

[Decree 486, 22/02/2008, relating to the conditions of obtaining an authorization for the establishment of private educational establishments as well as to their organization and operation](#)

The President of the Republic,

On a proposal from the Minister of Education and Training,

Having regard to the investment incentives code promulgated by law n° 93-120 dated 27 December 1993, all amending and completing texts, notably law n° 2007-69 dated 27 December 2007, relating to finance law for the year 2008,

Having regard to orientation law n° 2002-80 dated 23 July 2002, relating to education and scholar teaching, as amended and completed by law n° 2008-9 dated 11 February 2008,

Having regard to law n° 2007-69 dated 27 December 2007, relating to the economic initiative,

Having regard to decree n° 89-457 dated 24 March 1989, delegating certain powers of the government members to the governors, all amending and completing texts, notably decree n° 2005-1814 dated 27 June 2005,

Having regard to decree n° 92-1187 dated 22 June 1992, relating to the conditions of obtaining an authorization for the establishment of private school establishments as well as for their organization and management,

Having regard to decree n° 2002-2950 dated 11 November 2002, fixing the attributions of the Ministry of Education and Training,

Having regard to decree n° 2004-2437 dated 19 October 2004, organizing the school life,

Having regard to decree n° 2007-463 dated 6 March 2007, fixing the organization and attributions of education and training regional directorates,

Having regard to the opinion of the Competition Council,

Having regard to the opinion of the administrative court.

Decreases the following :

CHAPTER ONE

GENERAL PROVISIONS

Article one - Shall be considered private educational establishments, according to the provisions of the decree herein, the private educational establishments established by natural or legal persons, to provide for their expenditures and which ensure remunerated educational and didactic services with presence or at distance and regularly or remedial and support courses with a possibility of plurality and which are :

- pre-school education establishments and spaces,
- primary schools,
- schools,
- secondary schools,
- at distance education and training establishments,
- educational establishments with programs and regimes of particular studies or intended to prepare to foreign examinations.

The buildings and premises accessory to a private educational establishment such as the restaurant and the pupils residence are constituted of a part of the aforesaid establishment and are submitted to the provisions of the decree herein.

The educational establishments with programs and regimes of particular studies or which apply foreign educational programs intended to prepare to foreign examinations are not submitted to the provisions provided for by article 9 of the decree herein.

The "at distance education and training establishments" are not submitted to the provisions related to infrastructure and to the provisions which are not in accordance with the nature of their activities.

The educational establishments belonging to diplomatic missions remain submitted to the content of the concluded conventions in this respect.

Art. 2 - The pilot establishment nature may be granted to private schools and secondary schools, by order of the Minister charged of education only if they meet the existing conditions in the pilot public educational establishments.

Art. 3 - The private educational establishments referred to in the abovementioned article one shall be submitted to the provisions of the aforementioned orientation law n° 2002-80 dated 23 July 2002, to related legislations and regulations and the

provisions and duties provided for by the decree herein.

Art. 4 - The establishment of all kinds of private educational establishments necessarily requires the obtaining of a prior authorization in accordance with the provisions of articles 38 and 40 of orientation law of education and school education n° 2002-80 dated 23 July 2002 mentioned above.

The obtaining of an authorization for the establishment of a private primary school or a kindergarten, is considered as an authorization for the establishment of pre-school classes or spaces.

Art. 5 - The decisions of grant or withdrawal of authorizations to the private educational establishments mentioned above in article one are made in accordance with the provisions of decree n° 89-457 dated 24 March 1989 mentioned above, and this, after the opinion of a regional consultative committee, presided by the education and training regional director and which the composition and functioning are fixed by order of the Minister charged of education.

Art. 6 - The private educational establishments activity includes preparatory classes and two cycles of basic and secondary education.

The private educational establishment can provide educational and didactic services in one of the education cycles or in maximum two consecutive cycles after the obtaining of an authorization for this purpose.

It is prohibited to the private educational establishment promoter to establish more than one private educational establishment.

It is prohibited to the private educational establishment promoter to hold several official programs education applicable to the Tunisian educational regime and the foreign education programs intended to prepare to foreign examinations.

Art. 7 - The private educational establishments, within the framework of educational and didactic functions, are looking after educating young people to respect good manners and good behavior rules and the sense of responsibility and initiative, and it is generally aiming at fulfilling the educational purposes and objectives fixed by the orientation law of education and school education.

Art. 8 - The private educational establishments are submitted to all laws, procedures and regulations in force organizing the school life.

