

Decree No. 2000-2378 of October 17, 2000, approving the special status of the personnel of the Tunisian Society for Mechanical and Naval Construction and Repair.

(The text approving the status is published in Arabic only).

[Decree No. 2000-2408 of October 17, 2000, establishing the administrative and financial organization and operating procedures of the National Institute of Statistics.](#)

The President of the Republic,

On the proposal of the Minister of Economic Development,

Having regard to Law No. 69-64 of December 31, 1969, on the Finance Act for the year 1970, and in particular Article 21 thereof, relating to the creation of the National Institute of Statistics,

Having regard to Law No. 74-101 of December 25, 1974, on the Finance Act for 1975, and in particular Articles 55 and 56 thereof,

Having regard to Law No. 75-83 of December 30, 1975, on the Finance Act for the year 1976, and in particular Article 44 thereof governing the status and remuneration of National Institute of Statistics employees under the laws and regulations applicable to State, local authority, and public administrative institution personnel,

Having regard to Law No. 83-112 of December 12, 1983, on the general status of State, local authority and public administrative institution personnel, together with the texts that have amended and supplemented it, in particular Law No. 97-83 of December 20, 1997,

Having regard to Law No. 89-9 of February 1, 1989, on public shareholdings, companies, and institutions, as amended and supplemented by Law No. 94-102 of August 1, 1994, Law No. 96-74 of July 29, 1996, and Law No. 99-38 of May 3, 1999,

Having regard to Law No. 99-32 of April 13, 1999, on the national statistics system,

Having regard to Decree No. 74-1116 of December 28, 1974, establishing the administrative and financial organization of the National Institute of Statistics,

Having regard to Decree No. 87-529 of April 1, 1987, laying down the conditions and procedures for the auditing of the accounts of public industrial and commercial establishments and companies whose capital is wholly owned by the State,

Having regard to Decree No. 89-442 of April 22, 1989, on public procurement, as amended and supplemented by Decree No. 90-557 of March 30, 1990, Decree No. 94-1892 of September 12, September 1994, Decree No. 96-1812 of October 7, 1996, Decree No. 97-551 of March 31, 1997, Decree No. 98-517 of March 11, 1998, Decree No. 99-824 of April 12, 1999, and Decree No. 99-2013 of September 13, 1999,

Having regard to Decree No. 90-1855 of November 10, 1990, establishing the remuneration system for heads of majority publicly-owned companies, as amended and supplemented by Decree No. 92-1 of January 6, 1992,

Having regard to Decree No. 96-270 of February 14, 1996, on the powers of the Ministry of Economic Development, as amended and supplemented by Decree No. 96-1225 of July 1, 1996,

Having regard to Decree No. 97-552 of March 31, 1997, establishing the powers of the chief executive officers and works councils of non-administrative public institutions,

Having regard to Decree No. 97-566 of March 31, 1997, on the procedures for exercising supervision over non-administrative public institutions, the procedures for approving their management actions, the methods and conditions for appointing members of works councils, and the establishment of their obligations,

Having regard to Decree No. 99-2797 of December 13, 1999, establishing the composition, organization, and operating procedures of the National Statistics Council,

Having regard to Decree No. 99-2798 of December 13, 1999, establishing the terms and conditions for payment of the contribution by users of statistical information,

Having regard to Decree No. 99-2799 of December 13, 1999, establishing the conditions and procedures for conducting censuses and statistical surveys by public statistical bodies among persons who are not part of those bodies,

Having regard to the opinion of the Minister of Finance, Having regard to the opinion of the Administrative Court, Decrees:

CHAPTER I

ADMINISTRATIVE ORGANIZATION

Section One

The Director General

Article 1. - The National Institute of Statistics shall be headed by a Director General appointed by decree on the recommendation of the Minister of Economic Development. The Director General shall be empowered to take decisions within the scope of his or her powers as defined in this article, with the exception of those falling within the remit of the supervisory authorities.

The Director General shall be responsible in particular for:

- 1) Chair the works council,
- 2) Ensuring the administrative, financial, and technical management of the institute,
- 3) Conclude contracts in accordance with the forms and conditions provided for by the legislation and regulations in force,
- 4) Establishing target contracts and monitoring their implementation,
- 5) Establishing provisional investment and operating budgets and financing plans for investment projects,
- 6) Approving financial statements,
- 7) Propose the organization of the institute's services in accordance with applicable laws and regulations,

8) Commit expenditure and collect revenue in accordance with the legislation and regulations in force,

9) Conclude acquisitions, transactions, and all real estate transactions relating to the institute's activities, in accordance with applicable laws and regulations,

10) Represent the institute in dealings with third parties and in all civil, administrative, financial, and judicial matters, in accordance with applicable laws and regulations,

11) Prepare periodic reports on the institute's activities and submit them to the Ministry of Economic Development,

12) Perform any other tasks falling within the scope of the institute's activities that may be entrusted to it by the Ministry of Economic Development.

Art. 2. - The Director General shall exercise authority over all the institute's staff, whom he shall recruit, appoint, assign, and dismiss in accordance with the laws and regulations in force.

