

Appendix B Business Laws in Middle Eastern and North African Countries

Algeria

Algeria is part of the Francophonie and as such much of the language of its laws is derived from French sources. The laws were heavily “he” centered and did not, for the most part, include references to women. Interestingly, the preamble Constitution of the People’s Democratic Republic of Algeria states:

“Having fought and still fighting for freedom and democracy, the Algerian people, by this Constitution, decided to build constitutional institutions based on the participation of any Algerian, **man and woman**, in the management of public affairs; and on the ability to achieve social justice, equality and freedom for all.”

Article 29 of Chapter IV, *Rights and Liberties*, states “All citizens are equal before the law. No discrimination shall prevail because of birth, race, sex, opinion or any other personal or social condition or circumstance.”

For Algeria, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Djibouti

Djibouti is also part of the Francophonie and as such much of the language of its laws is derived from French sources. The laws were heavily “he” centered and did not, for the most part, include references to women. There was one exception. Interestingly, the Codes des Societes Privees et Publiques defines “Gerand” as a husband or a wife. As noted earlier, the existence of such specific language could lead one to argue that the absence of gender specific language in other areas is indicative of a possible bias against women.

For Djibouti, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;

- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Egypt

The laws of Egypt, much like the other laws examined, refer predominantly to “he” and “his”. The Labor Code, with the exception of one reference to he/she in Article 13, does not make any reference to women. Article 35 of the Labor Code specifies that there shall be no discrimination in wages because of the sex, origin, language, religion or creed shall be prohibited.

Chapter 2 of the Labor Code deals specifically with the “Employment of Woman Worker”:

Article 88 states that “Subject to the provisions of the following articles, all provisions regulating the employment of workers shall apply to woman workers, without discrimination among them, once their work conditions are analogous.”

Article 89 restricts women’s employment to the day, stating that “The concerned minister shall issue a decree determining the cases, works, and occasions for which women shall not be employed to work during the period between 7 pm and 7 am.”

Article 90 allows the concerned minister to “issue a decree determining the works that are unwholesome and morally harmful to women, as well as the works in which women may not be employed to work.”

Interestingly, the Income Tax Law No. 91 of 2005 includes women by making reference to “his/her” throughout the text.

On the other hand, throughout the company and commercial laws governing the Establishment of LLCs, all provisions which require the names of the legal adviser of the company (Article 38), or the council of Control (Article 46) all use “Mr” designations, assuming male parties in these positions. However, the text does not overtly restrict women from seeking these positions.

For Egypt, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Iran

Of all the Business and investment laws reviewed none were discriminatory on their face although there is no language that explicitly allows women to own and manage companies. The Labor Code does have a separate section on female workers which restricts women from engaging in any work that is arduous. Women are also not allowed to work in the evenings.

For Iran, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Jordan

Act No 43 of 1976 of the Jordanian Civil Code states that:

- a. Female lawyers have the same rights as male lawyers with regard to the representation of their clients before the courts and specialized judicial bodies.
- b. Women may be members of the judiciary, except in courts governed by the shari'a (Muslim Legislation).
- c. All persons have the right to make contracts provided their capacity to do so has not been revoked or restricted by the law.

With respect to equality before the law, Jordan's Constitution does not include sex. The Constitution states that "Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on the grounds of race, language or religion."

The Jordanian Labor Code (Section 69) states that upon consultation with the competent official bodies, the Minister shall adopt a decision specifying:

- (1) industries and trades where women's work shall be prohibited;
- (2) hours in which women may not be employed and exceptions thereto.

For Jordan, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Lebanon

Many of the Lebanese laws listed on the Doing Business website are in Arabic. The section entitled “Travail des Femmes” (the work of women) of the Lebanese Labor Code (1946) states that:

Art. 26. Il est interdit de faire travailler les femmes dans les industries mécaniques ou manuelles pendant la nuit, c'est-à-dire entre huit heures du soir et cinq heures du matin du 1er mai au 30 septembre, et entre sept heures du soir et six heures du matin du 1er octobre au 30 avril.