Art . 9 - The private educational establishments are committed to adopt and implement the official programs, the education scales, the passing and valuation regime and the disciplinary regime in force within the public educational establishments.

The private educational establishments providing cognitive extracts or using other didactic equipments and assistance and school books which are not mentioned in the official lists shall obtain a written authorization from the Ministry of Education and Training.

Art. 10 - The private educational establishments are submitted to the educational, administrative and health inspection by the concerned ministries departments.

CHAPTER II

CONDITIONS AND STANDARDS IN THE PRIVATE

EDUCATIONAL ESTABLISHMENTS

Section one

Common standards and conditions

Sub-section 1 - Conditions related to the promoter

Art. 11 - The promoter can be a natural or legal person :

- if the promoter is a natural person, he/she should :

* have the Tunisian nationality, unless in case of obtaining an authorization granted by the Minister charged of education,

* not be subject to a crime conviction or a deliberate offense,

* not be subject to a conviction which totally or partially deprives him/her of his/her civic rights.

- if the promoter is a legal entity, it should comply with the law, that its particular status allows it to exercise an educational activity and it should appoint a legal representative for the company,

- in case of establishment of an educational establishment by a natural person, the promoter can be the director of this establishment only if he/she meets the necessary conditions provided for by the decree herein,

- in case a legal entity establishes an educational establishment , the legal representative can be the director of this establishment only if he/she meets the necessary conditions referred to above.

Sub section 2 – Conditions relating to the procedures

of the file deposit

Art. 12 - The promoter or the legal representative shall lodge a file of the establishment of a private educational establishment at the regional directorate of education and training, territorially competent, in a deadline not exceeding 31 May when it concerns the opening of the establishment in the following month of September.

The concerned departments shall reply to the authorization application in a deadline not exceeding two (2) months as from the date of the deposit of the file containing the documents and meeting the required conditions.

Art. 13 - The file is presented to the regional directorate of education and training including the following documents :

1) an application of the establishment of a private educational establishment.

2) the promoter file.

a - if it is a legal entity :

- the company constitution contract,

- the legal representative commitment,

- a photocopy of the legal representative identity card,

- a certificate indicating police report of the legal representative not exceeding the legal deadline.

b - if he/she is a natural person :

- the promoter commitment,

- a copy of the national identity card,

- a certificate indicating police report not exceeding the legal deadline.

3) the director file which consists of :

- the director commitment,

- a medical certificate confirming his/her aptitude to exercise the direction and the

absence of every impediment,

- a certificate indicating police report not exceeding the legal deadline,
- a copy of the national identity card,
- a copy of the scientific diploma,
- a list of services and documents certifying the exercise of education during the required period.

4) the technical file of the establishment which consists of :

- a localization plan,
- a plan of premises intended to be exploited,
- a property certificate or a lease contract.

Sub-section 3 - Conditions and standards relating
to the infrastructure

Art. 14 - The private educational establishment :

- shall be in an independent, enclosed and specially planned building for education and exclusively reserved to didactic activities,
- shall be in a location far from every damage that might affect the health and safety of the pupils and the staff exercising in this establishment,
- shall respect all safety conditions, hygiene and cleanliness according to the regulations in force. In addition, the means of necessary safety approved by the civil protection departments shall be available,
- shall respect 4,5 m³ of air at least for each pupil in classroom,
- shall respect a glazed surface which can be opened presenting 15% of the walls surface in order to provide the lighting and the ventilation,
- each private educational establishment includes three (3) at least health units, which the walls are covered by ceramic :
 - a health group for the agents and teachers,

- a health group containing a toilet and two (2) urinals for 40 pupils,
- a health group containing a toilet for 20 pupils,
- a drinking water tap for 20 pupils,
- the private educational establishment shall include a paved schoolyard including enough space in order to hoist up the flag reserving 2,5 m² for at least each pupil.

In case the establishment includes a complete or half boarding school, it shall reserve an independent space to the boarding school of educational spaces including :

- the dormitories : a 1,7m² surface is reserved to each resident on condition that the reception capacity of one dormitory does not exceed 40 double beds. A dormitory is reserved to boys and another to girls.

