



The Official Gazette of The Republic of Tunisia

ENGLISH TRANSLATION FOR INFORMATION

Friday, 23 Rabia I, 1430 – 20 March, 2009

Year 152nd

N° 23

Contents

Decrees and ministerial orders

Ministry of Social Affairs, Solidarity and Tunisians Abroad

Decree n° 2009-693 dated 11 March 2009, increasing the wages in the non agricultural sectors governed by the labor code and not covered by the sectorial collective conventions or by the particular status 367

Decree n° 2009-694 dated 11 March 2009, amending and completing decree n° 96-263 dated 14 February 1996, relating to the allowance for the night work paid to the bodies of the advanced technicians of public health, the male nurses/ nurses, the auxiliaries and the workers exercising at the national institute of children protection, the center of vocational rehabilitation of the spastic persons and the casualties of life of Ksar-Saïd and the social center of the children observation under the Ministry of Social Affairs, Solidarity and Tunisians Abroad..... 368

Ministry of Public Health

Order of the Minister of Public Health dated 11 March 2009, opening an internal competitive examination on the basis of files for the promotion to the grade of major advanced technician of public health 369

Order of the Minister of Public Health dated 11 March 2009, opening an internal competitive examination on the basis of files for the promotion to the grade of major male nurse of Public Health 369

Ministry of State Property and Land Affairs	
Decree n° 2009-695 dated 11 March 2009, expropriating for public utility, additional land parcels located in Hissiane, delegation of Kalâat El Andalous, governorate of Ariana, necessary for the building of the financial port of Tunis	369
Decree n° 2009-696 dated 11 March 2009, expropriating for public utility land parcels located in Den Den and Manouba, governorate of Manouba, necessary for the extension of the western line of the light metro of Den Den towards the university campus of Manouba (second tranche).....	369
Ministry of Industry, Energy and Small and Medium-Sized Enterprises	
Appointment of a member to the hydrocarbon advisory board.....	369
Ministry of Education and Training	
Appointment of two members to the establishment council of the national center of training of trainers and training engineering	369
Ministry of Equipment, Housing and Territorial Development	
Decree n° 2009-697 dated 11 March 2009, approving the revision of the urban development plan of the commune of Rejiche, governorate of Mahdia.....	369
Decree n° 2009-698 dated 11 March 2009, amending decree n° 77-965 dated 24 November 1977, implementing law n° 77-54 dated 3 August 1977, establishing the promotion fund for employees housing	370

decrees and ministerial orders

MINISTRY OF SOCIAL AFFAIRS, SOLIDARITY AND TUNISIANS ABROAD

Decree n° 2009-693 dated 11 March 2009, increasing the wages in the non agricultural sectors governed by the labor code and not covered by the sectorial collective conventions or by the particular status.

The President of the Republic,

On a proposal from the Minister of Social Affairs Solidarity and Tunisians Abroad,

Having regard to law n° 66-27 dated 30 April 1966 promulgating the labor code notably article 3,

Having regard to labor code notably article 134,

Having regard to law n° 85-78 dated 5 August 1985 relating to the general status of offices agents and the public industrial and commercial enterprises which capital belongs, directly and totally to the state or to the public local collectivities, as amended and completed by law n° 99-28 dated 3 April 1999,

Having regard to decree n° 2006-1446 dated 30 May 2006 increasing the wages in the non agricultural sectors governed by the labor code and not covered by the sectorial collective conventions or by the particular status,

Having regard to decree n° 2008-2073 dated 2 June 2008, fixing the minimum guaranteed wage in the non agricultural sectors governed by the labor code,

Having regard to the opinion of the Administrative Court.

Decreases the following:

Article one - In the non agricultural sectors governed by the labor code and not covered by the sectorial collective conventions or by the particular status of public enterprises, the basic wages of employees are increased as following :

Categories of agents	Labor system of 48 h per week		Labor system of 40 h per week	
	Hourly increase	Monthly increase	Hourly increase	Monthly increase
Performing agents excepting employees paid in minimum guaranteed wage	From 65 millimes to 83 millimes	From 13.553 dinars to 17.249 dinars	From 65 millimes to 83 millimes	From 11.266 dinars to 14.386 dinars
Managing agents	95 millimes	19.713 dinars	95 millimes	16.466 dinars
Executives	124 millimes	25.873 dinars	124 millimes	21.493 dinars

As for the performing agents, the increases are modulated referring to the professional qualification level, to the occupied post or to the usually perceived wage on 1 April 2009.

