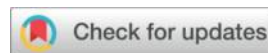


## ***The Legal Framework for the Self-Employed Entrepreneur and Its Suitability for Digital Platform Workers under Algerian Legislation***



Dr. Sadika BESSOUF

University Center of Barika, Governance Prospects Lab for Sustainable Local Development (Algeria).

[sadika.bessouf@cu-barika.dz](mailto:sadika.bessouf@cu-barika.dz)

**Orcid ID:** 0009-0009-0470-0059

Dr. Abderzag SAHRAOUI

University Center of Illizi (Algeria)

[Sahraoui.abderzag@cuillizi.dz](mailto:Sahraoui.abderzag@cuillizi.dz)

**Orcid ID:** 0009-0000-4678-3627

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### **Abstract:**

*This study aims to evaluate the legal effectiveness of the legislative framework governing digital platform workers who hold "self-entrepreneur" status in Algeria, specifically under Law No. 22-23 (the Statute of the Self-Entrepreneur). The core issue lies in assessing the extent to which the Algerian legislator has succeeded in providing legal and social protection for these workers, given the inadequacy of traditional legal rules to address the novel developments and requirements associated with the legal status of self-entrepreneurial platform workers. To address this, the study employs a descriptive-analytical approach, supplemented by a comparative method and a critical analysis of relevant legislative provisions in Algeria, France, and England. The study concludes that Algeria has—in principle—succeeded in laying the groundwork to accommodate the self-entrepreneur by formalizing their legal status, regulating their tax obligations, and guaranteeing social coverage through the social insurance scheme for non-salaried workers. However, this newly established system does not extend to digital platform workers who do not hold self-entrepreneur status; consequently, significant further development is required to align with leading comparative models in this field.*

**Keywords:** Self-entrepreneur; digital platform; digital platform worker; social protection; Law No. 22-23.

### **Introduction:**

Modern technology—and the advent of the Internet in particular—has impacted various aspects of human life, including work systems and employment patterns. We are witnessing a radical shift toward a digital economy and the emergence of novel forms of employment; a phenomenon that has compelled legislators worldwide, including those in Algeria, to re-examine the traditional rules governing labor and social protection laws.

Algeria has not remained isolated from these transformations; the Algerian legislator has taken steps to keep pace with these developments by adopting a new legislative strategy aimed at digitizing the economy

and fostering entrepreneurship. These efforts culminated in the enactment of Law No. 22-23, establishing the statute for the "auto-entrepreneur" (self-employed entrepreneur), followed by Executive Decree No. 24-49, which defines the social security coverage for this newly created category.

However, the introduction of this new category of workers and its associated legal framework raises significant legal issues. Traditional labor relations rules in Algeria—specifically Law No. 90-11 (the Labor Law)—were founded on the principle of protecting the weaker party: the wage-earning employee. In contrast, the legal status of the auto-entrepreneur and the digital platform worker remains ambiguous and lacks comprehensive legal codification, as their position straddles the line between independence and economic dependency. Thus, the scientific and practical significance of this topic lies in the attempt to clarify the conceptual and legal ambiguities surrounding the "self-entrepreneur" and the "digital platform worker." This is particularly relevant given that Algeria's traditional labor relations framework has not addressed these categories—which represent emerging concepts—necessitating their formal legal recognition to ensure these workers are not left exposed to occupational risks without legal and social protection.

This study aims to shed light on the legal recognition of the self-entrepreneur role and the conditions under which a digital platform worker acquires this status. It also focuses on aspects overlooked by the Algerian legislator regarding the legal framework for digital platform workers who hold self-entrepreneur status, as this group is subject to new forms of technological oversight not regulated by Law No. 90-11.

Accordingly, we pose the following central research question:

To what extent can the self-entrepreneur system—established by Law No. 22-23—be applied to digital platform workers, and what are the limitations of this system in providing them with occupational and social protection?

This central question gives rise to the following sub-questions:

1. What defines the self-entrepreneur and the digital platform worker?
2. Are digital platform workers subject to the self-entrepreneur system, and what are the limits of the legal and social protection afforded to them?

To address this central question and its sub-questions, we have adopted a two-part structure: the first section examines the distinction between the self-entrepreneur and the digital platform worker, while the second section addresses the applicability of the self-entrepreneur system to digital platform workers and the scope of their legal and social protection. As for the study's methodology, it employs the descriptive approach—focusing primarily on analysis to deconstruct, examine, and critique Algerian legal and legislative texts—and also utilizes the comparative method to compare Algerian legislation with that of France and England. Section One: Distinguishing Between the Self-Employed Entrepreneur and the Digital Platform Worker Establishing the conceptual and legal foundations for the "self-employed entrepreneur" and the "digital platform worker" is of paramount importance. Therefore, this section focuses on building a terminological base for the study's core concepts. We begin by examining the nature of the self-employed entrepreneur and the key conditions and criteria required to acquire this status, before moving on to explore digital platforms, their characteristics, and their significance.

First: Conceptual and Legal Foundations of the Self-Employed Entrepreneur

Before delving into the details of this study, it is essential to define the "self-employed entrepreneur" to understand this relatively new term.

1. Definition of the Self-Employed Entrepreneur:

Defining the self-employed entrepreneur serves as the starting point for grasping its legal and social dimensions. This requires exploring its definition within French legislation, as that is the legislative environment where the concept originated and evolved. We then turn to its definition in English legislation and, finally, in Algerian legislation.

- a. Definition of the Self-Employed Entrepreneur in French Legislation:

In French, the term *\*travail indépendant\** is used to denote independent work or freelance work. The term *\*entrepreneuriat\** (entrepreneurship) is also used; the latter differs from freelance work in that it involves innovation—such as introducing a new good or service, innovating a production method, or creating a new market. Thus, not all freelance work constitutes entrepreneurship, as the latter is fundamentally linked to the knowledge economy.

As for the "self-employed entrepreneur," the French legislator originally designated this figure as *\*l'auto-entrepreneur\**, a term later replaced by *\*micro-entrepreneur\** (micro-entrepreneur). According to French legislation, a "self-entrepreneur" (*\*auto-entrepreneur\**) is a natural person who carries out their activity on an individual basis. A distinction is made between:

A. ***\*\*Principal Self-Entrepreneur:\*\****

This is a self-entrepreneur who operates individually—such as an artisan, a merchant, or a practitioner of an unregulated liberal profession—provided their turnover does not exceed the following limits:

- For the sale of goods, equipment, and prepared food, or the provision of certain services (such as tourist accommodation, excluding the rental of furnished housing, which is classified differently), the French legislator has capped the annual turnover at €188,700.
- For self-entrepreneurs providing industrial and commercial services, the French legislator has capped the annual turnover at €77,700.

B. ***\*\*Secondary Self-Entrepreneur:\*\****

This is a self-entrepreneur who operates individually, practicing a liberal profession involving service provision or mixed activities, with an annual turnover not exceeding €77,700.

From the foregoing, it is evident that the French legislator has comprehensively defined the concept and detailed many aspects of the self-entrepreneur's activities; many other legal systems—including that of Algeria—have followed this example.

We conclude from the preceding definitions that the French legal framework for self-entrepreneurs is predicated on the absolute individual status of the natural person and is characterized by procedural and accounting flexibility designed to incentivize the self-entrepreneur by avoiding traditional administrative complexities. It can also be inferred that the status of "self-employed entrepreneur" is temporary—representing a transitional phase in the entrepreneur's career—and is contingent upon the volume of business activity remaining below strict financial thresholds. This makes it a pioneering legislative model that has been emulated by other legal systems, such as that of Algeria.

B. Definition of the Self-Employed Entrepreneur in English Legislation:

English legislation lacks a single, direct legal term or definition for a "self-employed entrepreneur"; instead, the legislation refers to such an individual as a "self-employed earner." This contrasts with judicial practice, which prefers the term "independent contractor."