Art. 27. L'emploi des femmes est interdit dans les industries et les travaux énumérés à l'annexe 1 de la présente loi.

The list includes industries such as mining, automotive, painting and explosives.

It is important to note Law No. 207 (2000), amending Articles 26, 28, 29 and 52:

Article 26 nouveau

Il est interdit à l'employeur d'établir une discrimination entre l'homme et la femme qui travaillent en ce qui concerne le genre de travail, le montant du salaire, l'emploi, la promotion, l'avancement, l'aptitude professionnelle et l'habillement.

For the country of Lebanon, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Morocco

The text of the laws of Morocco generally do not include references to women. The Constitution of Morocco, 1996, guarantees that “All Moroccan citizens shall be equal before the law.” Article 5 – Chapter 1

For Morocco, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Tunisia

The laws of Tunisia do not include any references to women. The Codes of Civil and Commercial Procedure and the Commercial and Company Laws typically refer to “la personne” and “le gerant.” The Tunisian Labor Code is also gender blind. The only section which references women is under Special Provisions in Chapter XII: The employment of Women and Children in Agriculture.

The Constitution of the Republic of Tunisia guarantees “All citizens have the same rights and obligations. All are equal before the law. (Article 6)

For Tunisia, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

Yemen

The text of the laws of Yemen do not include any references to women. The Yemeni Labor Code refers to “worker” and includes references to “men and women.”

Article 46 – It shall be forbidden to employ women at night, except during the month of Ramadhan and in the jobs which shall be specified by order of the Minister.

Article 42 – Women shall be equal with men in relation to all conditions of employment

Article 68 – Women shall be entitled to wages equal to those of men if they perform the same work under the same conditions and specifications

Article 87 – A working woman shall be entitled to leave with pay for 40 days if her husband dies.

Republic Decree Act No. 19 of 1999 on Promoting Competition, Monopoly and preventions of Commercial Deception includes gender sensitive language by referring to his/her.

For Yemen, no investment or business-related law was found that overtly and specifically restricts/demonstrates differential treatment in the following areas:

- owning a business;
- managing a business;
- applying for loans and accessing credit; or,
- trade, taxation and bankruptcy.

List of laws reviewed

1. ALGERIA

Banking and Credit Laws

[Loi n° 90-10 du 14 avril 1990 relative à la monnaie et le crédit](#)

[Règlement n° 2002-03 du 14 octobre 2002 relatif au contrôle interne des banques et établissements financiers](#)

[Règlement n° 2004-01 du 4 mars 2004 relatif au capital minimum des banques et établissements financiers exerçant en Algérie](#)

Bankruptcy and Collateral Laws

[Code civil \(Titre III\)](#)

[Des faillites et règlements judiciaires \(Livre III du code de commerce\)](#)

Civil Codes

[Code civil](#)

Civil Procedure Codes

[Code de procédure civile](#)

Commercial and Company Laws

[Code de commerce](#)

[Code des investissements](#)

[Code des sociétés \(Livre V du code de commerce\)](#)

[Décret n° 05-175 du 18 mai 2005 fixant les modalités d'obtention de l'attestation négative relative aux ententes et à la position dominante sur le marché](#)

[Loi n° 04-02 du 23 juin 2004 fixant les règles applicables aux pratiques commerciales](#)

[Loi n° 04-08 du 14 août 2004 relative aux conditions d'exercice des activités commerciales](#)

[Règlement n° 2005-03 du 6 juin 2005 relatif aux investissements étrangers](#)

Constitutions

[Constitution of Algeria](#)

[Constitution of Algeria](#)

Labor Laws

[Décret législatif N° 94-09 du 26/5/94 portant préservation de l'emploi et protection des salaires susceptibles de perdre de façon involontaire leur emploi](#)

[Loi n° 90-11 du 21 avril 1990 relative aux relations de travail](#)