Art. 2 - The increases to be granted to the employees paid on task, on piece or on efficiency according to the provisions of article one of the decree herein, are determined referring to the normal efficiency according to the usual custom and norms.

Art. 3 - Under any circumstances, the young workers under the age of 18 may not perceive an increase inferior to 85% of the increases referred to in articles one and 2 of the decree herein.

Art. 4 - May not benefit from the increases referred to in articles one and 2 of the decree herein, the employees of the enterprises having granted during the year 2009 general increases in wages equal or higher than that referred to in the decree herein and is not related to the promotion.

If the amount of the increase referred to in the precedent sub- paragraph is inferior to the increase provided for in the decree herein, a supplementary to the increase equal to the difference between the two amounts, is granted.

Art. 5 - The employers who infringe the provisions of the decree herein are liable to the sanctions referred to in article 3 of law n° 66-27 dated 30 April 1966.

Art.6 - The Ministers and the secretaries of the State, each in his respective capacity, shall implement the decree herein which shall enter into force as from 1 April 2009 and shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 March 2009.

Zine El Abidine Ben Ali

Decree n° 2009-694 dated 11 March 2009, amending and completing decree n° 96-263 dated 14 February 1996, relating to the allowance for the night work paid to the bodies of the advanced technicians of public health, the male nurses/nurses, the auxiliaries and the workers exercising at the national institute of children protection, the center of vocational rehabilitation of the spastic persons and the casualties of life of Ksar-Saïd and the social center of the children observation under the Ministry of Social Affairs, Solidarity and Tunisians Abroad.

The President of the Republic,

On a proposal from the Minister of Social Affairs, Solidarity and Tunisians Abroad,

Having regard to law n° 83-112 dated 12 December 1983, relating to the general status of the staff of the State, local collectivities and public establishments of administrative nature, all amending and completing texts and notably law n° 2007-69 dated 27 December 2007,

Having regard to decree n° 73-8 dated 8 January 1973, organizing the national institute of children protection, all amending and completing texts and notably decree n° 2006-2514 dated 18 September 2006,

Having regard to decree n° 81-817 dated 11 June 1981, relating to the allowance for the night work,

Having regard to decree n° 93-1474 dated 5 July 1993, fixing the attributions, the administrative and financial organization and the operating methods of the center of vocational rehabilitation of the spastic persons and the casualties of life of Ksar-Saïd,

Having regard to decree n° 96-263 dated 14 February 1996, relating to the allowance for the night work paid to the bodies of the advanced technicians of public health, the male nurses/ nurses, the auxiliaries and the workers exercising at the national institute of children protection, the center of vocational rehabilitation of the spastic persons and the casualties of life of Ksar-Saïd and the social center of the children observation under the Ministry of Social Affairs, Solidarity and Tunisians Abroad, as amended and completed by decree n° 2002-2834 dated 29 October 2002,

Having regard to decree n° 98-2509 dated 18 December 1998, fixing the particular status to the body of the workers of the State, the local collectivities and the public establishments of administrative nature,

Having regard to decree n° 2000-1688 dated 17 July 2000, fixing the particular status of the common body of the advanced technicians of public health,

Having regard to decree n° 2000-1690 dated 17 July 2000, fixing the particular status of the body of the male nurses/ nurses of public health,

Having regard to decree n° 2001-2906 dated 20 December 2001, establishing a center of social protection

having the name of " center of supervision and social orientation of Douar Hicher " and fixing its administrative and financial organization and its operating methods,

Having regard to decree n° 2002-413 dated 14 February 2002, establishing a center of social protection having the name of " social and educational center " ESSENEDE " of Sidi-Thabet " and fixing its administrative and financial organization and its operating methods,

Having regard to decree n° 2005-2978 dated 8 November 2005, fixing attributions of the Ministry of Social Affairs, Solidarity and Tunisians Abroad,

Having regard to decree n° 2007-43 dated 3 January 2007, establishing the center of social protection " El Amen " and fixing its administrative and financial organization and its operating methods,

Having regard to decree n° 2007-2875 dated 12 November 2007, establishing the center of the children social protection of Tunis and fixing its administrative organization and financial and its operating methods,

Having regard to decree n° 2007-2876 dated 12 November 2007, establishing a center of social protection having the name of " center of supervision and social orientation of Sousse " and fixing its administrative and financial organization and its operating methods,

Having regard to decree n° 2008-3028 dated 15 September 2008, fixing the administrative and financial organization of the social center of the children observation and its operating methods,

Having regard to the opinion of the Minister of Finance,

Having regard to the opinion of the Administrative Court.