Labor legislation defines the self-employed entrepreneur—based on Section 230 of the Employment Rights Act 1996—as an individual who is contractually bound to provide work or services to another party without being subject to that party's control or subordination. Rather, the other party to the contract occupies the position of a customer or client of the profession or business venture personally conducted by the individual. The clearest legislative definition of a self-employed contractor is found in the Health and Safety at Work Act 1974, which stipulates that a self-employed person is one who works for gain or reward—otherwise than under a contract of employment—regardless of whether or not they employ others. Regarding judicial precedent, since the English legislator did not provide an explicit statutory definition of a self-employed contractor, the English judiciary—through case law—has formulated and defined the concept of the "independent contractor." This definition characterizes such a person as someone possessing independent bargaining and economic power who deals with the platform or client as a peer-level business partner, rather than as a vulnerable party subject to algorithmic control or coercive sanctions. Based on the preceding discussion of the English legislative definition, we observe a conceptual fragmentation: labor law relies on

a "client-based" criterion, whereas health and safety law focuses on "independent gain." Meanwhile, the English judiciary has stepped in to define the self-employed contractor through case law to address the absence of direct legislation; it requires the individual to possess bargaining and economic power that places them on equal footing with their clients—a status that legally loses its validity the moment the individual becomes subject to coercive algorithmic control.

### C. Definition of the Self-Employed Contractor in Algerian National Legislation:

Defining the self-employed contractor within Algerian legislation requires a historical and analytical perspective that compares two legislative texts differing in their temporal and environmental contexts. Civil law stands as the earlier legislative framework that regulated independent work through general rules—such as the contract for work (\*contrat d'entreprise\*)—without directly addressing the modern term "self-entrepreneur," as the specific environment and requirements for such a role did not exist at the time. Subsequently, we examine the definition provided in Law No. 22-23 regarding the self-entrepreneur; this specialized legislation was enacted to fill the legislative gap concerning this new and emerging form of work.

#### C1. Definition of the Self-Entrepreneur in Civil Law:

Before defining the self-entrepreneur, it is essential to understand "entrepreneurship," as it constitutes the general framework encompassing various activities. An examination of the Civil Law reveals that it defines the contract for work as an agreement whereby one party undertakes to manufacture an item or perform work in exchange for remuneration promised by the other party. Thus, the Civil Law did not define the "self-entrepreneur" per se; rather, it defined the contract for work and established the general provisions governing it.

#### C2. Definition of the Self-Entrepreneur in Law No. 22-23:

Law No. 22-23 regarding the self-entrepreneur represents a significant step by the Algerian legislator, who explicitly defined the self-entrepreneur to resolve legal ambiguity.

Indeed, the Algerian legislator had not previously defined the self-entrepreneur prior to the enactment of Law No. 22-23, despite the fact that self-entrepreneurial activity had existed in practice long before the law's promulgation. Upon the enactment of the statute governing the "self-entrepreneur," a definition was established based on the personal nature of the individual providing the work or service; specifically, Law No. 22-23 defines the self-entrepreneur (in Article 2/1) as any natural person who individually carries out a profitable activity—selected from the list of activities eligible for this status—provided that their annual turnover does not exceed the threshold determined by applicable legislation.

##### 1. Criteria for acquiring self-entrepreneur status:

Law No. 22-23, which establishes the statute for the self-entrepreneur, sets forth specific objective legal and fiscal criteria for acquiring this status, with the aim of regulating and structuring independent economic activities. These criteria primarily center on:

###### a. The self-entrepreneur must be a natural person:

The fundamental law governing self-entrepreneurship stipulates that this activity may be practiced exclusively by natural persons; under no circumstances can a self-entrepreneur be a legal entity. The Algerian legislator's wisdom in restricting this form of activity to natural persons—rather than legal entities—lies in providing greater opportunities for individuals to work and earn income in fields reserved for them, away from partnerships that would increase competition and diminish the profit potential and chances of success for ordinary individuals.

###### b. Attaining the legal working age:

The Self-Entrepreneur Law does not specify the legal age for practicing this activity. However, by referring to Labor Law No. 90-11—specifically Article 15, which addresses the legal working age—we find a stipulation that, under no circumstances, may a person under the age of sixteen (16) be employed, except

within the framework of apprenticeship contracts established in accordance with applicable legislation and regulations. Furthermore, a minor may not be employed without authorization from their legal guardian.

c. Practicing self-entrepreneurship on an individual basis:

In Article 2 of Law No. 22-23, the legislator emphasized that the self-entrepreneur's activity must be practiced on an individual basis and for their own account. However, a criticism of the self-entrepreneur law is that it mandates working on an individual basis; should the business expand and require employees to assist in its management, the law becomes an obstacle, compelling the entrepreneur to transition to a conventional corporate structure—implying that the Algerian legislator did anticipate the possibility of shifting to a different legal framework.

d. The self-entrepreneur's activities must fall within the scope of those eligible under the self-entrepreneur statute:

These fields include digital services and related activities; services for businesses (consulting, expertise, and training); cultural services and audiovisual communication; entertainment, leisure, and home services; and personal services.

e. The self-entrepreneur's annual turnover must not exceed a threshold determined by applicable legislation: The Algerian legislator established a key condition: the self-entrepreneur's annual turnover must not exceed five million Algerian dinars for three consecutive years. This means the threshold may be exceeded for one or two years—provided the excess is not sustained—without violating the law. It is understood that the legislator specifically prohibited \*consecutive\* breaches of the limit; thus, a self-entrepreneur may exceed this threshold in non-consecutive years without contravening the self-entrepreneur law.

f. The self-entrepreneur must not be engaged in liberal professions, regulated activities, or skilled trades:

All activities subject to registration in the Commercial Register are classified as liberal professions—as are regulated activities such as law and pharmacy—and thus do not fall within the scope of self-entrepreneurship; similarly, skilled craft activities are excluded from the self-entrepreneur category.

Based on these criteria, a self-entrepreneur can be defined as any natural person who individually carries out a profit-generating professional activity that falls within the fields designated as eligible under the self-entrepreneur law, provided the activity is not included in the list of liberal professions or regulated activities, and the individual's annual turnover does not exceed 5 million Algerian Dinars for three consecutive years.

1. Benefits of the Self-Entrepreneur Status:

Based on the foregoing, it is evident that acquiring the status of a self-entrepreneur grants the holder several advantages, most notably:

A. Exemption from the Commercial Register: Self-entrepreneurs are not required to register in the commercial register. While they do not acquire the legal status of a "merchant," they are permitted to open a commercial bank account. This exemption serves as a key incentive for young people to declare their assets and the income generated from their activities.

B. Low Tax Regime: Self-entrepreneurs are subject to the Single Flat-Rate Tax (IFU) at a rate of only 0.5% of their declared annual turnover. This encourages young people to launch their own ventures, offering a lower tax burden compared to merchants subject to commercial law.

C. Social Security Coverage: Upon registration and acquisition of self-entrepreneur status, individuals gain the right to social security and pension coverage through the National Social Security Fund for Non-Salaried Workers (CASNOS).

