

University of Jijel
Faculty of Law and Political Sciences
Department of Law
Path: Public Law + Legal Profession + Energy Law + Penal Law
Second year –Master 2024/2025

Course n°01: commercial corporations

- 01-entrprises, firms, compagnies, societies
- 02- Small and medium -sized enterprises.
- 03-Limited Liability Company.
- 04- One-person Limited Liability Undertaking.
- 05-compagny status.
- 06- Stock Holding Company.
- 07- Shareholding Company.
- 08- Partnership Company.
- 09-Corporate taxes.
- 10-Fiscal rate taxes on compagnies benefits.
- 11-Global Revenue Tax.
- 12- Gross Domestic Product.

Teacher: YASSAD Rabah

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Course n°02: the Lawyer

01-It's a good idea to ask for several estimates before making a decision, because fees vary

Considerably from one lawyer to another.

02-In practice, the right of access to a lawyer is not always ensured.

03-Services of a specialized lawyer.

04-Trainee Lawyer

05-Sollicitor, Barrister, Attorney, Advocate, Counsellor

06- Adviser

07- In the name and behalf of the plaintiff.

08-The harm invoked

09-Leave to appeal to supreme court.

10- I retained a Lawyer for my court case.

11-If an accused person has no Lawyer, he is less likely to be aware of his rights and therefore to have those rights respected.

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Course n°03: the Notary public

- 01-I went to see a Notary to write my will.**
- 02-A Notary can also advise you before hand on your options of financing the purchase of a property.**
- 03- Your Notary can give you an accurate overview of various costs, fees and costs before signing the agreement.**
- 04-Signing or concluding a new marriage contract before a notary.**
- 05- Before notary public undersigned.**
- 06- Rental return yields**
- 07- Registration duties and notary costs for a potential sale.**
- 08-The costs of sale act (notary fees) are also paid by the buyer.**
- 09-Special mandate to the Notary.**
- 10- Power of attorney.**
- 11- To appear before a Notary.**
- 12- The notary public issues power of attorneys and inheritance certificates.**
- 13- Inheritance rights.**

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Course n°04: the Bailiff

01-Court Bailiff

02-As with the clerk, the exact duties of the Bailiff vary from one region of the country to another.

03-It takes the form of writ, that's to say process served by a court Bailiff.

4-Engage a court Bailiff to serve a writ of summons on the other party.

05-Summons to appear to the audience.

06-A writ of seizure issued to a Bailiff

07- Additional costs added to your file.

08-The Bailiff can afterwards conduct the seizure.

09-The Bailiff office.

10-In order to notify higher bidding.

11-Adjudicator and tenderer.

12- Finding report.

13-The plaintiff handed the evidence to the Judge.

14-Courtroom.

15-Invitation to tender.

16-Undivided property sale.

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Course n°05: Custody الحضانة

According to Article 62 custody is the education of the child in the religion of the Father, schooling and the maintenance of moral and physical health. **In the event Of divorce**, custody is **granted** to the mother by the court unless this is not Considered to be in the best interests of the child. If she is **unable** to exercise this Right, through **incapacity**, remarriage or death, then custody is transferred to the Mother's mother, then the maternal aunt, then the father, then his mother and Then the person next related to the child to the closest degree will be awarded Custody, **providing that** the best interests of the child are so **fulfilled** (Article 64). The judge has discretion to determine what is in the best interests of the child And usually will evaluate daily care, health, religious upbringing and academic Education, before making a decision.

Article 65 **states** that the period of custody continues until a male child is ten, or Up to his sixteenth year, by court order, if the mother has not remarried. A Female child remains with the custodian until the legal age of marriage, which is 18 for females in Algeria. Custody will cease if a female custodian marries Outside the prohibited degree of relationship to the child or prevents the father From carrying out his guardianship **duties** by moving the child away from his place Of residence. In addition the maternal grandmother or aunt will lose custody if She resides with the mother who has lost custody due to remarriage to a man Outside the prohibited degree of relationship to the child.