Decrees the following :

Article one - The provisions of article one of decree n° 96-263 dated 14 February 1996 mentioned above are repealed and replaced by the following provisions:
Article one (new) - The rate of the allowance for the night-work, provided for by decree n° 81-817 dated 11 June 1981, is fixed at three (3) dinars per night for the body of the advanced technicians of public health, the male nurses/ nurses, the auxiliaries and the workers exercising in the national institute of children protection, the center of vocational rehabilitation of the spastic persons and the casualties of life of Ksar-Saïd and the social center of children observation, the center of supervision and social orientation of Douar Hicher, social and educational center " ESSENEDE " of Sidi Thabet, the center of social protection "El Amen" of Sousse under the Ministry of Social affairs, Solidarity and Tunisians Abroad.

Art. 2 - The Minister of Social Affairs, Solidarity and Tunisians Abroad and the Minister of Finance shall, each in his respective capacity, implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 March 2009.

Zine El Abidine Ben Ali

MINISTRY OF PUBLIC HEALTH

Order of the Minister of Public Health dated 11 March 2009, opening an internal competitive examination on the basis of files for the promotion to the grade of major advanced technician of public health.

(Published only in Arabic and French)

Order of the Minister of Public Health dated 11 March 2009, opening an internal competitive examination on the basis of files for the promotion to the grade of major male nurse of Public Health.

(Published only in Arabic and French)

MINISTRY OF STATE PROPERTY AND LAND AFFAIRS

Decree n° 2009-695 dated 11 March 2009, expropriating for public utility, additional land parcels located in Hissiane, delegation of Kalâat El Andalous, governorate of Ariana, necessary for the building of the financial port of Tunis.

(Published only in Arabic and French)

Decree n° 2009-696 dated 11 March 2009, expropriating for public utility land parcels located in Den Den and Manouba, governorate of Manouba, necessary for the extension of the western line of the light metro of Den Den towards the university campus of Manouba (second tranche).

(Published only in Arabic and French)

MINISTRY OF INDUSTRY, ENERGY AND SMALL AND MEDIUM-SIZED ENTERPRISES**APPOINTMENT**

By order of the Minister of Industry, Energy and Small and Medium-Sized Enterprises dated 11 March 2009.

Mister Néjib Mokni is appointed as a member to the hydrocarbon advisory board.

(The rest is published only in Arabic and French)

MINISTRY OF EDUCATION AND TRAINING**APPOINTMENTS**

By order of the Minister of Education and Training dated 11 March 2009.

Mister Abdelbaki Dachraoui is appointed as a member to the establishment council of the national center of training of trainers and training engineering.

(The rest is published only in Arabic and French)

By order of the Minister of Education and Training dated 11 March 2009.

Madam Fatma Ben Nour is appointed as a member to the establishment council of the national center of training of trainers and training engineering.

(The rest is published only in Arabic and French)

MINISTRY OF EQUIPMENT, HOUSING AND TERRITORIAL DEVELOPMENT

Decree n° 2009-697 dated 11 March 2009, approving the revision of the urban development plan of the commune of Rejiche, governorate of Mahdia.

The President of the Republic,

On a proposal from the Minister of Equipment, Housing and Territorial Development,

Having regard to law n° 75-33 dated 14 May 1975, promulgating the organic law of communes as amended and completed by the subsequent texts, and notably organic law n° 2008-57 dated 4 August 2008,

Having regard to the labor code promulgated by law n° 75-33 dated 14 May 1975, as amended and completed by the subsequent texts, and notably law n° 2007-19 dated 2 April 2007, and notably article 294,

Having regard to the water code promulgated by law n° 75-16 dated 31 March 1975, as amended and completed by the subsequent texts, and notably law n° 2001-116 dated 26 November 2001,

Having regard to law n° 83-87 dated 11 November 1983, relating to the protection of agricultural lands, as amended and completed by the subsequent texts and notably by law n° 2007-69 dated 27 December 2007, Having regard to law n° 86-17 dated 7 March 1986, reviewing the legislation relating to the state public road domain,

Having regard to the forests code promulgated by law n° 88-20 dated 13 April 1988, as amended and completed

by the subsequent texts, and notably law n° 2005-13 dated 26 January 2005,

Having regard to the code of the archeological, historical and traditional arts heritage promulgated by law n° 94-35 dated 24 February 1994, as amended and completed by law n° 2001-118 dated 6 December 2001,

Having regard to the territorial development and urbanism code promulgated by law n° 94-122 dated 28 November 1994, as amended and completed by law n° 2003-78 dated 29 December 2003, and amended by law n° 2005-71 dated 4 August 2005, and notably article 19,