Land and Building Laws

[Code civil \(Livre IV\)](#)

Tax Laws

[Code de taxe sur la valeur ajoutée](#)

[Code des impôts directs](#)

Trade Laws

[Code des douanes](#)

[Décret n° 05-222 du 22 juin 2005 fixant les conditions et les modalités de mise en oeuvre du droit antidumping](#)

2. DJIBOUTI

Banking and Credit Laws

[Arrêté n° 2004-0438/PR/MAEM-RH portant création d'Une unité de Coordination et d'un comité de pilotage Projet de Développement de Micro finance et de la Micro entreprise \(PDMM\)](#)

[Décret n° 2006-0020/PRE portant création, organisation et objet du Comité de Réflexion sur la Microfinance \(CREM\)](#)

[Loi n° 92/AN/05/5ème L relative à l'ouverture, à l'activité et au contrôle des établissements de Crédit](#)

[Loi n° 91/AN/05/5ème L relative aux statuts de la Banque Centrale de Djibouti](#)

Civil Procedure Codes

[Loi n° 52/AN/94/3e L portant création d'une Cour d'Appel et d'un Tribunal de Première Instance](#)

Commercial and Company Laws

[Code des Sociétés Privées et Publiques](#)

[Décret n° 86 116/PRE du 30 novembre 1986 relatif aux sociétés commerciales](#)

[Loi n° 103/AN/05/5ème L portant sur les sociétés commerciales de zone franche](#)

[Loi n° 114/AN/96/3e L relatif à la protection du droit d'auteur](#)

[Loi n° 117/AN/05/5ème L portant Code pétrolier](#)

[Loi n° 170/AN/02/4ème L portant statut du notariat](#)

[Loi n° 191/AN/86/1er L du 3 février 1986 sur les sociétés commerciales](#)

[Loi n° 53/AN/04/5ème L portant Code des zones franches](#)

[Loi n° 65/AN/94/3e L portant création du régime de zone franche industrielle](#)

[Loi n° 66-537 du 24 juillet 1966 sur les sociétés commerciales](#)

Constitutions

[Constitution du Djibouti](#)

Labor Laws

[Code du travail](#)

Land and Building Laws

[Loi n° 177/AN/91/2ème L portant organisation de la propriété foncière](#)

[Loi n° 178/AN/91/2ème L fixant les modalités d'application des loi relatives au régime foncier](#)

Tax Laws

[Loi n° 108/AN/00/4èmeL portant Reforme du Code général des Impôts](#)

[Loi n° 102/AN/05/5ème L portant réforme des services de l'État chargés de la fiscalité et des domaines](#)

[Arrêté n°91-0121/PR/FIN fixant les conditions d'applications de l'article 29.43.01 du Code général des impôts](#)

[Loi n° 155/AN/80 portant modification du Code général des impôts "Taxes sur les propriétés non mises en valeur"](#)

Trade Laws

[Loi n° 102/AN/05/5ème L portant réforme des services de l'État chargés de la fiscalité et des domaines](#)

[Arrêté n° 2005-0634/PR/MEFPCP fixant les charges collectées par la douane pour services rendus](#)

3. EGYPT

Banking and Credit Laws

[Law of the Central Bank, the Banking Sector And Money \(in Arabic\)](#)

[Law of the Central Bank, the Banking Sector And Money](#)

[Executive Regulations of the Law of the Central Bank, the Banking Sector And Money \(in Arabic\)](#)

[Executive Regulations of the Law of the Central Bank, the Banking Sector And Money](#)

Bankruptcy and Collateral Laws

[Decree No. 465 of 2005 amending the Executive Regulations of the Mortgage Finance Law](#)

[Prime Minister's Decree No. 465 of 2005 Amending Real Estate Finance Law No. 148 of 2001](#)

[Executive Regulations of Real Estate Finance Law No. 148 of 2001](#)

[Real Estate Finance Law No. 148 of 2001](#)

