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level as a first step but eventually transformed into organized crimes, leading to international implications such as money laundering, bank information theft, and other forms of economic crimes (02).

Economic crimes can be defined as : "any action or omission contrary to the economic legislation decreed by the country" (03). Due to the damages caused by these acts to the national economy and the difficulty in detecting them because of their complex nature, the legislator was compelled to find a balanced approach between the demands of economic development efficiency and the fundamental principles of the law (04). However, in its pursuit of a balance between the objective and procedural rules of traditional criminal law and the requirements of the state's economic policy (05), the legislator has not fully succeeded, given that economic crime is distinguished by a unique legal model that sets it apart from other crimes (06). This distinctiveness gives economic crimes a specificity that sets them apart from other offenses in terms of both objective and procedural provisions, making traditional investigation methods inadequate for detection. Consequently, the legislator has adopted specific procedural provisions suited to the unique nature of economic crimes.

Research issues:

The research question of this study highlights the specific aspects of procedural provisions related to judicial competence and the nature of local jurisdiction rules when it comes to economic and financial crime in

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Algerian law, and their effectiveness in tackling this type of criminality?

Importance of the Topic:

There are several reasons that led us to focus on this subject. Firstly, the specificity of procedural provisions regarding economic crime holds both theoretical and practical significance. The theoretical importance lies in clarifying how the legislator regulates these provisions, while the practical importance lies in evaluating their effectiveness in addressing developments in economic crime.

Research Objective:

The objective of this research is not to study the conceptual framework of economic crime or its objective provisions and deterrence aspects but rather to investigate its procedural provisions concerning the establishment of specialized jurisdiction to handle this type of crime and the nature of local jurisdiction rules. This will be done in light of recent legislative modifications that have affected the code of criminal procedure or related laws.

Methodology Used:

For this subject, we have had the opportunity to conduct an in-depth study using a descriptive approach that focuses precisely on the objective description of the subject matter. Additionally, we have attempted to place the study's elements in a chronological context, using a historical approach to break down the subject into simple and elementary components. Furthermore, we have

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employed a process of critical evaluation of information and data.

General Division of the Study:

The aforementioned factors have led us to choose this topic as the title of our research, which we have divided into two main sections: **the first section** examines the existence of a specialized criminal judicial system for economic and financial crimes, while the **second section** focuses on studying the nature of local jurisdiction rules concerning economic and financial crime, distinguishing between preferential jurisdiction and joint jurisdiction.

2. Title 1: The Existence of a Specialized Criminal Judicial System for Economic and Financial Crimes.

In the fight against economic crime (07), the Algerian legislator introduced specialized criminal divisions as a recent experience within the judicial system in 2004 (08) through the amendment of the code of criminal procedure by Law No. 04/14 (09). Subsequently, Executive Decree No. 06/348 was issued, which extended the territorial competence of certain courts, prosecutors, and investigating judges (10). This decree was later modified by Executive Decree No. 16/267 (11).

In addition to that, the Economic and Financial Criminal Division was established by Ordinance No. 20/04, which amended and supplemented the code of criminal procedure (12). Although these divisions are primarily based on the principle of specialization, they can be defined as: "**specialized judicial bodies responsible for examining and adjudicating various forms of serious**

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economic crimes, as provided for by the provisions of the code of criminal procedure."

Remarkably, by examining the provisions of the code of criminal procedure, we find that it has developed two models for these criminal divisions. The first model is represented by the expanded criminal divisions approved under Law No. 04/14, while the second model is related to the Economic and Financial Criminal Division established under Article 211 of the code of criminal procedure. This division should specify the scope of the crimes for which it has jurisdiction to investigate and adjudicate.

Therefore, before delving into this, it is essential to present the chronology of the emergence of specialized criminal divisions.

2.1 First Subtitle: Historical Development of Specialized Criminal Divisions for Adjudicating Economic and Financial Crimes in Algeria.

It has gone through several stages since the promulgation of the code of criminal procedure in 1966 until today.

A- First Stage: Establishment of Competent Judicial Councils to Adjudicate Economic Crime

Immediately after gaining independence, the Algerian legislator established Judicial Councils in Algiers, Oran, and Constantine, parallel to regular judicial courts, through Ordinance 66/180 (13). Each of these councils had jurisdiction over Judicial Councils scattered throughout the entire national territory, specialized in adjudicating serious economic crimes (14). This stage required tackling crimes affecting national wealth, the public treasury, and the national economy committed by officials and agents of all ranks,

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pertaining to the state, public institutions, local authorities, national companies, mixed-specialty companies, and establishments with special rights managing public interests or public funds (15).