D. Micro-Importing: The activity of "micro-importing" was recently introduced via Executive Decree No. 25-170, which outlines the conditions and procedures for self-entrepreneurs to engage in this activity. This allows self-entrepreneurs to legally import goods in specific quantities for resale—without the need for traditional import licenses—subject to a ceiling of 1.8 million DZD per trip and a limit of no more than two trips abroad per month for import purposes. "Micro-importation" is one of the privileges granted to the self-entrepreneur, involving simplified customs and banking procedures that bypass the burdensome import

specifications required of large corporations, thereby facilitating legal and streamlined importation for the self-entrepreneur. It is evident that the self-entrepreneur system in Algeria represents a modern legislative approach; it moves beyond the traditional contracting frameworks enshrined in civil law to align with comparative practices found in French and English law. Law No. 22-23, which establishes the statute for the self-entrepreneur, defines the substantive criteria for acquiring this status—limiting it to natural persons rather than legal entities—as a protective measure for individuals. Despite the legislative and procedural privileges included in this system—such as a complete exemption from mandatory commercial registry enrollment and subjection to a single, low-rate lump-sum tax—it can be viewed from two perspectives:

- From the perspective of legislative strictness: The rigid requirement of operating as an individual acts as a legislative barrier to the structural expansion of the sole proprietorship, compelling the owner to legally transition to a traditional commercial company once the business grows.

- From the perspective of legislative incentives: It can also be viewed as an incentive-based system enabling individuals with little or no capital to launch their business activities. Thus, the self-entrepreneur system serves as a transitional phase, encouraging individuals and young people to start businesses through various facilitations; however, they are required to alter their legal structure should their business generate profits exceeding specific thresholds.

## II. Conceptual and Legal Foundations of the Digital Platform Worker

In contemporary legal thought, digital platforms are viewed as electronic intermediation tools that have transformed classical legal rules. The digital platform worker is a key participant operating through this modern technology. This study seeks to define the conceptual framework for both the digital platform worker and digital platforms within the comparative legal systems of France, England, and Algeria, and to determine their legal classification. It also addresses the classification of digital platforms based on operational criteria, ultimately leading to an assessment of the subject.

### 1. Definition of the Digital Platform Worker

The digital platform worker represents the human pillar of the digital economy. This legal status is a subject of significant debate in contemporary legal scholarship, as it occupies a gray area between the independence associated with commercial law and self-employment regimes, and the subordination characteristic of labor law. Comparative legal systems differ in how they accommodate the digital platform worker; the following section sheds light on this by examining definitions found in French, English, and Algerian legislation.

#### a. Definition of the Digital Platform Worker in French Legislation:

The French legislator has not designated a specific term or title for the "digital platform worker"; instead, the worker is subsumed under the category of an independent worker utilizing electronic platforms (\*travailleur indépendant utilisant une plateforme numérique\*) and is legally classified as a micro-entrepreneur (\*micro-entrepreneur\*).

#### b. Definition of a digital platform worker under English law:

English legislation and case law have not classified workers on certain types of digital platforms—specifically "task-based" platforms involved in transport and delivery—as genuine independent contractors. Instead, the UK Supreme Court has consistently categorized them as "workers," defining a worker as an individual who personally performs services for a platform that exercises algorithmic control over them, thereby preventing them from building their own client base.

#### c. Definition of a digital platform worker under Algerian law:

The Algerian legislator has not explicitly defined the "digital platform worker" in any written legal texts. However, under the provisions of Law No. 22-23 (establishing the statute for the self-employed entrepreneur), the definition of a self-employed entrepreneur can be applied to such workers—provided they hold that legal status—when they operate via freelance or service-matching platforms. In this context, the digital platform serves merely as an electronic intermediary for marketing the worker's physical or

digital services. Yet, this classification remains tentative and subject to invalidation should the relationship evolve into one of complete algorithmic control.

The activities of digital platform workers vary, generally taking two prominent forms: physical activities—such as passenger transport, order delivery, and food services—conducted via applications subject to algorithmic control; and remote intellectual or supervisory activities—such as content creation, web development, translation, and design—conducted via coordination platforms, among others.

Thus, the digital platform worker plays an active role in the digital economy, with their legal and doctrinal status hovering between commercial independence and employment-based subordination. Legislatively, French law classifies the worker within the category of independent workers—specifically as a micro-entrepreneur—whereas the English system refuses to grant independent status to workers on directive platforms, instead judicially categorizing them as workers subject to algorithmic control. In Algeria, however, there is no explicit definition of a digital platform worker.

## 2. Definition of the Digital Platform:

Below, we address the definition of the digital platform under French, English, and Algerian legislation.

### a. Definition of the Digital Platform in French Legislation:

In French, the term used is "digital platform" (\*plateforme numérique\*); it constitutes an interactive environment that employs various internet-based technologies. Electronic platforms combine features of content systems with those of various social networking sites.

The French legislator was among the first to establish a comprehensive legislative definition of the digital platform, grounded in the principle of protecting both consumers and workers. Article L. 111-7 of the French Consumer Code defines an "online platform operator" (\*opérateur de plateforme en ligne\*) as any natural or legal person who, in a professional capacity, provides electronic intermediation services based on the classification, ranking, or linking of content, goods, or services offered or uploaded by third parties—regardless of whether the final contract is concluded via the platform or otherwise.

This definition demonstrates the French legislator's objective approach, focusing on the platform's functional description as an intermediary operator connecting multiple parties.

### A. Definition of the Digital Platform in English Legislation:

Similar to its stance on the "self-employed contractor," the English legislator does not provide a unified definition of a "digital platform" within labor law; instead, it relies on regulatory statutes governing digital markets and data protection.

The concept of the platform is addressed under terms such as "digital entity" or "digital service intermediary" pursuant to the Digital Markets, Competition and Consumers Act 2024. This Act defines a platform as an entity that provides digital infrastructure enabling users to interact and offer services, while holding a strategic market position.

An analysis of the English legal framework reveals that the digital platform is viewed through the lens of competition and anti-monopoly law. It leaves the authority to examine algorithms to labor courts, which determine whether the platform acts merely as a technical intermediary or as an employer subject to employment contracts.

### C. Definition of the Digital Platform in Algerian Legislation:

The Algerian legislator has not overlooked the digital transformation; digital terminology has been incorporated into the legislative framework through various laws—such as the E-Commerce Law and the Statute of the Self-Employed Contractor—introducing terms like "digital platform," "e-commerce," "electronic payment," "electronic contract," and others.

However, a review of Law No. 05-18 on E-Commerce reveals no definition of a "digital platform"; the law defines only a range of terms specifically related to e-commerce. Law No. 22-23, establishing the statute for the self-entrepreneur, implicitly refers to digital platforms as digital intermediaries and provides for the creation of the National Agency for the Self-Entrepreneur (ANAE) as a centralized digital platform for

issuing the self-entrepreneur card and managing self-entrepreneurial activity. Consequently, the Algerian legislator has limited itself to regulating the effects of platform activities—such as e-commerce and electronic payment—and liberal professions, without establishing a unified, standalone definition of a "digital platform." A comparison of the definitions of digital platforms across French, English, and Algerian legal systems reveals that the French legislator adopted an objective criterion within the Consumer Code. In contrast, English law lacks a unified definition, leaving the scrutiny of algorithms to judicial discretion. As for the Algerian legislator, despite incorporating digital terminology into various recent laws, it has not established a comprehensive definition regarding the structure of the platform itself, confining itself instead to regulating its economic impacts, such as e-commerce.

#### 1. Types of Digital Platforms:

Digital platforms can be categorized into three types based on an operational criterion that measures the extent to which the platform directs and controls the relationship between the self-employed individual and the client:

##### a. Guidance or Directive Platforms:

These are digital platforms whose role is limited to providing guidance and direction by offering a digital space to align perspectives, without interfering in contractual terms or service pricing. Examples in Algeria include:

##### a. a. National Self-Entrepreneur Agency Platform:

The digital platform of the National Self-Entrepreneur Agency (<https://anae.dz>) serves as a hub for administrative registration and monitoring. It represents a pioneering step toward administrative digitization in Algeria, established following the enactment of Law No. 22-23 regarding self-entrepreneurs. The site undergoes modifications and additions as needed—such as the updates and new features introduced to accommodate the "micro-import" scheme in 2025.

