

Algeria's new directions in the field of investment

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Abstract: The Algerian Agency for Investment Development is one of the active bodies in achieving economic development, through its supervision and follow-up of various investments in the country, which made the Algerian legislator reconsider the tasks entrusted to it, by issuing a new investment law in 2022. Aimed at attracting foreign or local investors, with the aim of advancing the economic development wheel, for the gradual liberation from the dependence of the hydrocarbon sector on the general economic income.

This law reorganized and reconfigured the National Agency for Investment Development, changing its name to the “Algerian Agency for Investment Promotion,” and giving it the role of real promoter and companion to investments, by creating a digital platform for the investor, as a new mechanism to accompany investors, and manage the portfolio of benefits and incentive systems.

Keywords: Agency; investment promotion; digital platform; single window for major projects and foreign investments; decentralized single windows.

1. Introduction:

The global crisis that affected third world countries, including Algeria, following the collapse of fuel prices in global markets, led to thinking of adopting an economic system alternative to the hydrocarbon sector that would avoid sudden price disturbances. And the consecration of freedom of competition and the encouragement of individual initiatives,⁽¹⁾ which was translated by many legal texts that support the market economy and encourage investment.

With the aim of encouraging investment, the Algerian legislator issued the new investment law for the year 2022, which aims to develop priority sectors of economic activities, ensure sustainable and balanced regional development, valorize natural resources and local raw materials, in addition to generalizing the use of modern technologies ... He also reorganized the supervising structures. It is responsible for the process of promoting and supporting investment directly, and accompanying investors from the beginning of the development of the investment project until its completion. These bodies are represented in the National Council for Investment and the Algerian Agency for Investment Promotion.

Where the new regulation was issued that defines the organization of investment promotion in Algeria, after which Executive Decree No. 298/22⁽²⁾ of September 8, 2022 was issued defining the organization and functioning of the Algerian Agency for Investment Promotion, and a chapter on the agency's tasks and formation. The agency is mandated, according to the text of the law, to coordinate with departments and bodies concerned with promoting and evaluating investment in Algeria as well as abroad, by defining the investment climate in Algeria, through the contact of Algerian embassies and consulates abroad.⁽³⁾

He reorganized and restructured the National Agency for Investment Development, changing its name to the “Algerian Agency for Investment Promotion,” and giving it the role of real promoter and escort for investments, instead of its previous role, which was limited to registering and following up investments only. In order to advance investment, in accordance with the reference to which the state program supporting the economic sector applies in light of the principles established by this new law, which are based on the principle of freedom of investment and the principle of transparency and equality in dealing with investments.⁽⁴⁾

On this basis, the problematic that we can raise in this area, revolves around the role played by the Algerian Agency for Investment Promotion in stimulating investment, and attracting foreign investment. In light of the new tasks assigned to it in the new investment law 18/22, which can be formulated in the following question: **How effective are the tasks assigned to the Algerian Agency for Investment Promotion under the new investment law?** To address this problematic, we relied on the analytical approach, by analyzing the legal texts regulating the tasks of the Algerian Agency for Investment Promotion, and searching for the effectiveness of these tasks in promoting and encouraging investment.

2. The concept of the Algerian Agency for the Promotion of Investment:

The Algerian legislator approved a review of the investment law regulating the investment policy in the state, given obstacles that faced local or foreign investors. And in order to encourage investment in all sectors, by re-adjusting concepts related to investment. And defining tasks between the two main bodies active in the investment policy of the state, namely, the National Council for Investment, and the Algerian Agency for

Investment Promotion, where he reconsidered the tasks assigned to the two bodies, and attempted to qualitatively separate the tasks of the two.

The Algerian Agency for Investment Promotion is one of the most effective bodies due to the size of the tasks entrusted to it, and due to its proximity to the investor, which constitutes for him access to the world of investment in the country.⁽⁵⁾ And on this basis we will try to shed light on this agency, starting with addressing its concept and its affiliated bodies.