B- Second Stage: Creation of Economic Sections in Criminal Courts

The Algerian legislator repealed the aforementioned Ordinance 66/180 and incorporated the provisions related to these offenses into the penal code through Ordinance 75/47 (16). Consequently, the Criminal Court, represented by its economic section, became the primary jurisdiction for handling serious economic crimes. According to Decree No. 75/46 (17), the Minister of Justice was empowered to divide the Criminal Court into a general section and an economic section and determine the list of economic sections and their territorial competence. Although these economic sections do not present any distinct characteristics compared to regular sections, some argue that the legislator, in creating them, solidified the idea of specialization in economic criminal justice (18).

C- Third Stage: Moving Away from Criminal Specialization in Economic Crime and Returning to General Competence.

This stage involved amending the code of criminal procedure under Law No. 90/24 (19), which resulted in the elimination of economic sections in the Criminal Court. As a result, both the Criminal Court and the section handling misdemeanors became competent to

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handle economic crimes until the code of criminal procedure was further modified in 2004.

D- Fourth Stage: Creation of Specialized penal poles.

The economic and technological transformations gave rise to new forms of economic crimes that were previously unknown, such as transnational organized crime, corruption, money laundering, financial fraud, and others. The Algerian legislator became aware of the inefficiency of traditional criminal justice in combating these new forms of economic crimes and attempted to create specialized courts to address them by establishing specialized penal poles .

The process began with the modification of the code of criminal procedure through Law No. 04/14, which approved the creation of competent penal poles to adjudicate economic offenses by modifying Article 329. The last paragraph of this article states: "**The territorial jurisdiction of the court may be extended to the jurisdiction of other courts by regulation.**" Subsequently, the Algerian legislator enacted Organic Law No. 05/11 concerning judicial organization (20), which included provisions approved by the parliament - before being submitted to the Constitutional Council for its opinion on constitutionality- regarding the possibility of creating specialized penal poles with extended territorial jurisdiction within the courts (21).

Despite contradictions in the procedures established by the legislator before the specialized courts that have not yet been created and the annulment of provisions relating to the creation of these penal poles due to their

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unconstitutionality in the law on judicial organization, the legislator identified the courts concerned by the extension of their jurisdiction as regional specialized penal poles. The jurisdictions to which this competence extends are defined in Articles 02, 03, 04, and 05 of Executive Decree No. 06/348.

On the other hand, following the modification of the code of criminal procedure through Ordinance 20/04, a national economic and financial penal pole was established at the headquarters of the court in Algiers. This division, in addition to the specialized regional penal poles with extended jurisdiction, has competence to handle economic and financial crimes. The following clarifies the structure:

2.2 Second Subtitle: Specialized penal poles to Adjudicate Economic and Financial Crimes in Algeria.

According to the code of criminal procedure, as amended by Law No. 04/14 in Articles 37, 40, and 329, the prosecutor's, investigating judge's, and court's jurisdiction can be extended to other designated courts exclusively for certain offenses (22). In accordance with this, Executive Decree No. 06/348 was published, which specifies and designates the courts with extended territorial jurisdiction, and the courts whose local jurisdiction extends to these designated courts have been identified and named, on the one hand.

On the other hand, in addition to the specialized penal poles with extended jurisdiction over crimes, including economic and financial offenses, the Algerian legislator

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established, through Ordinance No. 20/04, an economic and financial penal pole with territorial jurisdiction covering the entire national territory when it comes to serious and complex economic and financial crimes with a transnational dimension. Thus, these jurisdictions are as follows:

A-Specialized Penal Poles with Extended Jurisdiction:

These are known as regional poles, which are specialized penal poles with territorial jurisdiction exclusively over designated crimes, including those of an economic nature (23). They consist of:

-Algiers Court: Its territorial jurisdiction includes: Alger, Chlef, Laghouat, Blida, Bouira, Tizi Ouzou, Djelfa, Médéa, Messila, Boumerdes.

-Constantine Court: Its territorial jurisdiction includes: Constantine, Oum El Bouaghi, Bejaia, Tébessa, Jijel, Sétif, Skikda, Annaba, El Taraf, Khenchela, Guelma, Bordj Bou Arreridj, Batna.

-Oran Court: Its territorial jurisdiction includes: Oran, Bechar, Tlemcen, Tiaret, Saida, Sidi Bel Abbès, Mostaganem, Mascara, Relizane, El Bayadh, Naama, Ain Temouchent, Tissemsilt.

-Ouargla Court: Its territorial jurisdiction extends to: Ouargla, Adrar, Tamanrasset, Elyzi, Ghardaia, Biskra, El Oued (24).