The Agency carries out its mandate through this digital platform, performing regulatory and supervisory functions aimed at structuring freelance work and integrating it into the formal economy. Its duties include maintaining and managing the National Self-Entrepreneur Register, reviewing registration applications to issue digital cards to beneficiaries, and providing support, training, and administrative and financial facilitation for entrepreneurs.

##### b. "Moukawil" (Entrepreneur) Platform:

The "Moukawil" platform (<https://moukawil.dz>) is a unified government platform for guidance and orientation, launched by Algeria's Ministry of Knowledge Economy, Startups, and Micro-enterprises. Officially launched in July 2023, it has undergone numerous periodic and annual updates. The platform serves as a knowledge hub and comprehensive guide for all matters related to entrepreneurship, company formation, and investment project management in the country. It is designed to support micro-enterprise owners, startups, and investors.

##### B. Coordination Platforms:

These platforms go beyond mere guidance; they intervene to coordinate transactions and provide administrative and financial safeguards—such as holding funds in escrow until project completion—while leaving... The contractor has the freedom to set their own rates and accept projects. Examples include:

- National freelance platforms such as Emploitic.

Digital freelancing is no longer the exclusive domain of global platforms; national platforms like Emploitic have kept pace with the local needs of Algerian companies. For instance, local firms seeking professionals—such as designers, web developers, social media managers, or content creators—are connected with these freelancers through national digital networks on recruitment platforms like Emploitic.

##### c. Directive or Prescriptive Platforms:

These platforms exercise strict economic and directive control; they unilaterally set mandatory prices, assign tasks, and impose indirect disciplinary sanctions via algorithms. The Yassir platform in Algeria is

an example of this type. They are subject to Article 37 of Law No. 04-18 regarding Post and Electronic Communications; as providers of value-added services, they are bound by stringent administrative licenses and regulations due to their direct involvement in organizing the service and managing it via digital/cyber means.

## 2. Evaluation of Digital Platforms:

Digital platforms possess a set of characteristics that make them easy for users to navigate, even those with limited technical knowledge or digital literacy. Key characteristics include:

- a. Service delivery on a vast global scale, potentially reaching anyone with internet access.
- b. Digital platform interfaces offer transparency regarding prices and services, enabling unprecedented opportunities to compare offers and gauge customer satisfaction. They are also easy to use and cost-effective.
- c. Accessibility for all users, regardless of location; they are not... ..confined or restricted to a specific location or territory.
- d. Information remains stored and accessible upon publication, allowing for retrieval from anywhere and at any time.

Conversely, digital platforms for self-employed workers face several shortcomings, most notably:

- a. The absence of an explicit legislative definition in Algeria for the digital platform worker.
- b. The legal subordination stipulated in Law 90-11 (Algeria's Labor Law)—which implies the employer's authority to manage, direct, and discipline—appears to be absent in the relationship involving a digital platform worker, as the worker has the freedom to choose their working hours. However, reports from the International Labour Organization reveal the existence of a new type of subordination: "algorithmic subordination," wherein the application's algorithm controls price setting and performance evaluation.

...and directing clients—or even terminating the worker's account in the event of non-compliance—thereby placing the worker in a position of total economic dependency under the guise of independence.

- a. **\*\*Slow issuance of the tax ID:\*\*** Despite digitization, some entrepreneurs face difficulties and delays when attempting to activate their tax files via the Ministry of Finance's dedicated platforms after obtaining their virtual cards.
- b. **\*\*Lack of an application editing feature:\*\*** Once a file is submitted, the interface does not allow for it to be returned for correction or modification in the event of a minor error, such as a misspelling. Consequently, the self-employed entrepreneur faces two choices: wait for the application to be completely rejected and fill out the form from scratch, or create a new account.
- c. **\*\*Absence of an AI-powered instant chat system (Live Chatbot):\*\*** The platform interface lacks a chatbot to resolve technical issues in real-time during registration, to guide entrepreneurs and users generally on procedural, technical, and administrative requirements, or to address issues encountered while conducting business activities. Instead, the platforms rely on conventional reminder systems or email—where responses are sometimes delayed due to high application volumes and the heavy influx of user inquiries. In light of the foregoing—having examined the definitions of digital platforms under French, English, and Algerian legislation, and having reviewed common classifications of their types—we conclude that legislative approaches to digital platforms vary: ranging from France's proactive codification to England's flexible approach, whereas the Algerian legislator limits itself to regulating their economic impacts through a series of recent laws.

Second Axis: The applicability of the "self-entrepreneur" regime to digital platform workers and the limits of their legal and social protections.

The digital economy has spawned a novel model of employment and work based on digital platforms—entities subject to a new form of oversight known as algorithmic control. At the heart of this transformation, the digital platform worker emerges as a key actor who disrupts traditional labor law concepts rooted in the

classic dichotomy of "subordinate employee" versus "independent contractor." This rapid digital transformation prompted the Algerian legislator to address the situation by establishing the "self-entrepreneur" regime—an innovative system designed to foster innovation and self-employment.

First: The applicability of the self-entrepreneur regime to digital platform workers.

The legal issue concerning digital platform workers centers on the classification of their legal status—specifically, whether they fall under the self-entrepreneur regime or are excluded from it. Accordingly, we shall address two cases below:

I. The subjection of the digital platform worker to the self-entrepreneur regime

The self-entrepreneur regime does not automatically apply to a digital platform worker simply upon their entry into the digital ecosystem; rather, the legislator mandates a specific procedural step for the establishment and acquisition of this status. The procedural transition of the digital platform worker into a self-entrepreneur entails consequences manifested in:

1. Registration as a Prerequisite for Acquiring Self-Entrepreneur Status:

Pursuant to Article 15 (paragraphs 2 and 3) of Executive Decree 23-197, registration in the National Self-Entrepreneur Register is effected by submitting an application—accompanied by an administrative file and an information form—to the National Self-Entrepreneur Register Agency or via the dedicated platform established for this purpose. Upon submission of the file (whether in paper format or electronically via the platform), the applicant receives an acknowledgment of receipt. The application and file are processed within three days, immediately following which the applicant is notified electronically of the acceptance or rejection of their registration request. If the application is accepted, the applicant is issued a self-entrepreneur card bearing a unique national registration number.

Consequently, self-entrepreneur status is acquired exclusively upon the acceptance of the registration application and the issuance of the self-entrepreneur card; it is not acquired merely by registering or submitting the application (whether on paper or electronically). Therefore, in the eyes of the law, a platform worker remains merely a practitioner of a digital activity and does not benefit from this system—nor are its provisions applicable to them—unless they apply to the National Self-Entrepreneur Agency, have their application accepted (three days after submission), and actually obtain the self-entrepreneur card.

2. Legal Characterization of the Relationship Between the Platform and the Digital Platform Worker Before and After Acquiring Self-Entrepreneur Status:

The status and legal position of a digital platform worker change upon acquiring self-entrepreneur status, as follows:

a. Prior to obtaining "self-entrepreneur" status, the relationship between a digital platform worker and the platform may fall into a legal gray area if the activity has not been formally classified under a specific legal framework; it might be characterized merely as a relationship of economic and algorithmic dependency rather than a formal legal employment relationship.

b. Once self-entrepreneur status is acquired, the activity is—in principle—subject to the regulations governing independent work. However, this does not definitively settle the legal nature of the relationship with the platform, which remains subject to reclassification based on the actual conditions of work performance and the presence or absence of elements of subordination.