Commercial and Company Laws

[Special Economic Zones Law No. 83 of 2002](#)

[Shareholding Companies and Limited Liability Companies Law no. 159 of 1981 \(in Arabic\)](#)

[Law No. 8 of 1997 on Investment Guarantees and Incentives](#)

[Executive Regulations to Shareholding Companies and Limited Liability Companies Law No. 96 of 1982 \(in Arabic\)](#)

[Establishment of LLC](#)

Constitutions

[Constitution of Egypt](#)

[Constitution of Egypt \(in Arabic\)](#)

Labor Laws

[Labor Law](#)

[Labor Law \(in Arabic\)](#)

Land and Building Laws

[Real Estate Finance Law No. 148 of 2001](#)

[Prime Minister's Decree No. 465 of 2005 Amending Real Estate Finance Law No. 148 of 2001](#)

[Executive Regulations of Real Estate Finance Law No. 148 of 2001](#)

[Decree No. 465 of 2005 amending the Executive Regulations of the Mortgage Finance Law](#)

Securities Laws

[Decree No. 135 of 1993 on the Regulations of Capital Markets Law No. 95 of 1992 \(in Arabic\)](#)

[Central Securities Depository and Registry Law Law No. 93 of 2000 \(in English\)](#)

[Central Securities Depository and Registry Law Law No. 93 of 2000 \(in Arabic\)](#)

[Capital Markets Law No. 95 of 1992](#)

[Executive Regulations of Capital Markets Law No. 95 of 1992](#)

Tax Laws

[Executive Regulations of the Income Tax Law No. 91 of 2005](#)

[General Sales Tax Law No. 11 of 1991](#)

[Income Tax Law No. 91 of 2005 \(in Arabic\)](#)

[Income Tax Law No. 91 of 2005](#)

[Law No. 17 of 2001 on the Application of the Second and the Third Phases of the General Sales Tax](#)

[Law No. 11 of 2002 on the Explanation of Certain Provisions of General Sales Tax Law No. 11 of 1991](#)

Trade Laws

[Customs Law No. 66 of 1963, as amended by Law No. 95/2005](#)

[Customs Tariff](#)

4. IRAN**Banking and Credit Laws**

[Law for Usury \(Interest\) Free Banking](#)

[Monetary and Banking Law](#)

[The Law for Usury \(Interest\)-Free Banking](#)

Bankruptcy and Collateral Laws

[Civil Code \(from Art. 771\)](#)

Civil Codes

[Civil Code](#)

[Civil Code](#)

Commercial and Company Laws

[Civil Code](#)

[Commercial Code](#)

[Commercial Code of Iran \(1932\)](#)

[Law on Encouragement and Protection of Foreign Investment](#)

Constitutions

[Constitution of Iran](#)

[Constitution of Iran \(in Farsi\)](#)

Labor Laws

[Labour Code](#)

[Labour Law](#)

Securities Laws

[Joint Stock Companies Act](#)

[Law for the Issuance of Participation Papers](#)

Tax Laws

[Direct Taxation Act](#)

5. JORDAN**Banking and Credit Laws**

[Banking Law No. 28 of 2000](#)

[Banking Supervision Regulations \(in Arabic\)](#)

[Central Bank of Jordan Law No.23 of 1971](#)

Bankruptcy and Collateral Laws

[Companies Law No. 22 of 1997, as amended](#)

Civil Codes

[Act No. 43 of 1976 of the Jordanian Civil Code](#)

Commercial and Company Laws

[Companies Law No. 22 of 1997, as amended](#)

[Companies Regulation and its Amendments \(No. 50 for 1997\)](#)

[Competition Law](#)

Constitutions

[Constitution of Jordan](#)

[Constitution of Jordan \(in Arabic\)](#)

Labor Laws

[Labour Code, Law No. 8 of 1996](#)

[Social Security Law No. 19 of 2001 \(draft\)](#)

Securities Laws

[Securities Law No. 76 of 2002](#)