The Director General may delegate some of his powers and his signature to agents under his authority.

Section II

The Works Council

Art. 3. - The works council is responsible for examining and giving its opinion on the following matters:

- contracts objectives and monitoring their implementation.
- provisional investment and operating budgets and financing plans for investment projects.
- financial statements.
- the organization of the institute's services.
- the law governing executives.
- contracts and agreements entered into by the institute.
- acquisitions, transactions, and all real estate operations relating to the institute's activities.

And, in general, any other matter relating to the institute's activities and submitted to it by the chief executive officer.

Art. 4. - The works council is chaired by the chief executive officer. It comprises the following members:

- a representative of the Prime Minister's Office,
- a representative of the Ministry of Economic Development,
- a representative of the Ministry of Finance,
- a representative of the Ministry of Industry,
- a representative of the Ministry of Commerce,
- a representative of the Department of Agriculture,
- a representative from the Department of Higher Education,
- a representative from the Ministry of Social Affairs,
- a representative from the Ministry of Vocational Training and Employment,

- a representative of the Ministry of International Cooperation and Foreign Investment.

The members of the works council are appointed by order of the Minister of Economic Development on the recommendation of the relevant ministries for a term of three years, renewable once.

The director general of the institute may call upon any person recognized for their expertise to attend the works council meeting and give their opinion on a specific item on the agenda.

Art. 5. - The works council shall meet at least once every quarter, convened by the director general of the institute, to give its opinion on the items on the agenda, which shall be communicated at least ten days in advance to all members of the council, the state controller, and the Ministry of Economic Development.

The agenda must be accompanied by all documents relating to the issues to be examined at the works council meeting.

The council may only validly meet if a majority of its members are present or represented.

The works council issues its opinion by a majority vote of the members present or represented. In the event of a tie, the chairperson has the casting vote.

In the absence of a majority of its members, in cases of force majeure, the works council may meet validly to examine urgent matters.

The Director General shall appoint a senior member of the Institute to act as secretary to the Committee and to draw up the minutes of its meetings within ten days of the meetings. The minutes shall be recorded in a special register kept for this purpose. They shall be signed by the Director General and a member of the Committee.

Art. 6. - Members of the works council may only delegate their powers to other members of the works council of the National Institute of Statistics. They may only be absent from council meetings or delegate their powers in the event of being unable to attend, and no more than twice a year. In such cases, the Director General of the Institute must inform the Ministry of Economic Development within ten days of the works council meeting.

CHAPTER II

FINANCIAL ORGANIZATION

Art. 7. - The Director General shall, by August 31 of each year, approve the provisional operating and investment budget and the financing plan. The budget shall show the estimated revenue and expenditure.

The Director General shall also draw up a target contract and submit it to the works council no later than March 31 of the first year of the economic development plan's implementation period.

Art. 8. - The operating budget shall include the following revenues and expenditures:

A - Revenue:

- subsidies and grants awarded to the institute by the State,

- revenue derived from the institute's normal activities,
- proceeds from the sale of movable and immovable property
- income from movable and immovable property
- subsidies, donations, and bequests.
- any other product that may be returned to the institute in accordance with the legislation and regulations in force.
- resources allocated to cover the operating expenses of the National Statistics Council.

B – Expenditures:

- the operating expenses of the institute,
- the costs of managing and maintaining buildings and other property belonging to it,
- repayment of loans,
- expenses necessary for the performance of the institute's tasks,
- expenses relating to the operation of the National Statistics Council.

Art. 9. – The investment budget includes the following resources and expenses:

A – Revenue:

- subsidies granted by the State,
- proceeds from loans,
- revenue and other contributions,
- the operating budget surplus,
- resources allocated to cover the capital expenditure of the National Statistics Council.

B – Expenditures:

- capital and expansion expenditures,
- equipment replacement costs,
- expenses for studies and investment promotion, and all other expenses,
- expenditure on the acquisition of buildings and fitting-out costs,
- expenditure relating to the equipment of the National Statistics Council.

Art. 10. – The accounts of the National Statistics Institute shall be kept in accordance with the rules governing commercial accounting, with the financial year beginning on January 1 and ending on December 31 of each year.

The Director General shall approve the financial statements and submit them to the works council for its opinion within a period not exceeding three months from the end of the financial year, on the basis of the report prepared for this purpose by the auditor.

The institute must also publish the financial statements for the past financial year in the Official Journal of the Republic of Tunisia before August 31 of each year, at its own expense, after they have been approved.

CHAPTER III

STATE SUPERVISION

Art. 11. – The following matters shall be submitted to the Ministry of Economic Development, and

for approval, in accordance with the legislation and regulations in force:

- the organizational chart,
- the law on executives,
- the contract of objectives,
- provisional operating and equipment budgets and financing plans for investment projects,
- financial statements,
- arbitration agreements, arbitration clauses, and dispute settlement agreements, in accordance with applicable laws and regulations,
- real estate transactions,
- the acceptance of donations, bequests, and contributions of all kinds granted to the institute,
- loans of any kind,
- the classification of the institute and the remuneration of its director general,
- and, in general, all management acts that are subject to approval in accordance with the laws and regulations in force.