B- National Economic and Financial Penal Pole:

This pole was created by the Algerian legislator at the level of the headquarters of the Court of Appeal in

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Algiers as a national specialized penal pole to combat economic and financial crime. The prosecutor, the investigating judge, and the pole's president have jurisdiction over the entire national territory regarding complex economic and financial crimes and related offenses. Additionally, the pole retains its territorial jurisdiction resulting from the application of Articles 37, 40, and 329 of the code of criminal procedure.

Therefore, by creating these specialized poles for certain crimes, including economic crimes, whether they are regional poles with extended territorial jurisdiction or a national economic and financial pole with preferential jurisdiction, the legislator aims to bring together different categories of judges, prosecutors, investigating judges, and magistrates within specialized jurisdictions dedicated entirely to these crimes. This may involve deviating from traditional criteria of territorial jurisdiction, such as the place where the crime was committed, the location of the accused's arrest, or their place of residence (25).

3. Title 02: Local Jurisdictional Rules in Economic and Financial Criminality between Preferential and Joint Jurisdiction.

The specificity of procedural provisions concerning economic and financial criminality in Algeria is evident through the competent judicial authorities responsible for overseeing and adjudicating such cases, represented by two specialized poles: regional and national penal poles. However, this study raises a problematic issue concerning the purpose of establishing a preferential national penal economic and financial pole under

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Ordinance No. 20/04, in the presence of specialized regional penal poles with extended jurisdiction?

To address this question, we must begin by examining the legal mechanisms prescribed by the law for the competence of these judicial entities and then explore their connection with the case files and the resulting consequences.

3.1 First Subtitle: Jurisdictional Rules in Economic and Financial Criminality between the Penal Economic and Financial Pole and Specialized Regional Penal Poles.

As previously mentioned, the Algerian legislator amended Articles 37, 40, and 329 of the Code of Criminal Procedure and promulgated Executive Decree No. 06/348, as further amended by Executive Decree No. 16/267, to establish qualitative and local jurisdictional rules for specialized regional and extended competence penal poles.

Furthermore, with the approval of Ordinance No. 20/04 amending and complementing the Code of Criminal Procedure, new jurisdictional rules were also established for the national penal economic and financial pole.

Upon preliminary examination of the aforementioned texts, it becomes apparent that their application could lead to conflicts of competence between the national economic and financial pole, on one hand, and the specialized regional penal poles with extended jurisdiction, on the other hand. Such conflicts may arise when adjudicating certain economic crimes, such as money laundering, crimes related to violations of

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currency and capital movements regulations to and from abroad, and others.

This situation necessitates the exploration of a legal norm to allocate competence among these specialized judicial poles. To achieve this, it is crucial to identify the types of crimes falling under the purview of each specialized judicial division separately. As follows:

A-For Specialized Regional Penal Poles with Extended Jurisdiction:

The Algerian legislator addressed the specific competence of specialized regional penal poles with extended jurisdiction under Articles 37, 40, and 329 of the Code of Criminal Procedure, as amended by Law No. 14/04. These articles also established territorial jurisdictional rules for the prosecutor, investigating judge, and sitting judges under normal circumstances.

However, this competence is expanded to include territorial jurisdiction for other courts concerning the following offenses:

- **Offenses related to narcotics:** These crimes are defined and penalized under Law No. 18/04, as amended and supplemented, concerning the prevention and repression of the illicit use and trafficking of narcotics and psychotropic substances. It is worth noting that Executive Decree No. 06/348, as amended and supplemented, specifies these offenses, referring solely to drug trafficking.
- **Transnational organized crime.**

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- **Offenses related to automated data processing systems:** provided and punished under Articles 394bis to 394bis 7 of the Penal Code.
- **Money laundering offenses:** stipulated and penalized under Law No. 05/01 on the prevention and fight against money laundering and the financing of terrorism, as amended and supplemented.
- **Terrorist crimes:** provided and punished under Articles 87bis to 87bis 10 of the Penal Code.
- **Crimes concerning the repression of violations of legislation and regulations related to currency and capital movements to and from abroad.**

While these offenses are included in Article 37 of the Code of Criminal Procedure, it is noteworthy that this article did not originally include extending the competence for corruption and smuggling crimes. Despite being among the most important economic crimes and equally dangerous as the aforementioned crimes, often linked to state public funds, the Algerian legislator addressed this issue by amending the law combating corruption through Ordinance No. 10/05. Article 24bis 01, as per the Code of Criminal Procedure, submits corruption offenses to the competence of specialized poles with extended jurisdiction. Additionally, Article 34 of Ordinance No. 05/06 concerning the fight against smuggling subjects acts of

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smuggling mentioned in Articles 10, 11, 12, 13, 14, and 15 to the same provisions governing organized crime, including submission to the competence of specialized penal poles. Thus, the latter become jurisdictions with joint competence.