Having regard to law n° 95-73 dated 24 July 1995, relating to the maritime public domain as amended by law n° 2005-33 dated 4 April 2005,

Having regard to law n° 2005-90 dated 3 October 2005, relating to urban parks,

Having regard to decree n° 74-93 dated 15 February 1974, fixing the attributions of the Ministry of Equipment, as completed by decree n° 92-248 dated 3 February 1992,

Having regard to decree n° 77-593 dated 18 July 1977 approving the urban development plan of the commune of Rejiche as reviewed by decree n° 82-465 dated 26 February 1982 and decree n° 93-1845 dated 7 September 1993,

Having regard to decree n° 85-638 dated 23 April 1985, creating the commune of Rejiche in the governorate of Mahdia,

Having regard to decree n° 88-188 dated 28 January 1988, fixing the zones of safeguarding of agricultural lands of governorate of Mahdia,

Having regard to decree n° 88-1413 dated 22 July 1988, organizing the Ministry of Equipment and Housing, as amended and completed by decree n° 92-249 dated 3 February 1992, and decree n° 2008-121 dated 16 January 2008,

Having regard to the order of the Minister of Equipment and Housing dated 3 October 1995, defining the constituting documents of the urban development plan, Having regard to the order of the Minister of Equipment, Housing and Territorial Development dated 11 July 2007, delimiting the zones requiring revision of the urban development plan of the commune of Rejiche (governorate of Mahdia),

Having regard to the deliberation of the municipal council of Rejiche which met on 23 May 2008, Having regard to the opinion of the Minister of the Interior and Local Development, the Minister of Agriculture and Water Resources, the Minister of Culture and Heritage Preservation and the Minister of Environment and Sustainable Development,

Having regard to the opinion of the Administrative Court.

Decreases the following :

Article one - The revision of the urban development plan of the commune of Rejiche annexed to the decree herein is approved.

Art. 2 - Shall be repealed, the provisions of the abovementioned decree n° 77-593 dated 18 July 1977 as amended by decree n° 82-465 dated 26 February 1982 and decree n° 93-1845 dated 7 September 1993.

Art. 3 - The Minister of the Interior and Local Development, the Minister of Agriculture and Water Resources, the Minister of Equipment, Housing and Territorial Development, the Minister of Culture and Heritage Preservation and the Minister of Environment and Sustainable Development, each in his respective capacity, shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 16 February 2009.

Zine El Abidine Ben Ali

Decree n° 2009-698 dated 11 March 2009 amending decree n° 77-965 dated 24 November 1977, implementing law n° 77-54 dated 3 August 1977, establishing the promotion fund for employees housing.

The President of the Republic,

On a proposal from the Minister of Finance and the Minister of Equipment, Housing and Territorial Development,

Having regard to law n° 77-54 dated 3 August 1977 establishing the promotion fund for employees housing, all amending or completing texts notably article 54 of law n° 2005-106 dated 19 December 2005 relating to Finance law for the year 2006,

Having regard to decree n° 77-60 dated 3 August 1977 amending law n° 76-115 dated 31 December 1976 relating to the finance law for fiscal year 1977 and notably article 14 as amended by article 34 of law n° 92-122 dated 29 December 1992, relating to the finance law for the year 1993,

Having regard to decree n° 75-316 dated 30 May 1975, fixing the attributions of the Ministry of finance,

Having regard to decree n° 77-965 dated 24 November 1977, implementing law n° 77-54 dated 3 August 1977 establishing the promotion fund for employees housing, all amending or completing texts notably decree n° 2007-4009 dated 11 December 2007,

Having regard of the opinion of the Minister of Development and international cooperation and the Minister of social affairs and Tunisians abroad,

Having regard of the opinion of the Administrative Court.

Decreases the following :

Article one - Shall be repealed the fifth dash of articles 5, 6 and 6 (ter) of decree n° 77-965 dated 24 November 1977 implementing law n° 77-54 dated 3 August 1977 establishing the promotion fund for employees housing and substituted by :

*article 5-fifth dash (new): interest rates: 2.5% per year,

*article 6-fifth dash (new): interest rates: 4% per year,

*article 6 (ter) -fifth dash (new): interest rates: 5.75% per year.

Art. 2 - The Minister of Finance, the Minister of Development and International Cooperation, the Minister of Equipment, Housing and Territorial Development and the Minister of Social Affairs and Tunisians abroad, each in his respective capacity, shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 11 March 2009.

Zine El Abidine Ben Ali