2.1. Definition of the Algerian Agency for Investment Promotion:

In the new investment law 18/22, the Algerian legislator did not address the definition of the Algerian Agency for Investment Promotion, and renamed it after it was the National Agency for Investment Development, and after the issuance of Executive Decree No. 298/22, the agency was organized, and its tasks and how to manage it were defined.

The first roots of the establishment of the Algerian Investment Agency go back to the year 1993, which was called the National Agency for Investment Promotion, Support and Follow-up.⁽⁶⁾ At the national level and this is according to Law No. 03/01 related to the development of investment,⁽⁷⁾ and accordingly, in order to adjust the concept of agency, it is possible to look at the previous and current laws related to investment, which we discuss in the following points.

2.1.1. Definition of the Algerian Agency for Investment Promotion based on previous laws:

Article one of Executive Decree No. 356/06 of October 09, 2006 containing the powers, organization and work of the National Agency for Investment Development,⁽⁸⁾ which was canceled by Executive Decree No. 298/22,⁽⁹⁾ defines the agency as, "The National Agency for Investment Development, a public institution of an administrative nature that enjoys a legal personality and financial independence." Through this text, it is clear that the Algerian legislator has defined the legal nature of the agency, which is a public institution of an administrative nature, not an economic institution. This institution is placed under the tutelage of the Minister in charge of investments.

Law No. 09/16 related to investment promotion in Chapter 5 in Article 26 defined it as: "**a public institution of an administrative nature that enjoys moral personality and financial independence**". It is noted through this definition that the Algerian legislator relied in his definition of agency on the previous definition in Executive Decree 356/06, without modification or change.

As for Article 18 of Law 18/22,⁽¹⁰⁾ I defined it: "The National Agency for Investment Development established under Article 6, which remained in effect within Order No. 03/01 of 20/8/2001 related to investment development, is called from now on the Algerian Agency for Investment Promotion", In the core of this text, it is called the agency.

2.1.2. Definition of the Algerian Agency for Investment Promotion according to Executive Decree No. 298/22:

Article 2 of Executive Decree 298/22 referred to the name and definition of the agency, as the previous name of the agency was replaced, from the "National Agency for Investment Promotion", to the "Algerian Agency for Investment Promotion", and it is called in the body of the text "The Agency."

The agency was defined as a public institution of an administrative nature, endowed with moral personality and financial independence. It is placed under the tutelage of the Prime Minister. The agency's headquarters is located in the city of Algiers. It is noticeable in the definition that it is identical to the previous definitions of the agency, through Executive Decree No. 356/06 as well as Law No. 09/16, except that the matter differs in the guardianship followed by the agency. As this agency, was previously subject to the Minister in charge of investments, and according to Executive Decree No. 298/22, it became under the tutelage of the Prime Minister. Which requires sufficient flexibility and skill to face the various problems that impede the proper functioning, and indicates the extreme importance that the agency occupies, in terms of its direct submission to the tutelage of the Prime Minister,⁽¹¹⁾ without the presence of an intermediary between them.

The agency, then, is considered a person of public law, with an administrative nature that works to facilitate administrative procedures, to obtain investment projects from investors, and to accompany them until the completion of the project.

3. Bodies of the Algerian Agency for Investment Promotion

According to Article 18, the third paragraph of Law No. 18/22, and Article 18 of Executive Decree No. 298/22, the following single windows are established at the agency:

The one-stop shop for major projects and foreign investments,

Decentralized single windows.

The text of the law stated that the single window for major projects and foreign investments is the only hub, with national jurisdiction, and is tasked with carrying out all necessary procedures to embody and accompany major investment projects and foreign investments, and determines the criteria for qualifying major investment projects through regulation.

And according to Article 20 of the same law, the decentralized one-stop shop is the only hub for investors at the local level, and it undertakes the tasks of assisting and accompanying investors in completing procedures. Related to investment.