B- For the National Penal Economic and Financial pole: Under Article 211bis of Ordinance 20/04, a specialized penal pole for combating economic and financial criminality was established within the headquarters of the Court of Appeal in Algiers. In the same context, Article 211bis02 specifies the offenses over which this pole exercises joint competence with the jurisdiction resulting from the application of Articles 37, 40, and 329 of the Code of Criminal Procedure. These crimes include:

- Offenses provided in Article 119bis of the Penal Code concerning grave negligence resulting in theft, embezzlement, destruction, or loss of public or private funds, goods representing their value, documents, writings, contracts, or movable funds placed under the custody of a public official due to or because of their function.
- Money laundering crimes provided under Articles 389bis, 389bis01, 389bis02, and 389bis03 of the Penal Code.
- Corruption offenses provided in Law 06/01 on the prevention and fight against corruption, as amended and supplemented.

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- Crimes concerning violations of legislation and regulations related to currency and capital movements to and from abroad.
- Offenses mentioned in Articles 11, 12, 13, 14, 15 of Ordinance No. 05/06 on smuggling, as amended and supplemented.

Upon examining the list of crimes, except for negligence crimes mentioned in Article 119bis, the rest correspond to certain economic crimes listed in Article 37 of the Code of Criminal Procedure, for which the competence is meant to fall under specialized penal poles with extended and joint jurisdiction. This raises the question: in which domain does the preferential competence of the economic and financial pole, as a nationally privileged pole, apply to adjudicate economic crimes, and in which domain is the competence exercised for these crimes by the specialized penal poles with extended and joint jurisdiction?

The answer to this question is clarified in Article 211bis03, which defines the concept of economic crime falling under the competence of the national pole for adjudication. This article establishes the conditions under which these economic offenses are committed, and it establishes that this jurisdiction has competence for adjudication as preferential jurisdiction.

Thus, the new economic and financial pole has competence over complex economic crimes committed

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throughout the national territory, based on specific criteria, including:

- Participation and complicity of multiple authors and accomplices seeking to participate.
- Organized nature and prior planning of acts committed by organized and coordinated gangs.
- Commission of economic crimes in multiple regional territories falling under the jurisdiction of different poles.
- International dimension of the acts or criminal organization.
- A large number of victims, whether they are victims within the national territory or abroad.
- Use of advanced technology requiring international judicial cooperation.
- Extent of resulting financial losses.

Consequently, when one of the economic crimes mentioned in Article 211bis02 is committed in accordance with the conditions and criteria specified in Article 211bis03, the competence falls under the economic and financial pole as a national judicial entity with preferential jurisdiction. In all other cases, specialized penal poles with extended jurisdiction retain their joint competence to handle ordinary economic crimes.

3.2 Second Subtitle: Mechanisms of Communication

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of Specialized Judicial Poles (National and Regional) with Case Files and Their Consequences.

The specificity of procedural provisions regarding economic and financial criminality is highlighted by the communication mechanisms of these judicial entities with case files. This includes the request for procedures by the competent Attorney General, whether at the national or extended jurisdiction level, and its subsequent follow-up, which leads to several effects, as discussed below:

A- Mechanisms of Communication of the Economic and Financial Pole with Case Files:

These provisions are included in Articles 211bis 06 to 211bis 15, where the Algerian legislator granted the penal economic and financial pole preferential competence in economic crimes falling under its jurisdiction, whether the case file is with the general prosecutor's office or during the judicial investigation.

Consequently, Article 211bis 06 requires prosecutors of ordinary courts, in accordance with Article 37 of the Code of Criminal Procedure, to request copies of investigation reports and procedures conducted by the judicial police concerning economic crimes mentioned in Article 211bis 02 and committed under the circumstances specified in Article 211bis 03. The Attorney General of the pole is then responsible for requesting the case file after obtaining the opinion of the prosecutor, who must be consulted in such cases if they believe the crime falls under their competence.

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It is worth noting that, to establish the preferential mode of notification for crimes falling under its competence, the Algerian legislator granted the deputy prosecutor of this jurisdiction the power to exercise the prerogatives of the Attorney General in the field of economic offenses, as per Article 211bis 04, limited to these economic crimes and no others. This constitutes a clear exception to the principle of hierarchical powers of the prosecution concerning administration and supervision. In this context, the deputy prosecutor can request the case file at any stage, whether during preliminary investigations or during judicial investigation.