Tax Laws

[Social Security Law No. 19 of 2001 \(draft\)](#)

6. LEBANON

Banking and Credit Laws

[Banking Secrecy Law pf 3/9/1956 \(in Arabic\)](#)

[Constitution des Banques Islamiques au Liban \(Loi No. 505 du 11 février 2004\)](#)

[Law No. 110 of 1991 on Reform of the Banking Sector Regulations \(in Arabic\)](#)

[Law No. 193 of 1993 on Facilitating the Mergers and Acquisitions of Banks \(in Arabic\)](#)

[Law No. 308 of 2001 on Bank Share Issuing and Trading, Bank Bond Issuing, and Bank Ownership of Real Estate \(in Arabic\)](#)

[Law No. 505 dated February 11, 2004 on the Establishment of Islamic Banks in Lebanon](#)

[Law No. 575 of 2004 on the Establishment of Islamic Banks in Lebanon \(in Arabic\)](#)

[Law No. 99 of 1991 Regarding Lebanese and Foreign Banks \(in Arabic\)](#)

Commercial and Company Laws

[Investment Development Law 360](#)

[Law 360 Encouraging Investments in Lebanon](#)

Constitutions

[Constitution of Lebanon](#)

[Constitution of Lebanon \(in Arabic\)](#)

Labor Laws

[Code du travail](#)

[Loi n° 207 modifiant le Code du travail](#)

[Loi No. 207 de 2000](#)

Securities Laws

[Law No. 139 of 1999 on the Establishment of a Central Securities Depository \(in Arabic\)](#)

[Law No. 705 of 2005 on Assets Securitization \(in Arabic\)](#)

[Law No. 706 of 2005 on Collective Investment Schemes in Securities and Other Financial Instruments \(in Arabic\)](#)

Tax Laws

[Law No. 91 - 117](#)

Trade Laws

[Customs Law](#)

[Law No. 105 of 1999 on Authorization to Import, Export and Trade with Gold and any Other Precious Metals \(in Arabic\)](#)

7. MOROCCO

Banking and Credit Laws

[Circulaire n° 2/G/96 du 30 janvier 1996 relative aux certificats de dépôt](#)

[Circulaire n° 3/G/96 du 30 janvier 1996 relative aux bons des sociétés de financement](#)

[Loi n° 34-03 relative aux établissements de crédit et organismes assimilés](#)

[Loi n° 34-03 relative aux établissements de crédit et organismes assimilés \(en arabe\)](#)

[Modificatif de la circulaire n° 2/G/96 du 30 janvier 1996 relative aux certificats de dépôt](#)

[Modificatif du 27/07/2001 de la circulaire n° 3/G/96 du 30 janvier 1996 relative aux bons des sociétés de financement](#)

[Modificatif du 26/02/2003 de la circulaire n° 3/G/96 du 30 janvier 1996 relative aux bons des sociétés de financement](#)

Civil Procedure Codes

[Arbitrage \(Extrait du code de procédure civile\)](#)

Commercial and Company Laws

[Charte de l'investissement \(Loi-cadre n° 18-95\)](#)

[Code de commerce](#)

[Décret n° 2-03-727 du 2 kaada 1424 \(26 décembre 2003\) relatif à l'organisation des centres régionaux d'investissement](#)

[Instruction générale n° 714 relative aux droits d'enregistrement](#)

[Loi n° 13-97 relative aux groupements d'intérêt économique \(GIE\)](#)

[Loi n° 17-95 relative aux sociétés anonymes](#)

[Loi n° 5-96 sur la société en nom collectif, la société en commandite simple, la société en commandite par actions, la société à responsabilité limitée et la société en participation](#)

Constitutions

[Constitution du Maroc](#)

[Constitution of Morocco](#)

[Constitution of Morocco \(in Arabic\)](#)

Labor Laws

[Code du travail](#)

[Décrets du 16 kaada 1425 \(29 décembre 2004\) fixant l'application des articles du Code du travail](#)