The one-stop shop for major projects and foreign investments, as well as the decentralized one-stop-shop, includes representatives of bodies, and departments directly charged with implementing procedures, related to the realization of investment projects, especially those charged with granting decisions, and licenses, and every document related to the exercise of activity related to the investment project. Obtaining real estate destined for investment, and following up on written commitments from investor party.⁽¹²⁾

The representatives of the bodies and administrations at the single windows are qualified, according to Article 22, by granting, within the deadlines set in accordance with the legislation and regulation in force, all decisions, documents and licenses related to the realization and exploitation of the investment project registered at the level of the single windows. In particular the following:

- Investor reception,
- Investment registration,
- Management and follow-up of investment files,
- Accompanying investors to the concerned departments and agencies.⁽¹³⁾

3.1. The one-stop shop for major projects and foreign investments:

The one-stop shop for major projects and foreign investments is the only interlocutor with national competence, bringing together the one-stop shop in one place, in addition to the agency's agents representing:

- Tax administration,
- Customs administration,
- The National Center for Commercial Registry,
- Construction interests,
- The bodies in charge of real estate destined for investment,
- the bodies in charge of work and operation,
- Social security funds for salaried and non- salaried workers.

It gathers, when needed, representatives of other investment-related departments and bodies charged with implementation Procedures related to the following:

- Realization of investment projects,
- Issuing decrees, licenses and every document related to the exercise of the activity related to the investment project,
- Obtaining real estate destined for investment, Follow up on the commitments made by the investor.⁽¹⁴⁾

3.2. Decentralized single windows:

The decentralized one-stop shop serves as the only interlocutor for investors at the local level, and it undertakes the tasks of assisting and accompanying investors in completing investment-related procedures, regarding investments that do not fall under the jurisdiction of the one-stop shop for major projects and foreign investments.

Representatives of departments and public bodies represented in single windows are assigned to all work related to their tasks, according to Article 26 of Executive Decree No. 298/22, as follows:

3.2.1. The agency representative shall register the investments and notify the registration certificates:

Dealing with all requests to amend the investment registration certificate, providing services related to the procedures for establishing institutions, and completing investment projects. Noting during the session, the list of goods and services that can benefit from advantages and incentives. Constituting the in-kind contribution, ensuring the processing of requests to amend the aforementioned lists, licensing investment waiver and transfer of benefits, direct withdrawal of benefits in relation to investments under his jurisdiction based on a proposal from a representative of the tax administration, determining the duration of exploitation benefits through the evaluation network.

3.2.2 The representative of the Tax Department is charged with the following: Preparing a certificate of exemption from the value-added tax related to the acquisition of goods and services included in the list of goods

and services benefiting from the benefits. A statement of the progress of the investment project and/or the preparation of the minutes of the inspection of entry into exploitation, prepared every six (6) months, a statement of the approximation between the investments whose registration deadlines have expired and the reports of the inspection of entry into exploitation received.⁽¹⁵⁾

3.2.3 In particular, the representative of the Customs Administration shall be assigned to assist the investor in completing the customs procedures in connection with the realization of his investment and exploitation, and to handle requests to remove the non-transferability of the acquired goods under preferential conditions.

3.2.4 The representative of the National Center for the Commercial Register shall be assigned to immediately deliver a certificate of non-preliminary designation, and to assist the investor in completing the procedures related to registration in the commercial register.

3.2.5 The representative of the construction interests is assigned to assist the investor in completing the procedures related to obtaining a building permit and other permits related to the right to build. He receives the files related to his powers and follows them up until their completion.

3.2.6 The representative of the environmental interests is tasked with assisting the investor in obtaining the required licenses with regard to environmental protection, and receives the files related to his powers, and follows up on them until their completion.

3.2.7 The representatives of the departments in charge of work and employment are tasked with informing the continuators of the legislation and regulation related to work and operation, and to hand over, within the legal deadlines, work permits, and every relevant document required under the legislation and regulation in force. They are also tasked with collecting job offers submitted by investors, and presenting them with candidates for the proposed positions.

3.2.8 The representatives of the social security bodies shall be tasked with immediately handing over the certificates of the user, the change in the number of employees, the update and registration of the employees and employees, as well as every other document that falls within their competence.