Therefore, if the case file is at the level of the prosecutor's office represented by the competent territorial prosecutor during the stage of preliminary investigations, the transfer is made through administrative correspondence from the latter to the prosecutor of the pole. On the other hand, if the case file is at the stage of judicial investigation, the transfer is made upon an order of withdrawal issued by the investigating judge in favor of the investigating judge of the penal economic and financial pole, following a request from the prosecutor of the competent national economic and financial pole concerning procedures related to crimes falling under their jurisdiction.

On another note, we observe that the privilege of the penal economic and financial pole for economic crimes mentioned in Article 211bis 02 extends even to specialized penal poles with extended jurisdiction at any stage, whether it be the stage of preliminary investigation

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or the stage of judicial investigation, if requested by the prosecutor of the economic and financial pole in accordance with the procedures established in Articles 211bis 09 and 211bis 10. Moreover, in case of concurrence in the request for case files concerning crimes mentioned in Articles 211bis 01 and 211bis 03 between the penal economic and financial pole and the specialized regional penal poles with extended jurisdiction, the penal economic and financial pole must be competent as it has national jurisdiction. This also applies in case of concurrence of the case file between this pole and the specialized judicial pole for electronic crimes, as per Article 211bis 28 of Ordinance No. 21/11 amending and complementing the Code of Criminal Procedure.

It should be noted that when competence is established for the economic and financial pole specialized in economic crimes mentioned in Articles 211bis 02 and 211bis 03, it leads to several legal effects, including sending the case file with all its pieces of evidence to the prosecutor of the penal economic and financial pole. The prosecutor and the investigating judge of the pole then exercise the authority to manage and supervise the activities of the judicial police concerning the procedures already performed, ongoing, or to come. The judicial police officers, regardless of the location of the court under their jurisdiction, receive instructions and judicial delegations from the prosecutor and the investigating judge of the penal economic and financial pole.

B - Procedures Regarding the Communication of Case Files to Specialized Judicial Poles with Extended Jurisdiction:

The procedures for communicating the case file to the specialized judicial pole with extended jurisdiction for economic crimes mentioned in Article 37/02, which do not fall under the competence of the national economic and financial pole, are governed by Articles 40(01), 40(02), and 40(03) of the Code of Criminal Procedure.

When the public prosecutor observes the commission of economic crimes outside their territorial jurisdiction and not falling under their competence, they are obligated, in accordance with Article 40bis 01, to send the minutes established by the competent judicial police of that jurisdiction to the Attorney General of the court with extended local competence, as provided in Executive Decree No. 06/348, as amended and supplemented. The purpose of this is to adapt the facts contained in these minutes. If the Attorney General deems them to be economic crimes falling under their extended competence, they request the case file from the judicial authorities within their extended competence, as stipulated in Article 40bis 02.

On the other hand, the specialized judicial poles can communicate with the case file through a notification from the High Authority for Transparency and Prevention of Corruption to the competent regional Attorney General. This notification includes all documents and information related to the subject matter of the notification, as provided in Article 12 of Law No.

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22/08, which regulates the organization of the High Authority for Transparency, Prevention, and Fight against Corruption.

It should be noted that, in accordance with Article 40bis 02, the judicial police officers responsible for investigating this offense and falling under the competence of the court that transferred the procedures to the territorially competent court with extended jurisdiction, receive their instructions directly from the public prosecutor and the investigating judge of the competent court.

4-CONCLUSION:

From this study, we can conclude that the Algerian legislator has made efforts to adapt to the reality of economic crime by providing a set of objective and procedural provisions, some of which deviate from the general rules accepted in traditional criminal law. While this study has focused on the procedural aspects related to this type of crime, the Algerian legislator has granted it a set of provisions tailored to its specific nature, as evident from the results obtained:

1. Creation of a specialized national judicial pole - the economic and financial pole - responsible for handling and examining complex economic crimes committed in accordance with the criteria stated in Article 211bis 03. Other poles with extended jurisdiction specialize in the remaining economic crimes, establishing the idea of specialization in criminal justice in Algeria.

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2. The specificity of the procedural provisions for economic crimes stems from the departure of the legislator from the general rules governing the territorial jurisdiction of competent criminal poles, embodying the notions of preferential jurisdiction and joint jurisdiction.
3. Poles with extended local jurisdiction or even national jurisdiction are specialized judicial bodies and not merely general bodies with some specialization. They are specialized in examining certain serious, organized, and complex crimes that the legislator has exclusively defined as qualitative for criminal poles.

Based on the results obtained, we propose the following:

1. There is a need to establish economic criminal legislation that consolidates all penal provisions specific to economic crimes, including the objective and procedural provisions related to them.
2. It is necessary to train judicial police officers on the execution of technical and technological measures and procedures related to economic crimes.
3. There is a need to train judges specialized in monitoring economic crime by organizing training sessions in this field.
4. Work towards strict application of legal texts, especially by financial institutions, and establish

. Specific Procedural Provisions For Economic Crime in Algerian Law

mechanisms to ensure the right of defense to access procedural documents.