3. Social security coverage for digital platform workers holding self-entrepreneur status:

Upon obtaining self-entrepreneur status, the platform worker becomes eligible for social protection under the Social Security Fund for Non-Salaried Workers, in accordance with Executive Decree No. 24-49 regarding social security for non-salaried individuals engaged in self-employment. This reflects the Algerian legislator's aim to encourage entrepreneurial initiatives and facilitate the integration of independent professionals and self-employed individuals into the formal social protection network. Under Executive Decree 24-49, the digital platform worker is subject to the following:

4. Exemption from commercial registration as a direct consequence of acquiring "self-entrepreneur" status:

While registration in the Commercial Register is mandatory for acquiring merchant status and conducting business activities, the Algerian legislator has exempted the self-entrepreneur from this requirement under Article 9, Paragraph 2 of Law No. 22-23. This law establishes that obtaining self-entrepreneur status serves as a legal basis exempting the platform worker from registering their activity in the traditional Commercial Register; this allows them to legitimize their digital income and maintain simplified accounting records, in accordance with Article 9/1 of the same law.

From the foregoing, it is evident that a digital platform worker's mere participation in the virtual environment is insufficient to confer self-entrepreneur status. Instead, the Algerian legislator has made this status contingent upon a mandatory, exclusive procedural step: registration in the National Self-Entrepreneur Register and the issuance of the official self-entrepreneur card, pursuant to Law No. 22-23. This procedural shift entails three fundamental consequences, the first of which is:

- A regulatory effect that transitions the worker from a state of unregulated digital activity to legal legitimacy.
- This shift also has a legal characterization effect, formalizing the legal relationship and moving it away from the ambiguity inherent in "algorithmic subordination." It places the relationship within a specific legal framework—namely, the civil contract for services (contract for work) in general, and the self-entrepreneur arrangement in particular, as a modern form of entrepreneurship.
- This shift in the relationship also offers protective and facilitative benefits, exempting the digital entrepreneur from the constraints of the traditional commercial register and granting them a simplified accounting and tax regime. As for the situation where a platform worker is not subject to this mandatory procedure, we address it below:

II. Digital platform workers not subject to the auto-entrepreneur regime:

This applies to a digital platform worker who does not meet the legal requirements to acquire auto-entrepreneur status—such as exceeding the annual turnover ceiling established by Law 22-23, not residing in Algeria, or simply choosing not to obtain the auto-entrepreneur card despite meeting all legal criteria. In such cases, the individual falls outside the framework of protection and legal recognition afforded to auto-entrepreneurs under Law 22-23. Consequently, their legal status and its implications are determined by one of two alternative classifications:

Alternative Civil and Commercial Classification as a Regulated Legal Status:

If a digital platform worker chooses to organize their activity outside the framework of the "auto-entrepreneur" (self-employed entrepreneur) status, their legal status necessarily falls into one of the following categories:

a. Subjection to Traditional Commercial Law:

A digital platform worker who does not wish to acquire the status of an auto-entrepreneur becomes obliged to register in the Commercial Register as a sole proprietorship, in accordance with the provisions of Executive Decree No. 15-111 regarding Commercial Register registration procedures. This entails being subject to a full accounting system—rather than the simplified system applicable to auto-entrepreneurs—and complex customs obligations when dealing with foreign platforms. Furthermore, the worker forfeits the preferential 0.5% tax rate and becomes subject to standard tax rates levied on industrial and commercial profits.

Additionally, the worker loses the "micro-import" privilege; this privilege represents a pivotal shift in the regulation of commercial transactions, legitimizing what is known as "suitcase trade" (\*trabandou\*)—an otherwise illicit practice that a digital platform worker might engage in if they held auto-entrepreneur status. Article 2 of Executive Decree No. 25-170—which defines the conditions and modalities for the "micro-import" activity undertaken by self-entrepreneurs—grants the self-entrepreneur the right to import goods

for resale in their original state. This is permitted up to a value of 1,800,000 DZD per trip (defined as each departure from and return to the national territory), with a maximum limit of two trips per month. The self-entrepreneur is exempt from complex prior import licensing requirements, provided they adhere to the list of non-prohibited goods specified in Article 9 of the same decree and domiciliate the transaction through a foreign currency bank account.

Consequently, micro-importing intersects legally with the digital platform worker holding self-entrepreneur status by simplifying customs and banking procedures. The law allows these individuals to import technological supplies, equipment, or goods in small quantities without the need to comply with the extensive specifications and requirements imposed on large corporations. This facilitates the legal and streamlined acquisition of work tools or goods marketed online by digital platform workers operating as self-entrepreneurs.

Thus, the relationship between these three actors is characterized as follows: micro-importing provides the goods; the digital platform worker serves as the channel for distribution and innovation; and the self-entrepreneur status provides the legal and fiscal framework that ensures the activity's sustainability and growth in a regulated and lawful manner. Traditional Civil Contracting Relationship:

Assuming a digital platform worker has entered into a contract with the platform where or through which they operate, the relationship between the platform and a worker who does not hold "self-entrepreneur" status is characterized as a contracting agreement based on Article 549 of the Algerian Civil Code; under this arrangement, there is no automatic social protection.

c. Employee Status under a Subordinate Employment Relationship:

If it is determined that the digital platform worker lacks economic and organizational independence—such as when the platform imposes specific working hours, exercises absolute control over service pricing, and subjects the worker to its supervisory and disciplinary authority—the relationship shifts from the civil or commercial realm. Instead, it is classified as a subordinate employment relationship governed by the provisions of Law No. 90-11 on Labor Relations, whereby the platform worker acquires the status of an employee.

d. Special Legal Statutes and Regulated Professions:

The legal status of a digital platform worker outside the self-entrepreneur system may be defined by other specific legal frameworks established by the Algerian legislator, most notably:

- Artisan Status: If the platform worker engages in manual, traditional, or service-oriented activities via digital platforms, they may operate under an "Artisan Card" issued by the National Chamber of Traditional Industries and Crafts. This is an independent system that grants the worker social coverage through the National Social Security Fund for Non-Salaried Workers (CASNOS).
- Status of Regulated Liberal Professions: If a platform worker provides specialized consulting services—such as doctors on telemedicine platforms, lawyers, or engineers—their legal status remains governed by the foundational laws and internal regulations of professional orders and associations.

Consequently, a digital platform worker who falls outside the "self-entrepreneur" regime is subject to one of four alternative legal classifications: either falling under traditional commercial law via registration in the Commercial Register, or having their engagement classified as a civil contracting relationship. If control and economic dependency regarding the platform are established, their status shifts to that of an employee subject to labor law; meanwhile, the option to join regulated professions—such as an affiliated artisan or a liberal professional subject to independent professional orders—remains available.

1. Non-legal classification of the digital platform worker's status:

If a digital platform worker continues to provide services via the platform without acquiring "self-entrepreneur" status, without registering in the Commercial Register, and without concluding a contract with the platform they work with, they are legally classified as part of the informal digital economy. This exposes them to significant risks and severe legal consequences. Key implications of this status include:

a. Criminal and tax liability for undeclared or unauthorized activities:

a. b. Furthermore, the digital platform worker is precluded from legalizing the income derived from their activity.

a. Total Lack of Legal and Social Protection:

The status of the digital platform worker—excluded from the scope of legal and social protection—raises the issue of the "gray zone" in contemporary legal scholarship. These workers find themselves in a state of absolute legislative vacuum, as no established contractual classification applies to them. Denying them the status of "employee" under labor law—while simultaneously excluding them from the benefits of the self-entrepreneur regime or the protections afforded by commercial law and the regulations governing liberal professions—strips them of fundamental safeguards such as health coverage and occupational security. Consequently, it is essential to examine the legal dimensions of this "gray zone" category to explore mechanisms for bridging this gap and addressing the risks of emerging economic precarity.