Each dormitory shall have :

- a space for the supervisor,
- a locker room,
- a space for revision,
- a health unit including :
 - a bath for at least each 5 residents,
 - a toilet for at least 10 residents,
 - a shower for at least 10 residents,
- hot water in the showers,
- - the restaurant : a surface of at least 1,6 m² for each pupil shall include a washbasin and a tap for at least each 10 pupils.
- - the kitchen : its walls shall be insulating against steam and humidity and tiled against sliding and shall include :
 - a refrigerator which capacity does not exceed 15 m³,
 - a food products depot,
 - fruits and vegetables depot,

- a locker room for the agents,
 - ovens for preparing meals.
- - the infirmary : each private educational establishment should have in accordance a well equipped infirmary in order to provide hygiene services and first aid.
- - the school furniture : it shall be in accordance, concerning the measures, with the pupils ages. Every pupil shall have a desk and a chair.

Section 2

Specific standards and conditions

Sub-section 1 - Pre-school educational spaces

and establishments

Art. 15 - The preparatory year is dispensed in the pre-school educational spaces and establishments, it precedes the first year of basic education, it is attached to this cycle and lasts 1 year during which the 5 year old child is assisted in his global evolution, initiated to collective life and prepared to the school first trainings.

The preparatory year activity is reserved to the children which are between 5 and 6 year old.

This activity can be practiced in autonomous specialized establishments, in private primary schools and in kindergartens, and this, after :

- the conformity with the standards fixed by the decree herein,
- the deposit of the file in the regional directorate of the education and training, territorially competent,
- the obtaining of a deposit receipt,
- having informed the regional directorate of the education and training of the activity effective start if it is attached to primary school or kindergarten, or the obtaining of an authorization if it concerns an autonomous specialized establishment.

Art. 16 - The location of the premises should not harm the child health and safety. If this activity is undertaken within a primary school, there is a possibility to proceed to the separation of the preparatory year from the other classes, so the children safety is ensured. It is strictly prohibited to exploit the dwelling flats to undertake this activity.

The premises shall be endowed with the following conveniences :

- drinking water and electricity,
- a reception space,
- a room ventilated and lightened enough for the educational activities to the profit of each group on the basis of 1,5 m² per child,
- an equipped playground –in the open air- on the basis of 3m² per child, endowed with a covered floor and may be successively exploited by the groups.

The establishment shall have equipments and didactic supports necessary to the animation and the programs application, and shall look after their compliance with hygiene and safety standards. The premises shall be endowed with extinguishers and other necessary aid means.

Art. 17 - If the activity is limited to the preparatory year, the establishment shall be managed by a director :

- having a Tunisian nationality unless obtaining an authorization from the Minister charged of education,
- enjoying his/her civic rights,
- who is at least 20 year old,
- able to exercise an educational activity,
- entirely available to the establishment management and having the possibility to take part in the animation partially or totally in the establishment taking into account the number of children and groups.

The director is charged of :

- looking after the programs application, the work organization and its good progress on the educational and health levels,
- assisting in elaborating educational activities,
- guaranteeing the conditions of safety and rest of children,
- the documentation and the update of the texts related to this activity,

- keeping the agents files including necessarily:

an information form, a birth certificate, a copy of the scientific diploma, a photo and a copy of the national identity card.

- keeping the registers of arrivals and departures,

- keeping the nominative list of children and the general register of subscription,

- keeping the children files,

- providing the registers and documents necessary to the good progress of work.

Moreover, the manager is bound to this activity and of every irregularity duly noticed.

Art. 18 - The preparatory class is animated by :

- the holders of diplomas of the institutes specialized in the training of childhood staff,

- the holders of higher diplomas in psychology and psycho-pedagogy and sociology,

- animators of kindergartens, holders of animator diploma or authorized by the departments of the Ministry charged of childhood,

- teachers of different cycles in the private or public education,

- the holders of the baccalaureate having followed a training which the duration and program are fixed by the administration and can be organized by the administration or a specialized and recognized operator.

Art. 19 - The preparatory classes are composed of groups including at maximum 25 child. An educator is bound to manage one group in one session.

The educators shall be in accordance with objectives, programs, methods and means in exercising their task. They are the only ones authorized to ensure the children animation.

It is strictly prohibited to teach the child the program of the first year of basic education. This age requires the development of the child experience and to prepare him to follow his/her education with success.

The weekly hours of the activity should not be under 20 hours divided on all weekdays. It is however, allowed to determine an extra rest day in addition to Sunday. Moreover, there is a possibility to look after the rest of the children by fixing the beginning and the end of the session and by allocating different activities.

Art. 20 - The establishment is bound to appoint a contractual doctor, preferably pediatrician registered in the table of the doctors board in order to look after the health of the children and the agents, to control the nutrition and the different health aspects within the establishment and to determine if need be the preventive measures to be taken.

The contractual doctor collaborates with the school medicine team and visits periodically the establishment and in case of need.