8. TUNISIA

Banking and Credit Laws

[Loi n°2005-96 du 18 octobre 2005 relative au renforcement de la sécurité des relations financières](#)

[Loi n° 85-108 du 6 décembre 1985 portant encouragement d'organismes financiers et bancaires travaillant essentiellement avec les non-résidents](#)

[Loi n° 5 8-90 du 19 septembre 1958 portant création et organisation de la Banque Centrale de Tunisie.](#)

[Loi n° 2001-65 du 10 juillet 2001, relative aux établissements de crédit, qui abroge et remplace la loi n° 67-51 du 7 décembre 1967 réglementant la profession bancaire modifiée notamment par la loi n° 94-25 du 7 février 1994 et la loi n°2006-19 du 2 mai 2006](#)

Bankruptcy and Collateral Laws

[Loi n° 1995-0034 relative au redressement des entreprises en difficultés économiques](#)

[Loi n° 2003-0079 modifiant et complétant la loi n° 95-34, relative au redressement des entreprises en difficultés économiques](#)

Civil Procedure Codes

[Code de procédure civile et commerciale](#)

Commercial and Company Laws

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[Code des sociétés commerciales](#)

[Code des obligations et des contrats](#)

[Loi n° 2005-0065 modifiant et complétant le code des sociétés commerciales](#)

[Loi n° 2005-0012 portant modification de quelques dispositions du code des sociétés commerciales](#)

[Law No. 93-120 Promulgating the Investment Incentives Code](#)

[Code d'incitation aux investissements](#)

[Loi n° 92-80 portant création de Zones Franches Economique](#)

[Loi n° 91-64 du 29 juillet 1991 relative à la concurrence et aux prix](#)

[Loi relative au registre de commerce](#)

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[Constitution de la Tunisie](#)

[Constitution of Tunisia \(in Arabic\)](#)

[Constitution of Tunisia](#)

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[Code du travail](#)

Land and Building Laws

[Loi n° 94-89 du 26 juillet 1994 relative au leasing](#)

Tax Laws

[Code de l'impôt sur le revenu des personnes physiques et de l'impôt sur les sociétés](#)

9. YEMEN

Banking and Credit Laws

[الاستثمار بشأن -- Law on Investment](#)

[الصرافة اعمال بشأن -- Law on the Exchange](#)

[الاموال غسل مكافحة بشأن -- Law on Anti-Money Laundering](#)

[الاسلامية المصارف بشأن -- Law on Islamic Banks](#)

[البنوك -- Law on Banks](#)

[البنك المركزي اليمني بشأن -- Law on the Central Bank of Yemen](#)

[الاموال غسل مكافحة -- Bill against Money Laundering](#)

Civil Procedure Codes

[Judicial Code of Conduct \(Amendment\) 2006](#)

Commercial and Company Laws

[Act No. 22 of 1997 on Trading Companies](#)

[Decree Regarding Act No. \(37\) of 1992 on the Supervision and Control of Companies and Insurance Brokers](#)

[Act No. 33 of 1992 on Trade Registration](#)

[Law No. 23 of 1997 on Arrangement of Agencies, Branches of Companies and Foreign Trade Houses](#)

[Investment Law No. 22 of 2002](#)

[Republic Decree Act No. 19 of 1999 on Promoting Competition, Monopoly and Prevention of Commercial Deception](#)

Constitutions

[Constitution of Yemen](#)

[Constitution of Yemen \(in Arabic\)](#)

Labor Laws

[Labour Code](#)

[Loi n° 35/2002 sur l'organisation des syndicats des travailleurs](#)

Tax Laws

[Customs Duty and Tax Exemptions Accorded to Projects, Promoting of Local Production and Increasing Exports](#)

Trade Laws

[Investment Law No. 22 of 2002](#)

[Customs Duty and Tax Exemptions Accorded to Projects, Promoting of Local Production and Increasing Exports](#)