Furthermore, Executive Decree No. 24-49—which establishes the social security and insurance system for self-entrepreneurs—cannot extend its protection to a digital platform worker who falls outside the scope of any recognized legal activity status.

a. Potential Exclusion from Labor Law:

If a digital platform worker—who lacks any formal legal status for their activity—cannot establish the existence of an employment relationship, Labor Law No. 90-11 cannot be applied to them. This is because Algerian labor jurisprudence consistently requires the presence of "classical legal subordination," characterized by direct supervision, management, and the imposition of disciplinary sanctions within the workplace.

b. Limits on the Application of Commercial Law:

The fact that digital platform workers are subject to neither the self-entrepreneur regime nor the provisions of Algerian commercial law is evidenced by the absence of the substantive and formal elements required for "merchant" status—a status that constitutes the core of their actual operational practice. From a substantive perspective, the worker lacks the intent to engage in trade as an independent business operator—as defined in Article 2 of the Commercial Code—because they do not manage their own commercial structure; instead, their role is limited to expending physical and intellectual effort via a digital platform owned by another company. Furthermore, the worker is deprived of the freedom to speculate, set prices, or negotiate profit margins, as the algorithm imposes mandatory, unilateral rates—a practice that contradicts the well-established legal principle of freedom of trade. From an intangible asset perspective, the worker lacks the most crucial element of a commercial business: the right to a customer base. The customer remains legally and economically tied to the platform owner, leaving the worker with no means to retain them. From a formal perspective, the worker fails to meet the commercial registration requirement stipulated in Article 19; this deprives them of commercial legal protections and classifies their activity as informal, parallel work that falls outside the scope of commercial law protection.

c. Exclusion from Social Security:

Social insurance, in its traditional sense, does not cover activities conducted on digital platforms. Consequently, a digital platform worker—who holds no legal status or coverage for their activity—does not benefit from any social insurance, whether against workplace accidents or illness. Nor can they access retirement benefits, as they possess neither the status of an employee affiliated with the National Social Security Fund for Wage Earners (CNAS) nor that of an insured person affiliated with the National Social Security Fund for Non-Wage Earners (CASNOS) through the auto-entrepreneur system or commercial registration as a merchant. Consequently, it can be stated that if a digital platform worker in Algeria does not operate under the "auto-entrepreneur" (self-employed entrepreneur) regime, they face significant financial and legal burdens. These range from being strictly subject to traditional commercial law—thereby forfeiting the privileges associated with the auto-entrepreneur status and the small-scale import

concession—to falling under neither the auto-entrepreneur law nor commercial law. In the latter case, the worker remains without official status, exposing them to various forms of legal scrutiny and criminal prosecution; the most serious risks include engaging in undeclared, profit-generating commercial activity, tax evasion, and money laundering risks associated with the collection of payments through illicit channels.

## II. The Limits of Legal and Social Protection for Digital Platform Workers Subject to the Self-Entrepreneur Regime

The Algerian legislator intervened via Law No. 22-23—establishing the statute for the self-entrepreneur—to accommodate a specific category of digital platform workers and regulate their digital activities. However, a platform worker's subjection to this regime is contingent upon actually obtaining self-entrepreneur status, thereby legalizing their activity and facilitating a transition from the informal to the formal economy. Consequently, the central issue concerns the adequacy of this regime in providing legal and social protection for platform workers governed by the self-entrepreneur law. Below, we examine the limits of legal protection for platform workers under this regime, followed by an analysis of the limits of their social protection.

### 1. Limits of Legal Protection for Digital Platform Workers:

Obtaining self-entrepreneur status generally removes the digital platform worker from the category of wage-earning employees, transforming them into an independent operator. This shift imposes narrow limits on their legal protection due to:

#### a. The Absence of Labor Protections Stipulated in Law No. 90-11:

A platform worker holding self-entrepreneur status does not benefit from the guarantees set forth in Law No. 90-11 regarding labor relations. Their situation lacks the essential elements of a traditional employment contract; for instance, the "legal subordination" required by labor law is absent from the self-entrepreneur regime (Law No. 22-23). The self-entrepreneur is defined as a natural person who carries out an activity independently and on their own behalf, without being subordinate to any entity. Furthermore, the relationship between a platform worker holding "self-entrepreneur" status and the digital platform with which they work is classified as a contract for services (or independent contractor agreement) rather than an employment contract. Consequently, such a worker does not benefit from rights granted to employees—such as the minimum wage, paid annual leave, protection against arbitrary dismissal, and end-of-service indemnities.

Thus, they are deprived of many rights guaranteed by Law 90-11, most notably the right to a guaranteed minimum wage and protection against arbitrary dismissal. Under this classification, the platform holds absolute authority to draft and unilaterally amend digital terms of use. This results in what is known as "digital dismissal"—manifested as the banning or deactivation of the worker's account without prior notice or compensation.

#### b. Subjection of the self-entrepreneur platform worker to a new type of oversight:

A platform worker operating under the self-entrepreneur regime is subject to a new form of oversight that differs entirely from the traditional hierarchical supervision an employer exercises over an employee under Law 90-11. This new oversight is known as "digital subordination" or "algorithmic control." There is no physical management supervising the worker; instead, algorithms monitor performance metrics—such as response times and customer ratings—with precision. Furthermore, the platform possesses the authority to impose digital sanctions, ranging from account suspension to permanent closure without prior notice. While this is functionally equivalent to arbitrary dismissal in labor law, it is legally classified here as the termination of a contract for services. Consequently, the scope of legal protection for a digital platform worker is restricted if they acquire "self-entrepreneur" status; they are no longer classified as an employee, thereby removing them from the category of wage earners and designating them as independent. This deprives them of the safeguards provided by Law No. 90-11—such as minimum wage and paid leave—and reclassifies their relationship with the platform as a contract for services. This grants the platform unilateral

authority to alter terms and impose "digital dismissal" by blocking the worker's account without prior notice or compensation.

2. Limitations on social protection for digital platform workers with self-entrepreneur status:

The Algerian legislator has extended social protection to digital platform workers holding self-entrepreneur status by integrating them into the social security system for non-salaried workers. However, this protection remains insufficient to fully safeguard the dignity of such workers. It fails to cover the full spectrum of occupational risks—specifically the atypical risks faced by workers governed by Law No. 90-11 (regulating labor relations in Algeria). The limitations of this social protection can be outlined as follows:

a. Mandatory health insurance and retirement benefits:

Article 10 of Chapter III (detailing the obligations of the self-entrepreneur) of Law No. 22-23 on the Self-Entrepreneur Statute mandates that workers holding this status automatically and compulsorily affiliate with the National Social Security Fund for Non-Salaried Workers (CASNOS).

b. Shortcomings in Social Protection Coverage:

A key limitation of the social security system for non-salaried workers (CASNOS) is that it was originally designed for self-employed professionals and merchants; it does not cover workplace accidents or occupational diseases with the same comprehensive benefits granted to salaried employees covered by the general social security fund. This constitutes a significant shortcoming for platform workers, as they carry out their activities without insurance protecting them against occupational disability resulting from workplace accidents.

Consequently, the legal status of a digital platform worker in Algeria can be said to fluctuate between three primary scenarios, determined by whether they meet specific procedural and regulatory conditions:

The first scenario involves the digital platform worker obtaining the status of a regulated "auto-entrepreneur" (self-entrepreneur).

Entrepreneurship and investment are constitutionally enshrined under the 2020 constitutional amendment. By obtaining auto-entrepreneur status—in accordance with Law No. 22-23—the digital platform worker benefits from a preferential tax rate of 0.5% and basic social coverage via CASNOS; however, they do not enjoy the protections of Labor Law No. 90-11, nor do they have insurance against workplace accidents or unemployment.

The second scenario involves the platform worker holding the status of a regulated traditional merchant. For instance, if a worker exceeds the defined turnover threshold of 5 million dinars for three consecutive years, they exit the auto-entrepreneur system and become obligated to register in the Trade Register as a sole proprietorship, thereby becoming subject to standard accounting and tax obligations.