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Course n°06: Inheritance

01-My parents left me a large inheritance

02- To inherit.

03-I waived my right to inherit the grandmother property.

04- The inheritor and deceased.

05-Heirs.

06- The Law applicable to the deceased person succession.

07- Testate or intestate succession.

08- Dependants.

09-The personal property of the deceased person acquired by inheritance.

10-Succession partition.

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Course n°07:

Integrity rules for concluding public procurement contract within the framework of the law n°12-23.

Abstract

Public procurement contracts are written contracts concluded between the contracting service and one or more contracting operators, but for this to be effective, the rules of integrity in the field of this type of contracts must be respected, and all this emerges clearly from articles 65 to article 71 of Law No. 23-12, because we note that the contracting service has a positive role in taking measures of a dissuasive nature when facts of corruption or partiality are discovered before, during or after the conclusion of the said contract. And in order to limit these unfair practices, the legislator enacted by this law the condition of incompatibility with membership in the arbitration commission and/or the capacity of rapporteur within the Public Procurement Commission with membership in that of opening bids and assessing offers, in addition to taking other preventive measures provided for in this law globally in order to enshrine the principle of fair competition in the field of this type of contracts.

Keywords: integrity rules, the contracting service, contractual operator, preventive measures, fair competition.

ملخص

قواعد النزاهة إثر إبرام الصفقات العمومية في ظل القانون رقم 12-23

إن الصفقات العمومية عبارة عن عقود مكتوبة، تبرم بين المصلحة المتعاقدة ومتعامل متعاقد واحد أو أكثر، لكن من أجل نجاعة ذلك لابد من احترام قواعد النزاهة في مجال هذا النوع من العقود، وكل ذلك واضح من خلال المواد من 65 إلى غاية المادة 71 من القانون رقم 12-23، حيث نجد أن للمصلحة المتعاقدة دور إيجابي باتخاذها لتدابير ذات طابع ردعي عند اكتشاف فساد أو انحياز قبل أو أثناء أو بعد إبرام هذه الصفقة، ومن أجل الحد من هذه الممارسات الغير نزيهة أقر المشرع من خلال هذا القانون حالة تنافي العضوية في لجنة التحكيم و /أو صفة المقرر في لجنة الصفقات العمومية مع العضوية في لجنة فتح الأظرفة وتقييم العروض، بالإضافة اتخاذ تدابير وقائية أخرى منصوص عليها في هذا القانون، وكل ذلك من أجل تكريس مبدأ المنافسة النزيهة في مجال هذا النوع من العقود.

الكلمات المفتاحية: قواعد النزاهة، المصلحة المتعاقدة، المتعامل المتعاقد، التدابير الوقائية، المنافسة النزيهة.

Règles d'intégrité suite à la conclusion de marchés publics dans le cadre de la loi n°23-12

Résumé :

Les marchés publics sont des contrats écrits conclus entre le service contractant et un ou plusieurs opérateurs contractants, mais pour que cela soit efficace, les règles d'intégrité dans le domaine de ce type de contrats doivent être respectées, et tout cela ressort clairement des articles 65 à l'article 71 de la loi n° 23-12, car nous constatons que le service contractant a un rôle positif en prenant des mesures à caractère dissuasif lorsque des faits de corruption ou de partialité sont découverts avant, pendant ou après la conclusion dudit marché. Et afin de limiter ces pratiques déloyales, le législateur a approuvé par cette loi la condition d'incompatibilité avec l'appartenance à la commission d'arbitrage et/ou la qualité de rapporteur au sein de la Commission des Marchés Publics avec l'appartenance à celle d'ouverture des plis et d'évaluation des offres, en plus de prendre d'autres mesures préventives prévues dans cette loi, le tout afin de consacrer le principe de concurrence loyale dans le domaine de ce type de contrats.

Mots clés : règles d'intégrité, le service contractant, opérateur contractuel, mesures préventives, concurrence loyale.