 20 February 1991 concerning the terms and conditions for engaging in goods transactions in Algeria and for their financing;</li> <li>- No. 91-13 of 14 August 1991 on domiciliation and payments for exports not including hydrocarbons;</li> <li>- No. 92-04 of 22 March 1992 regarding foreign exchange control;</li> <li>- No. 94-11 of 13 April 1994 amending Regulation No. 91-03 of 20 February 1991 concerning the terms and conditions for engaging in goods import transactions in Algeria and for their financing;</li> <li>- No. 94-17 of 22 October 1994 laying down special foreign exchange regulations applicable to free zones;</li> <li>- No. 95-07 of 23 December 1995 amending and replacing Regulation No. 92-04 of 22 April 1992 on exchange control;</li> </ul>

Modes of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence (cont'd)</u>		<ul style="list-style-type: none"> <li>- No. 95-08 of 23 December 1995 regarding the foreign exchange market;</li> <li>- 200-03 of 2 April 2000 regarding foreign investments; and</li> <li>- No. 200-04 of 2 April 2000 regarding capital movements for portfolio investments by non-residents.</li> </ul> <p><u>Directives</u></p> <ul style="list-style-type: none"> <li>- No. 20-94 of 12 April 1994 establishing the financial conditions for import transactions;</li> <li>- No. 22-94 of 12 April 1994 setting the percentage of export earnings, excluding those from hydrocarbons and mining products, that may be lodged to foreign currency accounts by companies;</li> <li>- No. 91-94 of 29 December 1994 setting the terms and conditions for the collection of foreign currency earnings from free zones;</li> <li>- No. 29-95 of 22 April 1995 amending Directive No. 20-94 of 12 April 1994 establishing the financial conditions for import transactions;</li> <li>- No. 02-97 of 30 April 1997 regarding transfers of foreign currency abroad.</li> </ul>

Modes of Supply	Measures	Relevant Laws and Regulations
(3) <u>Commercial presence (cont'd)</u>		<ul style="list-style-type: none"> <li>- No. 03-97 of 16 April 1997 concerning registration authorising the handling of foreign trade and/or currency transactions;</li> <li>- No. 07-97 establishing the general guidelines in respect of external debt;</li> <li>- No. 02-98 of 21 May 1998 regarding transfers of wages received by foreign workers in Algeria;</li> <li>- No. 03-98 of 21 May 1998 pertaining to export earnings excluding those from hydrocarbons;</li> <li>- No. 03-2000 of 25 April 2000 specifying the component elements of applications for the transfer of dividends, profits and proceeds from the sale of foreign investments;</li> <li>- No. 02-2001 of 3 April 2001 laying down the terms and conditions for the making of foreign payments by authorized banks and financial intermediary institutions on behalf of public officers authorising payment (<i>ordonnateurs publics</i>) under the Government budget, budgets of local governments and of public offices and public administrative entities;</li> <li>- 03-2001 of 9 May 2001 establishing the terms and procedures for the settlement of expenses arising abroad from repairs, transformation or additional labour in the form of temporary exports of materials and equipment;</li> <li>- No. 05-2001 of 4 August 2001 amending and replacing Directive No. 23-92 of 10 June 1992 setting the conditions and procedures for the issue of air and maritime transport tickets and for the transfer of earnings surpluses;</li> <li>- No. 07-2001 of 6 December 2001 amending and supplementing Directive No. 20-94 of 12 April 1994 establishing the financial conditions for import transactions.</li> </ul>