The third scenario involves the platform worker.

### ***Conclusion:***

In conclusion, it can be stated that merely holding the status of "auto-entrepreneur" (self-employed entrepreneur) or possessing the corresponding card is insufficient to definitively determine the legal nature of the relationship; rather, the actual conditions under which the work is performed and the presence of a relationship of subordination are the decisive factors, with the judge retaining the authority to reclassify the relationship. While the Algerian legislator has largely succeeded in aligning with international trends regarding administrative, fiscal, and digital aspects—having established the National Agency for the Auto-Entrepreneur and its digital platform to accommodate platform workers holding this status—it has not yet achieved a fair legislative balance regarding the provision of immediate social protection and protective regulations for platform workers who do not hold auto-entrepreneur status.

An examination of prevailing trends in social legal systems reveals two primary approaches:

At the international level, most legal studies have focused on the challenge of legally classifying platform workers, warning against legislative gaps and the precariousness of social coverage resulting from the exclusion of these workers from health and workplace accident insurance.

In contrast, domestic Algerian research has focused on the administrative and fiscal dimensions of the auto-entrepreneur, noting that the legislator granted significant tax privileges to auto-entrepreneurs through the 2023 Finance Law.

Regarding social protection, the Social Security Fund for Non-Salaried Workers has granted them the right to retirement benefits and health insurance, in accordance with Executive Decree No. 24-49 concerning social security for non-salaried workers engaged in self-employment. ...regarding workplace accidents and time off. Consequently, the social protection provided to digital platform workers holding "self-entrepreneur" status does not generally require companies and digital platforms to provide comprehensive social insurance comparable to that afforded by Law 90-11 to non-salaried workers insured under the same fund; this leaves this category of workers in a socially precarious position.

Based on the preceding analysis, we have reached several conclusions, the most significant of which are:

1. The enactment of Law No. 22-23, establishing the statute for self-entrepreneurs, represents a serious step toward aligning with leading international legislative trends and filling the legal void for this newly emerging category of workers. However, it is criticized for leaving digital platform workers in a somewhat ambiguous legal zone, hovering between presumed independence and actual economic dependency.
2. The self-entrepreneur system contributes to fostering entrepreneurship, digitizing the economy, and offering flexible work and employment models for young people; however, it is criticized for lacking the necessary legal safeguards to fully secure this status.
3. The issuance of Executive Decree No. 24-49 marks a positive step toward providing social protection insurance for this new category of workers. Nevertheless, it is criticized for leaving platform workers and self-entrepreneurs exposed to occupational risks—both in the field and in the digital realm—without providing a comprehensive protection system that matches the guarantees afforded to traditional salaried employees.
4. While modern technology and digital platform networks manage and organize work with great flexibility, a significant drawback is that contractors and platform workers are subject to strict algorithmic technological oversight—unregulated by traditional labor law standards—exposing them to arbitrary digital penalties such as blocking or the unjust termination of their accounts.
5. The Algerian legislator has aligned with international trends (such as those in French law) by limiting this status to natural persons and capping turnover; however, the approach is criticized for clinging to the rigid, traditional dichotomy of the Algerian legal system—classifying individuals either as fully protected wage earners or as self-reliant independent contractors—while ignoring the unique, novel nature of the digital platform worker.

Based on these findings, the following proposals are offered:

1. The Algerian legislator must intervene with supplementary provisions and regulations establishing precise criteria to distinguish between the "self-entrepreneur" and the digital platform worker, as they are entirely distinct entities.
2. A strict legal provision must be introduced prohibiting companies and platforms from compelling individuals to register as self-entrepreneurs as a condition for engagement—particularly when the nature of the work entails clear subordination—while granting the judiciary the authority to reclassify such agreements as traditional employment contracts subject to Law No. 90-11 in cases where circumvention of the law is proven.
3. The provisions of Executive Decree No. 24-49 must be reviewed and updated to expand the scope of compensation, introduce specialized insurance mechanisms tailored to the specific digital risks and on-the-ground workplace accidents faced by platform workers, and guarantee minimum wage standards as

well as regulated working and rest hours. 4. Algorithmic oversight must be institutionalized and regulated through specific provisions that mandate digital transparency for platform operators and prohibit the automated suspension or blocking of accounts without prior notice—except in cases defined by law beforehand. Furthermore, a human review process must be incorporated to guarantee the worker's right to appeal.

5. The Algerian legislator must take into account the novel legal status of the "auto-entrepreneur" (self-employed entrepreneur) and the digital platform worker by establishing a dedicated legal framework tailored to their specific activities and legal nature.

### ***List of Sources and References:***

First: List of Sources and References in Arabic:

I. Sources:

First: Constitutions:

1. Constitutional Amendment of 2020, \*Official Gazette of the Algerian Republic\*, Issue No. 82, dated December 30, 2020.

Laws:

2. Civil Code: Ordinance No. 75-58 establishing the Civil Code (as amended and supplemented), dated September 26, 1975; \*Official Gazette of the Algerian Republic\*, Issue No. 78, dated September 30, 1975.

3. Ordinance No. 75-59, dated September 26, 1975, establishing the Commercial Code (as amended and supplemented); \*Official Gazette of the Algerian Republic\*, Issue No. 101, dated December 23, 1975.

4. Law No. 90-11, dated April 21, 1990, relating to labor relations (as amended and supplemented); \*Official Gazette of the Algerian Republic\*, Issue No. 17, dated April 25, 1990.

5. Ordinance No. 96-01, dated 19 Sha'ban 1416 (corresponding to January 10, 1996), regarding the organization of traditional industry and crafts; \*Official Gazette of the Algerian Republic\*, Issue No. 03, dated January 14, 1996.

6. Law No. 04-02 relating to the rules applicable to commercial practices. Dated 5 Jumada al-Ula 1425 (corresponding to June 23, 2004), \*Official Gazette of the Algerian Republic\*, No. 41, issued on July 27, 2004.

7. Law No. 04-18 dated May 10, 2018, establishing general rules relating to postal services and electronic communications, \*Official Gazette of the Algerian Republic\*, Issue No. 27, issued on May 13, 2018.

8. Law No. 05-18 relating to electronic commerce, dated May 10, 2018, \*Official Gazette of the Algerian Republic\*, Issue No. 28, issued on May 16, 2018.

9. Law No. 22-23 dated December 18, 2022, establishing the statute of the auto-entrepreneur, \*Official Gazette of the Algerian Republic\*, Issue No. 85, issued on December 21, 2022.

10. Finance Law 2023, \*Official Gazette of the Algerian Republic\*, Issue No. 89, dated December 25, 2022.

1. Decrees:

11. Executive Decree No. 97-40 dated October 18, 1997, relating to the standards and regulation of activities and regulated professions subject to registration in the Trade Register, \*Official Gazette of the Algerian Republic\*, Issue No. 5, dated January 19, 1997; repealed by Executive Decree No. 15-234 dated August 29, 2015, defining the conditions and modalities for practicing regulated activities and professions subject to... ..regarding registration in the Trade Register; \*Official Gazette of the Algerian Republic\*, Issue No. 48, dated September 29, 2015.