5. Margins :

1-Mounir Cherif, Elias Boudeyaf, Economic Crime: Causes and methods For Fighting in Algéria, Maaref Journal of legal and Economic Sciences , Volume02, Issue03, University center of Béjaia, Algéria, 2021, P89.

2-Magani Ben Ammar, The Concept of Economic Crime in Comparative Law, Legal Studies Journal, Issue 11, Al Bassira Center for Research Consultancy and Learning Services , Algéria , 2011, P04.

3-Belkacem Mohamed , New Economic Crimes , Journal of Legal and Political Research and Studies, Volume 01, Issue 03, University of Blida 02, Algéria, 2013, p134 .

4-Munir Al-Hamsh , The March of the World Economy in the Twentieth Century, Reflections on Growth , Crises and Chaos, Al-Amali for printing, Publishing and Distribution, 2001, P52; Ihab Al-Rousan , Characteristics of Economic Crime: A Study of Concept and Elements, Journal of Politics and law , Issue 07, University of Kasdi Merbah, Ouargla, Algéria, 2012, P74.

5-Mustafa Al-Arabi, Criminal Responsibility in the Economic Institution , 1st edition, Noufel Publishing , Beirut , 1982, P49.

6-Bouzina Mohamed Yassine, The Specificity of the Elements of Economic Crime , Academic Journal of

Bouhana TABTI

Legal and Political Research , Volume 02, Issue 01, Amar Thelidji University , Laghouat ,Algéria,2018, P143.

7-Amara Amara, Procedures Introduced to eradicate the Economic and Financial Crimes, Algerian Business law Journal ,Volume 01, Issue 01, university of M'sila ,Algeria ,2020,P10

8- these poles are defined as:"**specialized judicial entities for examining specific crimes as determined by law, and they are not separate judicial entities operating with special legal procedures outside the scope of the effective judicial system**".for more information see: Mohamed Habr, Specialized courts as a means of advancement and justice , Fourth Conference of Chief of Justices of supreme Courts in Arab Countries ,Qatar ,24,26 September 2013,P01, **Cited from** : Hakim kramia , Specificity of Economic Crime in Algerian Law ,PHD Thesis ,specializing in private law and criminal sciences ,Abdurrahman Mira University ,Bejaia, Algeria,2020, 2021, P341.

9-Law N 04/14 of November 2004, amends and complements Order N 66/155 of June 1966, relating to Criminal Procedure Code, Official Gazette of the People's Democratic Republic of Algeria, N71, P02.

10-Executive Decree N 06/348 of October 2006, Extends the jurisdiction of certain courts , public prosecutors ,and investigating judges , Official Gazette of the People's Democratic Republic of Algeria, N63 of October 2006, P29.

11- Executive Decree N16/267 of October 2016, amends Executive Decree N 06/348 which extends the

. Specific Procedural Provisions For Economic Crime in Algerian Law

jurisdiction of certain courts , public prosecutors ,and investigating judges, , Official Gazette of the People’s Democratic Republic of Algeria, N62 of October 2016, P10.

12-Order N20/04 of August 2020, amends and complements Order N66/155 of June 1966, wjich includes the Criminal Procedure Law , Official Gazette of the People’s Democratic Republic of Algeria, N48 of June 1966, P04.

13-Order N 66/180 of June 1966, establishes special judicial councils for combating Economic Crime, Official Gazette of the People’s Democratic Republic of Algeria, N54 of June 1966, P830.

14-Article 14 of Order N66/180 establishes special judicial councils for combating Economic Crime.

15-These special councils have their own special composition ,including a special judge , a public prosecutor , and investigating judges Independent of the ordinary judicial councils , and their ruling are not subject to appeal ,except for the request for pardon ,which must be submitted within 24 hours from the issuance of the verdict , in application of the Article 33 of the aforementioned Order N66/180.

16-Order N 75/47 of June 1975 , amends Order N66/156 of 08 June 1966, which includes the penal Code, Official Gazette of the People’s Democratic Republic of Algeria, N53 of July 1975, P751.

17- Order N 75/46 of June 1975 , amends Order N66/155 of 08 June 1966, which includes the Criminal Procedure penal , Official Gazette of the People’s

Bouhana TABTI

Democratic Republic of Algeria, N53 of July 1975, P744.

18-Harach Fawzi , Khalifi Abdelrahman , Specialized the judge Economic Criminal in Algerian Law, Academic Journal of legal Research, Volume 11, Issue04, Abderahman Mira University, Algeria ,Algeria, 2020,P56;Alla Karima, extended competence Criminal courts, Academic Journal of legal Research, Volume 11 , Issue 01, Faculty of Law and Political sciences , Abderahman Mira University, Algeria, 2015,P122.