3.2.9 The representative of the Tax Department is tasked with the following: Preparing a certificate of exemption from the value-added tax related to the acquisition of goods and services, which are included in the list of goods and services benefiting from the benefits.⁽¹⁶⁾ By submitting a statement of the progress of the investment project and/or preparing the minutes of the inspection of entry into exploitation, preparing every six (6) months a list of the comparison between the investments whose registration deadlines have passed, and the reports of the inspection of entry into exploitation received.⁽¹⁷⁾

4. The tasks of the Algerian Agency for Investment Promotion under the new investment law 18/22:

Law No. 18/22 related to investment came after a wave of criticism of previous laws, as it constituted an obstacle in the investment atmosphere in Algeria, especially for foreign investors and even local investors, as most of them complain about administrative procedures. And the spread of bureaucratic complications in the Algerian administration, which created a clear intention of the Algerian legislator, through the development of legal texts that respond to the aspirations of investors, and provide them with real guarantees to reach the world of investment in Algeria.

Law No. 18/22 was issued, including a set of articles that reflect the positive view of the legislator's intention to open the field of investment, establishing by consolidating the principle of freedom of investment and the principle of transparency and equality in dealing with investments. The National Investment Council was also entrusted with the task of managing and following up the investment policy, as its tasks were limited to proposing the state's strategy in the field of investment, while assigning the Algerian Investment Agency with broader powers and tasks, due to its importance and role in improving the investment climate.⁽¹⁸⁾

To embody this approach, the legislator issued Executive Decree No. 22/298 that defines the organization of the Algerian Agency for Investment Promotion and its work, by expanding the tasks of the agency and detailing the tasks contained in Law 18/22. We will discuss the total tasks of the agency, under Law 18/22 and Executive Decree No. 22/298 as follows:

4.1. The tasks mentioned in Article 18 of the Investment Law 18/22:

According to Article 18, paragraph 2 of this Law 18/22, the agency is charged, in coordination with the concerned departments and bodies, with the following: “Promoting and evaluating investment in Algeria, as well as abroad, by contacting Algerian embassies and consulates abroad, Informing and sensitizing the business community, Ensure the functioning of the digital platform for the investor, Registration and processing of investment files, Accompanying the investor in completing the procedures related to his investment,

Benefit management, including those related to the portfolio of projects authorized or registered prior to the issue date this is the law,

Follow-up on the progress of the status of investment projects”. Through this text, it is clear that the legislator assigned the Algerian Agency for Investment Promotion a set of tasks, in coordination with the concerned departments and bodies that can be grouped into the following tasks:

4.1.1. The task of promoting investment:

Or what is called reputation building, the Algerian Agency for Investment Promotion works to encourage and evaluate investment in Algeria, as well as abroad, in contact with Algerian embassies and consulates abroad. Where reputation-building activities aim to raise awareness of potential investors about the strengths of the host country, and promote them, considering it an attractive investment destination.

The task of promoting and promoting investment is one of the agency's most important roles, which involves introducing foreign investors to Algeria's investment attractiveness and informing them of the Algerian economy, allowing them to direct their money and projects to Algeria. The promotion is a package of organized efforts that are sought between the concerned parties to achieve mutual benefit, create confidence in the available opportunities and the legislation in force, and the conviction of the privileges granted, and the attractiveness of the business environment and local ingredients.⁽¹⁹⁾

The process of promoting and building reputation takes place through general marketing activities, websites, and web services, where the investment promotion process takes place through technological media. As is the case with the website of the Algerian Agency Vest,⁽²⁰⁾ television, printed materials, and promotional materials, such as brochures, And such as presentations and mobile forums, as well as public missions abroad, and visiting missions. Which aim in their entirety to define the host country, which creates in the same investor positive feelings towards it, and choose it as an investment destination.

4.1.2. The task of generating investment:

Generating investment includes direct access to potential investors to obtain information, create projects in the host economy, and communicate with them through the various bodies representing the state, such as the president, ministers, ambassadors, etc.

4.1.3. Investment Management and Retention Mission:

The agency manages investment and assists in project identification, provides information on local suppliers and customers, conducts business meetings, field visits and receptions, and assists in administrative procedures, such as support for obtaining visitor visas, tax registration, etc. It offers aftercare services, troubleshooting, conflict mitigation, business support programs, and integration programs including local supplier database integration, and staffing software.