12. Executive Decree No. 15-111 regarding the procedures for registration, amendment, and striking off in the Trade Register in Algeria, dated May 3, 2015; \*Official Gazette of the Algerian Republic\*, Issue No. 24, published on May 13, 2015.
13. Executive Decree No. 23-196 dated May 25, 2023, defining the organization and functioning of the National Agency for the Self-Entrepreneur; \*Official Gazette of the Algerian Republic\*, Issue No. 37, dated June 4, 2023.
14. Executive Decree No. 23-197 defining the list of activities eligible for the self-entrepreneur status and the procedures for registration in the National Register of Self-Entrepreneurs, dated May 25, 2023; \*Official Gazette of the Algerian Republic\*, Issue No. 37, dated June 4, 2023.
15. Executive Decree No. 24-49 amending and supplementing Executive Decree No. 15-289 dated November 14, 2015, regarding social security for non-salaried persons exercising a self-employed activity; \*Official Gazette of the Algerian Republic\*, Issue No. 04, published on January 23, 2024.
16. Executive Decree No. 25-170 dated 2 Muharram 1447 (corresponding to June 28, 2025), determining the conditions and modalities for the exercise of the micro-import activity by the self-entrepreneur; Official Gazette of the Algerian Republic, Issue No. 40, dated June 29, 2025.
17. Inter-ministerial Order dated December 19, 2022, determining the modalities for maintaining the traditional industry and crafts register and establishing the national digital database of artisans; Official Gazette of the Algerian Republic, Issue No. 12, published on February 22, 2023.

#### I. References:

##### Journals

1. Ben Redjal, Amel. "What Legal Status for Digital Platform Workers?" \*Annals of Algiers 1 Journal\*, Issue 33, 2019.
2. Ben Tayeb, Zahia, and Amel Ben Redjal. "An Analysis of Law 22-23 Establishing the Statute of the Self-Entrepreneur." \*Annals Journal\*, Vol. 38, Issue 04, 2024.
3. Bouzabra, Souhila. "Commercial Practice Offenses under Law 04-02 (as amended and supplemented)." \*Journal of Legal and Political Research\*, Issue 5, 2017.
4. Bouguerra, Oum El Kheir. "An Analysis of the Self-Entrepreneur System Introduced by Law 22-23." \*Journal of Research on Contracts and Business Law\*, Vol. 9, Issue 3, 2024.
5. Salkhane, Hania, and Mohamed Youssef Amamra. "The Role of Digital Platforms as a Mechanism for Foreign Trade Oversight in Algeria: The ALGEX Import License Request Platform and Its Role in Regulating Imports." National Conference on: \*The Digital Economy and Its Impact on International Trade in Algeria: Challenges and Prospects\*, November 27, 2024.
6. Sari, Nawal. "Commentary on Law 22-23 of December 18, 2022, Establishing the Statute of the Self-Entrepreneur." Vol. 2, Issue 3, 2023.
7. Talbi, Ben Aissa. "The Single Lump-Sum Tax in Algeria: Easing and Simplifying Procedures in Light of the 2017 Finance Law." \*Journal of Tax Studies\*, Issue 12, 2018.
8. Menadjli, Ahmed Amine. "The Statute of the Self-Entrepreneur:" A New Legal Framework for Entrepreneurship in Algeria, \*Journal of Legal and Political Thought\*, Vol. 7, No. 1, 2023.
9. Maliki Oum El-Kheir & Chenini Abderrahim, Integrating Chatbot Technology—as an Artificial Intelligence Application—to Enhance Services in the Hospitality and Tourism Sector, \*Al-Imtiaz Journal for Economic and Management Research\*, Vol. 6, No. 1, 2022.
10. Mouzawi Ali, The Difficult Emergence of the Collective Employment Relationship and Its Impact on the Evolution of Labor Law, \*Journal of Labor and Employment Law\*, Vol. 7, No. 2, 2022.

##### Websites:

11. Website of the Supreme Court of the United Kingdom: <https://www.supremecourt.uk/> (Accessed: 11/09/2025).

12. Website of the International Labour Organization (ILO): <https://www.ilo.org/ar> (Accessed: 11/10/2025).
13. Website of the Ministry of Knowledge Economy, Startups, and Micro-enterprises in Algeria: <https://www.industrie.gov.dz/industrie-start-up/> (Accessed: 12/12/2025).
14. Moukawil platform website: (<https://moukawil.dz>), date of access: 12/12/2025.
15. Website: <https://emploitic.com/>, date of access: 12/12/2025.
16. Website: <https://yassir.com/ar/algeria/about-us>, date of access: 12/12/2025.
17. Website: <https://www.aljami3a.com/>, date of access: 12/12/2025.
18. Website: <https://www.escr-net.org/ar/>, date of access: 11/12/2025, at 23:14.
19. Website of the Ministry of Labor, Employment and Social Security: <https://www.mtess.gov.dz/ar/>, date of access: 12/12/2025.

## II. List of sources and references in foreign languages:

### Sources

20. Article L. 7341-1 of the French Labor Code, created by Law No. 2016-1088 of August 8, 2016 - Art. 60 (V), Official Journal of the French Republic (JORF), No. 0184 of August 9, 2016.

### References:

21. Feige, Edgar L., "The Meaning and Measurement of the Underground Economy," Cambridge University Press, 1989.
22. N. Amar and L.-C. Viossat, \*Les plateformes collaboratives, l'emploi et la protection sociale\* [Collaborative Platforms, Employment, and Social Protection], IGAS Report, 2015.
23. Meyer, Laurence, \*Digital Platforms: Definition and Strategic Value\*, IDATE, Montpellier.

### Websites:

Le site web ; <https://www.legifrance.gouv.fr> le travailleur indépendant c'est celui dont les conditions de travail sont définies exclusivement par lui-même ou par le contrat les définissant avec son donneur d'ordre. vu le : 12/12/2025.

1. Le Service Auto-Entrepreneur disponible en ligne à l'adresse suivante: <https://www.auto-entrepreneur.urssaf.fr/portail/accueil/s'informer-sur-le-statut/-lessentiel-du-statut.html>, Vu : le 12/10/2025
2. Maison des profession libérales : Micro-entrepreneurs Nouveautés 2025 et les bons réflexes pour durer, Le site web : [https://starteo-entreprises.fr/fileadmin/Minisites/starteo/france\\_travail/MPL.pdf](https://starteo-entreprises.fr/fileadmin/Minisites/starteo/france_travail/MPL.pdf) ,vu le : 11/12/2025.
3. Andrey SHEVCHUK and Denis STREBKOV : Freelance Contracting in the Digital Age : Informality, virtuality and social ties, p.04. Available at : [https://www.researchgate.net/publication/256039295\\_Freelance\\_Contracting\\_in\\_the\\_Digital\\_Age\\_Informality\\_Virtuality\\_and\\_Social\\_Ties](https://www.researchgate.net/publication/256039295_Freelance_Contracting_in_the_Digital_Age_Informality_Virtuality_and_Social_Ties), vu le : 12/10/2025.
4. Site web : <https://www.legislation.gov.uk/ukpga/1996/18/contents>. vu le : 12/10/2025.
5. Site web : House of Commons Library, 'Uber at the Supreme Court: Who is a worker?' (Briefing Paper CBP-11385, 2021) [parliament.uk](https://commonslibrary.parliament.uk/research-briefings/cbp-11385/) accessed. Vu le : 11/09/2025 <https://commonslibrary.parliament.uk/research-briefings/cbp-11385/> Vu le : 11/09/2025
6. Site web : <https://www.legislation.gov.uk/ukpga/1974/37/contents>.Health and Safety at Work etc. Act 1974. Vu le : 11/10/2025.
7. Site web : Employment Rights Act 1996, c. 18, s. 230(3)(b). See also, Uber BV v. Aslam, UKSC 5 (2021). <https://supremecourt.uk>. Vu le : 11/10/2025.
8. Le site web : <https://www.legifrance.gouv.fr/>. Vu le : 10/11/2025.
9. Le site web : <https://bills.parliament.uk/bills/3453> . Vu le : 11/10/2025.
10. Le site web ; <https://www.gov.uk/government/publications/digital-markets-competition-regime-guidance/summary-of-digital-markets-competition-regime-guidance>, vu le : 11/10/2025.