19-Law N 90/24 of August 1990, amends and complements Order N 66/155 of 08 June 1966 , which includes the Criminal Procedure Law, Official Gazette of the People's Democratic Republic of Algeria N36of August 1990,P1151.

20-Organic Law N05/11 of July 2005, relates to judicial organization, Official Gazette of the People's Democratic Republic of Algeria N 51 of July 2005, P06.

21- the Constitutional council was notified by the president of Republic on 28/05/2005 to express its opinion on the conformity of Organic Law N05/11 ,relating to judicial organization, with the Constitution ,which stated in Article24 :"**Specialized judicial poles with expanded territorial jurisdiction may be established before the courts**".For more information, see :Hakim Krimia, op .cit.P351.

22-These include : terrorism crimes, exchange legislation, automated data processing crimes , corruption crimes , drug crimes, and money laundering crimes.

23-Hakim Krimia , op .cit., P367.

. Specific Procedural Provisions For Economic Crime in Algerian Law

24- Article 03 of Executive Decree N16/267 , amending Executive Decree N 06/348 ,which extends the local jurisdiction of certain courts , public prosecutors , and investigating judges.

25-Hakim Kraimia , op.cit.;P367.

26-Mohamed Bakar Archouch, Expanded Regional Jurisdiction in Criminal Law in Algerian legislation, Journal of Politics an Law, Issue 14, Kasdi Merbah University , Ouargla, Algeria ,January, 2016, P320.

27-Law N 04/15 of December 2004, related to the prevention of drugs , psychotropic substances, and suppression of their unauthorized use and trafficking , Official Gazette of the People's Democratic Republic of Algeria N83,P03

28-Law N 05/01 of February 2005, related to the prevention of money laundering and the financing of terrorism , Official Gazette of the People's Democratic Republic of Algeria N11, of February 2005, P03.

29-Order N 10/05 of August 2010, complements Law N 06/01 of February 2006, relating to the prevention of corruption, , Official Gazette of the People's Democratic Republic of Algeria N50 , of September 2010, P16.

30- Order N 05/06, of February 2005, related to combating smuggling , Official Gazette of the People's Democratic Republic of Algeria N59, of August 2005, P03.

31- Law N 06/01 of February 2006, relating to the prevention and fight against corruption, Official Gazette of the People's Democratic Republic of Algeria N34, of March 2006, P04.

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32-Otherwise, the prosecutor remains under the peaceful authority of the public prosecutor of the courts of Algiers.

33- Article 211 repeated 09 and Article 211 repeated 10 of the criminal procedure Law , as amended by Order N20/04.

34-Article 211 repeated 11 of the Criminal Law , as amended by Order N 20/04.

35-Order N21/11 of August 2021, amends and complements Order N66/155 of June 1966, which includes the Criminal Procedure Law , Official Gazette of the People's Democratic Republic of Algeria N65, P07.

36-Article 211 repeated 12 of the criminal Procedure Law ,as amended and supplemented by Order N20/04.

37-Article 211 repeated 14 of the criminal procedure Law , as amended and supplemented by Order N 20/04.

38-Law N 22/08 of May 2022, establishes the organization of the higher authority for transparency , prevention ,and combating corruption , , Official Gazette of the People's Democratic Republic of Algeria N32, of May 2022,P06.

6.Bibliography List :

-Wrote :

1-Munir Al-Hamsh , The March of the World Economyin the Twentieth Century, Reflections on Growth ,Crises and Chaos, Al-Amali for printing,Publishing and Distribution,2001

. Specific Procedural Provisions For Economic Crime in Algerian Law

2- Mustafa Al-Arabi, Criminal Responsibility in the Economic Institution , 1st edition, Noufel Publishing ,Beirut ,1982

-Articles:

- Amara Amara, Procedures Introduced to eradicate the Economic and Financial Crimes, Algerian Business law Journal ,Volume 01, Issue 01, university of M'sila ,Algeria ,2020

- Alla Karima, extended competence Criminal courts, Academic Journal of legal Research, Volume 11 , Issue 01, Faculty of Law and Political sciences , Abderahman Mira University, Algeria, 2015

- Belkacem Mohamed , New Economic Crimes ,Journal of Legal and Political Research and Studies,Volume 01, Issue 03, University of Blida 02, Algéria,2013

- Ihab Al-Rousan , Characteristics of Economic Crime: A Study of Concept and Elements, Journal of Politics and law ,Issue 07, University of Kasdi Merbah, Ouargla, Algéria,2012