This is what the Algerian legislator referred to in the text of Article 11 of the Investment Law 18/22,⁽²¹⁾ with the formation of a higher appeals committee, as it stipulated: “A higher national committee for investment-related appeals shall be established in the Presidency of the Republic. Called by the text of the “committee”, charged with adjudicating grievances submitted by investors. Between the parties concerned with achieving mutual benefit, creating confidence in the available opportunities and the legislation in force, satisfaction with the privileges granted, and the attractiveness of the business environment and local components.

Improving public service in terms of punctuality, employee profitability and quality of service provided, improving the performance of public utilities and making them more accessible and accessible to investors,

Organizing effective cooperation between the departments of the department concerned with the investment act, allowing direct and immediate exchange between the agents of the concerned departments and agencies.⁽²²⁾

4.1.4. Create a digital platform:

A digital platform has been created for the investor, and its management is entrusted to the National Agency for Investment Promotion By providing all the necessary information in particular about investment opportunities in Algeria and the offer. Investment incentives and benefits, in addition to related procedures. The digital platform for the investor is the electronic tool for directing, accompanying and following up investments

since their registration and during its exploitation. It ensures that all procedures are dematerialized and all investment-related procedures are completed online, and allows the procedures to be adapted to the type of investment and type of requests.⁽²³⁾ It is interconnected with the information systems of the bodies and departments related to the act of investment, According to Article 28 of Executive Decree No. 298/22, the digital platform aims to:

- Taking care of the process of establishing companies and investments, simplifying and facilitating them, Improving communication between investors and economic management, Ensuring the transparency of the procedures to be carried out and the methods of examining and processing investor files,
- Speeding up the processing of investor files and studying them by the concerned departments, Allowing investors to monitor the progress of their files remotely, Improving the public service in terms of punctuality, the profitability of the agents and the quality of the service provided, Improving the performance of public utilities and making them more accessible and accessible to investors, Organizing effective cooperation between the departments of the department concerned with the investment act,

Allowing direct and immediate exchange between the agents of the concerned departments and agencies.

There has become an urgent need to improve the business climate in all aspects through the use of modern technologies, and the digitization of investment-related sectors, especially the banking, tax, real estate, customs, and documentation sectors.⁽²⁴⁾ So that governments and administrative bodies, especially investment promotion agencies, can benefit from digital technologies, in response to the need to reduce administrative burdens on companies and reduce bureaucratic hurdles to increase the delivery of required products in the short term and to support and facilitate investment operations in the long term. The economic impact caused by the Corona pandemic, for example, has made the development of a supportive business climate in Algeria an urgent need that must be accelerated and focus must be placed on continuing the digitization process (e-government), and simplifying the procedures necessary for the work of companies, whether in terms of registration, or obtaining building permits. or transfer of ownership. It is also necessary to reconsider the role of the notary, which means canceling procedures that can today be carried out electronically.⁽²⁵⁾

The sooner the government takes these measures, the better, because some of these reforms may take a few years to produce tangible results, especially reforms that are based on changes in legislation. Accordingly, policy makers must make the application of digital technology one of the elements of the innovation ecosystem, and without any waste of time. Precisely defined regulatory frameworks, investment in infrastructure, digital skills, and financial inclusion must be a priority. Most research shows that digital technology is necessary to confront Socio-economic challenges, often describing them as the only element countries need in order to overcome obstacles and reach sustainable and inclusive economic development.⁽²⁶⁾

From an economic perspective, the improvement of information and communication technology democratizes information of importance to production and market agents, thus helping to increase the efficiency of value chains and to provide affordable products and services.⁽²⁷⁾

4.1.5. Calling for a change in public policies:

Advocacy in the field of public policy change is a forward-looking function, because its purpose is to contribute to the establishment, and strengthening of a national framework for investment policy, by taking advantage of investors' opinions about the investment climate in the host country. And trying to identify gaps that would hinder the investment process, in order to raise this concerns to the higher authority, to improve investment policy.⁽²⁸⁾ After that, Executive Decree No. 298/22 was issued, which divided these tasks into groups as follows:

A. In the field of media:

Ensuring reception and information service for the benefit of investors in all fields necessary for investment, and collecting the necessary documents that allow a better identification of investment-related legislation and regulations, and processing and publishing them by all appropriate means. And the establishment of information systems that allow investors to obtain all the data necessary to prepare their projects, and the establishment of information banks related to job opportunities, resources and potential energies at the local level. And developing a database, in coordination with the concerned departments and agencies, regarding the availability of properties designated for investment.

B. In the field of facilitation:

Developing and operating the digital platform for the investor, assessing the investment climate and proposing measures to improve it. Provide all necessary information, especially about investment opportunities in Algeria, the real estate offer, incentives and advantages related to investment, as well as related procedures.

C. In the field of investment promotion:

Initiating all activities with public and private bodies in Algeria and abroad, with the aim of encouraging investment in preparing, and proposing a plan to encourage investment, at the national and local levels. Designing the necessary capital mobilization processes for its implementation, ensuring the service of establishing commercial relations, facilitating contacts between investors, and promoting business and partnership opportunities, Establishing and developing cooperation relations with similar foreign bodies.

D. In the field of accompanying the investor:

- Organizing a department to direct and take care of investors,
- Developing a consultancy service with recourse to external expertise, when needed,
- Accompanying investors to other departments.

E. In the field of concession management:

Preparing investment registration certificates and amending them, when necessary, identifying structured projects based on the criteria and rules specified in the applicable regulation, and concluding agreements stipulated in Article 31 of Law 18/22.

Verifying the eligibility to benefit from benefits related to registered investments, noting the lists of goods and services that can be benefited from the benefits provided by the state, issuing decisions to withdraw interest, and issuing the minutes of entry into the exploitation stage. Determining the duration of the exploitation benefits granted for the investment, in accordance with the applicable regulations, conducting operations of allocating and/or transferring goods and services that have benefited from the benefits, and preparing certificates of exemption from value-added tax.⁽²⁹⁾

And ensuring, in contact with the concerned departments and bodies, that the commitments made by the investors are respected, And Considering investor petitions and complaints. And What is noted about these new legal texts is that they combine the tasks of the Algerian Agency for Investment Promotion in order to respond to the aspirations of the state in attracting and promoting investment, whether local or foreign.

4.2. Managing the benefits and incentives granted to owners of investment projects:

The agency was entrusted with the task of managing benefits, including those related to the portfolio of projects licensed or registered before the date of this law, in contrast to the previous law 09/16, which granted the agency the right to register only. This constitutes a qualitative shift in the agency's tasks, on the basis that it manages the portfolio of benefits and incentives, by virtue of its knowledge of the investment project that needs these incentives and benefits, and allows continuous monitoring of ways to benefit.⁽³⁰⁾

The new law has detailed the modalities of benefiting from these advantages in Articles 24 to 33 of it, and investments must be subject to registration with the competent single windows before their completion in order to benefit from these advantages.

Advantages that allow the investor to benefit from the privileges that he has the right to claim with the concerned departments and bodies according to Article 25. The Agency has been entrusted with the task of managing the benefits, including those related to the portfolio of projects authorized or registered before the date of issuance of this law. The new law has detailed the methods of benefiting from these benefits. In Articles 24 to 33 thereof, the incentive systems are divided according to the projects benefiting from these incentive systems into three systems, namely:

- The incentive system for the priority sectors, called the "sectors system,"
 - The incentive system for regions that the state attaches special importance to, called the "regions system,"
 - The incentive system for investments, of a structured nature, called the "Structural Investments System".
- We will discuss them in turn:

4.2.1. The incentive system for the priority sectors, called the "sectors system":

It is possible to benefit from the sectors system, the investments made in the following fields of activities:

- Mines and quarries, agriculture, aquaculture and marine fishing, industry and food industry, pharmaceutical and petrochemical industries.