Art. 12. – The target contract is signed by the Minister of Economic Development and the Director General of the National Institute of Statistics. Its implementation is monitored during the review of the institute's provisional budget. To this end, the institute periodically prepares annual reports which it submits to the Ministry of Economic Development.

Art. 13. – The provisional budget of the National Institute of Statistics shall be approved by decision of the Minister of Economic Development.

Art. 14. – The financial statements of the National Institute of Statistics shall be approved by decision of the Minister of Economic Development, on the basis of the auditor's report prepared for this purpose.

Art. 15. – The Director General of the National Institute of Statistics shall submit the following documents to the Minister of Economic Development within fifteen days of their preparation:

- the target contracts and annual progress reports on their implementation,
- the provisional operating and investment budgets and the financing plan for investment projects,
- financial statements,
- statutory audit reports and management letters,
- the minutes of the works council,
- monthly statements of cash flow at the end of each month.

Art. 16. - The Director General of the National Institute of Statistics shall provide the following documents to the Ministry of Finance for information purposes within the time limits set out in Article 15 above:

- target contracts,

- provisional operating and investment budgets and the financing plan for investment projects,
- financial statements,
- monthly statements of the cash position at the end of each month,

Art. 17. – A State controller shall be appointed to the National Institute of Statistics in accordance with the legislation and regulations in force.

Art. 18. – All previous provisions contrary to this decree are repealed, in particular Decree No. 74-1116 of December 28, 1974, establishing the administrative and financial organization of the National Institute of Statistics.

Art. 19. – The Ministers of Economic Development and Finance shall be responsible, each in their respective areas of competence, for the implementation of this decree, which shall be published in the Official Journal of the Republic of Tunisia.

Tunis, October 17, 2000.

Zine El Abidine Ben Ali

Decree of the Minister of Economic Development of October 17, 2000, establishing the terms and conditions for organizing the internal competitive examination for promotion to the grade of central analyst at the National Institute of Statistics.

The Minister of Economic Development,

Having regard to Law No. 83-112 of December 12, 1983, on the general status of civil servants, local government employees, and employees of public administrative institutions, together with the texts that have amended or supplemented it, in particular Law No. 97-83 of December 20, 1997,

Having regard to Decree No. 99-365 of February 15, 1999, establishing the special status of IT analysts and technicians in public administrations,

Decreases:

Article 1. – The internal competitive examination for promotion to the grade of central analyst shall be organized in accordance with the provisions of this decree.

Art. 2. – The aforementioned internal competition shall be opened by order of the Minister of Economic Development.

This order shall determine:

- the number of positions available
- the closing date for registration
- the date of the competition.

Art. 3. – The above-mentioned competition shall be supervised by a jury whose composition shall be determined by order of the Prime Minister.

The jury is mainly responsible for:

- propose the list of candidates authorized to compete,
- supervise the conduct of the tests and their correction,
- rank candidates in order of merit,
- propose candidates who are likely to be admitted.

Art. 4. – The above-mentioned competition is open to tenured analysts with at least five (5) years' seniority in this grade on the closing date for applications.

Art. 5. – Candidates for the above-mentioned competition must submit their applications through the chain of command to the National Institute of Statistics. These applications must be registered with the registry office of the candidate's home administration and accompanied by the following documents:

1 - a certificate attesting that the candidate's administrative file contains the documents provided for in Article 17 of the General Civil Service Regulations,

2 - a detailed statement, with supporting documents, of the civil and, where applicable, military service completed by the person concerned. This statement must be certified by the head of department.

3 - a duly certified copy of the appointment order in the current position.

4 - a duly certified copy of the document establishing the candidate's latest administrative status.

Art. 6. – Any application registered with the registry office after the closing of the registration register shall be rejected.

Art. 7. – The list of candidates admitted to the competition shall be drawn up by the Minister of Economic Development on the recommendation of the competition jury.

Art. 8. – The internal competitive examination consists of two written tests:

- a professional test,
- a test on the political, economic, and financial organization of Tunisia.

The syllabus for these two tests is set out in the attached appendix.

The duration and weighting of each test are as follows:

Nature of the test	Duration	Weighting
1) Professional test	4 hours	(2)
2) test on Tunisia's political, economic, and financial organization Tunisia's political, economic, and financial situation	2 hours	(1)

Art. 9. – The test on the political, economic, and financial organization of Tunisia must be taken in Arabic, and the professional test may be taken in either Arabic or French, at the candidate's discretion.

The test on the political, economic, and financial organization of Tunisia shall be a maximum of four (04) pages in length; pages exceeding the aforementioned maximum shall not be taken into consideration.

Art. 10. – During the two tests, candidates may not have access to books, brochures, notes, or any other documents of any kind.

Art. 11. – Notwithstanding criminal proceedings under ordinary law, any fraud or attempted fraud that is duly established shall result in the immediate exclusion of the candidate from the examination room, the cancellation of the test they have taken, and a five (5) year ban on participating in any subsequent administrative competitions or examinations.