- Bouzina Mohamed Yassine, The Specificity of the Elements of Economic Crime ,Academic Journal of Legal and Political Research ,Volume 02,Issue 01,Amar Thelidji University , Laghouat ,Algéria,2018

- Harach Fawzi , Khalifi Abdelrahman , Specialized the judge Economic Criminal in Algerian Law, Academic Journal of legal Research, Volume 11, Issue04, Abderahman Mira University, Algeria ,Algeria, 2020

- Magani Ben Ammar, The Concept of Economic Crime in Comparative Law,Legal Studies Journal,Issue 11,Al

Bouhana TABTI

Bassira Center for Reasearch Consultancy and Learning Services , Algéria ,2011

-Mounir Cherif, Elias Boudeyaf, Economic Crime:Causes and methods For Fighting in Algéria, Maaref Journal of legal and Economic Sciences ,Volume02,Issue03,University center of Béjaia, Algéria,2021

- Mohamed Bakar Archouch, Expanded Regional Jurisdiction in Criminal Law in Algerian legislation, Journal of Politics an Law, Issue 14, Kasdi Merbah University , Ouargla, Algeria ,January, 2016

-Diary:

- Hakim kramia , Specificity of Economic Crime in Algerian Law ,PHD Thesis ,specializing in private law and criminal sciences ,Abdurrahman Mira University ,Bejaia, Algeria,2020, 2021

-Legal texts:

- Organic Law N05/11 of July 2005, relates to judicial organization, Official Gazette of the People's Democratic Republic of Algeria N 51 of July 2005, P06.

- Law N 90/24 of August 1990, amends and complements Order N 66/155 of 08 June 1966 , which includes the Criminal Procedure Law, Official Gazette of the People's Democratic Republic of Algeria N36of August 1990,P1151

- Law N 04/14 of November 2004, amends and complements Order N 66/155 of June 1966, relating to Criminal Procedure Code, Official Gazette of the People's Democratic Republic of Algeria, N71,p02.

. Specific Procedural Provisions For Economic Crime in Algerian Law

- Law N 04/15 of December 2004, related to the prevention of drugs , psychotropic substances, and suppression of their unauthorized use and trafficking , Official Gazette of the People’s Democratic Republic of Algeria N83,P03
- Law N 05/01 of February 2005, related to the prevention of money laundering and the financing of terrorism , Official Gazette of the People’s Democratic Republic of Algeria N11, of February 2005, P03.
- Law N 06/01 of February 2006, relating to the prevention and fight against corruption, Official Gazette of the People’s Democratic Republic of Algeria N34, of March 2006, P04.
- Law N 22/08 of May 2022, establishes the organization of the higher authority for transparency , prevention ,and combating corruption , , Official Gazette of the People’s Democratic Republic of Algeria N32, of May 2022,P06.
- Order N 66/180 of June 1966, establishes special judicial councils for combating Economic Crime, Official Gazette of the People’s Democratic Republic of Algeria, N54 of June 1966, P830.
- Order N 75/46 of June 1975 , amends Order N66/155 of 08 June 1966, which includes the Criminal Procedure penal , Official Gazette of the People’s Democratic Republic of Algeria, N53 of July 1975, P744
- Order N 75/47 of June 1975 , amends Order N66/156 of 08 June 1966, which includes the penal Code, Official Gazette of the People’s Democratic Republic of Algeria, N53 of July 1975, P751

Bouhana TABTI

- Order N 05/06, of February 2005, related to combating smuggling , Official Gazette of the People’s Democratic Republic of Algeria N59, of August 2005, P03.
- Order N 10/05 of August 2010, complements Law N 06/01 of February 2006, relating to the prevention of corruption, , Official Gazette of the People’s Democratic Republic of Algeria N50 , of September 2010, P16.
- Order N20/04 of August 2020, amends and complements Order N66/155 of June 1966, wjich includes the Criminal Procedure Law , Official Gazette of the People’s Democratic Republic of Algeria, N48 of June 1966, P04
- Order N21/11 of August 2021, amends and complements Order N66/155 of June 1966, which includes the Criminal Procedure Law , Official Gazette of the People’s Democratic Republic of Algeria N65, P07.
- Executive Decree N 06/348 of October 2006, Extends the jurisdiction of certain courts , public prosecutors ,and investigating judges , Official Gazette of the People’s Democratic Republic of Algeria, N63 of October 2006, P29.
- Executive Decree N16/267 of October 2016, amends Executive Decree N 06/348 which extends the jurisdiction of certain courts , public prosecutors ,and investigating judges, , Official Gazette of the People’s Democratic Republic of Algeria, N62 of October 2016, P10.