- Services and tourism, - new energies and energies Renewable.
- Knowledge economy and information and communication technologies.
- The list of activities that are not eligible for benefiting from the specified benefits shall be determined under the heading of the Sectors System, by way of Organization.

In addition to the fiscal, semi-fiscal and customs incentives stipulated in the general law, these investments benefit from the following advantages:

A. In the completion stage:

- are directly involved in realizing the investment.
- -Exemption from value-added tax with regard to imported or locally acquired goods and services that are directly involved in the realization of the investment.
- -Exemption from paying the right to transfer ownership in exchange for compensation and fees for real estate advertising for all real estate acquisitions made within the framework of the concerned investment.
- -Exemption from registration rights imposed with regard to articles of incorporation of companies and capital increases.
- -Exemption from registration rights, fees on real estate advertising, and the sums of national property that include the right of concession on built and unbuilt real estate destined for the realization of investment projects,
- Exemption from real estate tax on real estate properties that fall within the framework of investment for a period of ten (10) years, starting from the date of acquisition.

B. In the Exploitation Stage:

Within a period ranging from three (3) to five (5) years, starting from the date of commencement of exploitation:

Exemption from tax on corporate profits.

Exemption from fees for professional activity.⁽³¹⁾

4.2.2. Second: The incentive system for regions that the state attaches special importance to, called the “regions system”:

According to Article 28, investments made in:

- sites belonging to the high plateaus, the south and the great south,
- Sites whose development requires special accompaniment from the State,
- Sites that have potential of valuable natural resources.

The list of locations belonging to the regions to which the state attaches special importance is determined by regulation.

These projects, in addition to the fiscal, semi-fiscal and customs incentives stipulated in the general law, and in which the activities carried out in them are not excluded from the advantages specified in this article, also benefit from the following advantages:

A. In the completion stage:

These projects benefit from the advantages specified in Article 27 of this law related to the sectoral system titled Achievement Phase also.

B. In the Exploitation Stage:

These projects benefit from a period ranging from five (5) to ten (10) years, starting from the date of initiation

Exploitation from:

- Exemption from tax on corporate profits.
- Exemption from fees for professional activity.

The list of activities that are not eligible for benefiting from the benefits specified in the “Regions System” shall be determined through regulation.⁽³²⁾

4.2.3. The incentive system for structured investments, called the “Structural Investments System”:

According to Article 30 of Law 18/22, it means those investments with a high potential for wealth creation and job creation, which would raise the attractiveness of the region and be a driving force for economic

activity for sustainable development, capable of benefiting from the "structured investment system". The criteria for qualifying investments that can benefit from the "structured investment system" are determined by regulation. In addition to the fiscal, quasi-fiscal and customs incentives provided for in public law, investments that can benefit from the structured investment system can:

A. In the completion stage:

These projects benefit from the advantages stipulated in Article 27 of this law, and the benefits of the completion stage stipulated in this article can be transferred to the contracting parties with the beneficiary investor, who are entrusted with the investment realization, for the latter is account.

B. Titled Exploitation Stage:

Starting from the date of commencement of exploitation for a period of five (5) to ten (10) years, you will benefit from these projects:

Exemption from tax on corporate profits, Exemption from fees on professional activity. Structured investments can benefit from the state's accompaniment by assuming, in whole or in part, the preparation works and the basic installations necessary for their embodiment, based on an agreement drawn up between the investor and the agency acting on behalf of the state. The agreement is concluded after the approval of the government. The modalities of applying the provisions of this Article shall be determined by regulation. The law also granted the agency the right, in the event of non-respect of the obligations resulting from the application of the provisions of this law, or the commitments made by the investor, to withdraw these advantages, in part or in whole, without prejudice to the penalties stipulated in the applicable legislation. And the methods of applying the provisions of this article are determined by regulation.⁽³³⁾

In the event that the investor practices a mixed activity or several activities, only those who are eligible to benefit from the benefits will benefit from the benefits specified in this law.

5. Conclusion:

Investment is the most effective way to achieve balanced and sustainable economic development, which was shown by the Algerian state through the continuous review of investment-related laws and the attempt to fill the gaps that exist every time, to overcome the situation of economic dependence on the hydrocarbon sector, which does not know permanent stability. The Algerian legislator issued the new investment law for the year 2022 in order to create an appropriate investment climate for foreign or domestic investment, by reviewing many issues that were an obstacle in the face of investors.

The Algerian Agency for Investment Promotion is one of the most important active and controlling bodies in the investment policy through a number of tasks assigned to it by the new Law 18/22, and Executive Decree No. 22/298 specifying the organization and functioning of the Algerian Agency for Investment Promotion, and we have reached the following results:

- The new text gave the Agency important powers in order to promote investment by accompanying the investor from the beginning of the project to its end, so that it follows up and monitors the investor until the post-completion stage.
- The new law focused on the task of promoting investment in Algeria through contact and communication with diplomatic missions and consulates abroad in order to attract foreign investment.
- Accompanying investors and facilitating the completion of procedures through the specialized windows as the only interlocutor withinvestors.
- The one-stop shop for major investment projects and foreign investments undertakes communication, dialogue and accompaniment in completing the necessary procedures with foreign investors or owners of major projects, while the decentralized one-stop shop undertakes the task of dialogue with investors at the local level, and assists and accompanies them in completing investment-related procedures.
- The establishment of the digital platform for the investor would enhance transparency in granting investments, incentives and benefits, as it serves as a means of monitoring the agency. - Assigning the Algerian Agency for Investment Promotion the task of managing the incentives and benefits granted to project owners constitutes a strong guarantee in order to encourage investment. The agency is the one that can at least discover the investor's intentions through his serious desire to complete his investment project, or abandon it after benefiting from the benefits, as happened previously.
- The legislator gave the agency the right to withdraw these benefits in whole or in part in the event that the investor breaches his obligations, without prejudice to the penalties prescribed by law, which confirms the serious will of the state in tracking the investment projects benefiting from the benefits.

It should be noted that the legal texts related to investment are available, and every time the legislator tries to support the functions of the agencies in charge of investment, especially the Algerian Agency for Investment Promotion. And it is too early to judge the failure or success of the agency in its tasks, on the basis that it is newly established in its tasks and its new name.

In conclusion, some observations can be made in the form of **recommendations** as follows:

Focusing on the human cadre responsible for the agency's functioning, by selecting qualified competencies to run the agency in order to impart integrity and transparency to the agency's work, which can provide a positive picture of the reality of the investment climate in Algeria, in order to achieve balanced and sustainable economic development. Updating the investor's digital platform with all developments to keep pace with the investment climate in Algeria at all levels.

Achieving legislative stability as one of the elements associated with a business climate suitable for investment does not mean not reviewing texts related to incentive systems, benefits and tax exemptions, which require a re-review every time the state treasury recovers, in order to attract the largest number of investors and employ the profits achieved from previous investment operations. Activating the role of Algerian embassies and diplomatic and consular representations abroad through promotion and positive publicity of the investment opportunities that Algeria abounds in in all fields of industry, agriculture, and tourism.

Strengthening the independence of the National Agency for Investment Promotion, and that the idea of submitting it to the authority of the Prime Minister would create political affiliation for the agency, which might affect its functioning.

Giving the agency a role in setting decisions to determine priorities for investment projects, and granting it greater independence in determining priority sectors in line with the major development goals of the state.

Paying attention also to the investment-related sectors and updating their legal texts in order to be in line with the aspirations of the legislator behind the development of the new investment law, especially the banking-tax-customs sector....

The need to establish a body at the national, level entrusted with the task of studying the economic feasibility of investment projects, in coordination with the Algerian Agency for Investment Promotion, and various financial institutions. As well as defining a list of projects that can benefit from incentives, so that the investor can provide the necessary guarantees to financial institutions, in order to obtain Loans to finance his investment projects.

Reforming the financial system that affects the investment climate and constitutes an obstacle to investment, through the establishment of investment banks in order to meet the demands of investors in order to achieve balanced and sustainable economic development.

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