The ill children are not authorized to frequent the establishment. As soon as the doctor notices a manifestation of contagious illness in the child family, the establishment is bound to inform the contractual doctor and the school doctor authorized, each in his side, to decide eventually the withdrawal of the child from the establishment.

Sub-section 2 - Primary schools

Art. 21 - The provisions mentioned in subsection 1 and section 2 are applied in preparatory classes in the primary schools, with the exception of article 17 of the decree herein.

Art. 22 - The classrooms have to be developed on the basis of an area equal, at least, to 1,5 m² for each pupil on condition that the room area is equal at least to 42 m².

The establishment should, at least, have an informatics room equipped with a computer network and connected to the internet and each room shall have 8 computers including a server.

A cultural space shall be available, including:

- a library with book shelves, a space for the librarian, tables for reading and an internet space,
- a multi-disciplinary room of a rectangular or square form including a platform.

Art. 23 - It is essential that the number of the pupils in one classroom does not exceed 25 pupils.

Art. 24 - A director is appointed to the private primary establishment. He/she ensures its administrative and educational direction. He/she is responsible for the good progress of work, he/she shall be entirely devoted to his/her duty and he/she is the unique representative towards the supervising authority and third parties.

The director of the private establishment is bound to inform the regional director of

education and training before the beginning of the school year, if need be, before 1st October of the establishment educational organization and he/she has to inform of any change in these fields.

The director of the private establishment shall :

- have a Tunisian nationality unless obtaining an authorization granted by the Minister charged of education,
- belong to one of the teachers ranks of the first cycle of basic education,
- really exercise full-time teaching during five (5) years,
- not be subject to a judicial conviction of a crime or deliberate offense,
- not be subject to a judicial conviction depriving him/her of partially or totally exercising his/her civic rights,
- have an administrative file which does not contain second degree sanctions,
- be at least 25 year old and not more than 70 year old.

Art. 25 - If the private primary school has a complete or half boarding school, recruited managers for full-time, having obtained at least the baccalaureate or graduating from institutes of trades of education and training, ensure the supervision of the pupils.

Sub-section 3 - Schools and secondary schools

Art. 26 - The classrooms shall be developed on the basis of an area equal at least to 1,5 m² for each pupil on condition that the room area is equal at least to 48 m².

Schools and secondary schools shall have specialized rooms for the teaching of life and land sciences, sciences of physics and technical education, and the area of each room shall be equal at least to 54 m² and comprising :

- a room of subjects assembling opened to the classroom,
- 16 moving work tables,
- platforms beside the classroom having anti-acidic basins,
- a room equipped with drinking water taps and gas,
- schools and private secondary schools shall provide didactic and scientific

equipments and substances necessary to the good course of lessons as ordered by the Ministry charged of education.

Secondary schools comprising technical branches shall have a laboratory of mechanics and a laboratory of electricity.

Schools and private secondary schools should have rooms for teaching computer science equipped with network and connected to internet, and each room, there should be at least 8 computers including a server.

A cultural space shall provide and contain :

- a library with books shelves, a space for the librarian, tables for reading and a space for internet.
- A revision room having, at least, of the double area of a classroom.
- a multi-disciplinary room of a rectangular or square form including a platform.

Art 27 - It is essential that the number of pupils in one classroom does not exceed 25 pupils.

Art. 28 - A director is appointed to the school or the secondary school, he/she ensures its administrative and educational direction, he/she is responsible of the good progress of work, he/she should be devoted to his/her duty, he/she is the only representative towards the supervising authority and third parties.

The director of the private school establishments is bound to inform the regional director of education and training before the beginning of the school year, if need be, before 1st October of the establishment educational organization and he/she has to inform of any change in these fields.

The director should :

- have a Tunisian nationality or have an authorization granted by the Minister charged of education,
- be at least in the grade of a secondary education teacher and holder at least of a master's degree or an equivalent,
- have exercised full-time teaching during at least 5 years in the public or private education sector,
- not be subject to a judicial conviction depriving him/her from totally or partially exercising his civic rights,

- have an administrative file which does not include disciplinary sanctions of second degree,

- be at least 30 year old and not more than 70 year old.

Art. 29 - Managers holders at least of the baccalaureate are full time recruited to manage school and secondary school pupils.

Art. 30 - Is recruited at least for each school and secondary school one laboratory agent able to assist the teachers for developing substances and necessary needs for the practice of their lessons.

This agent should be at least holder of a technical and scientific baccalaureate.

Art. 31 - An educational advisor holder of a higher diploma is charged of assisting the director and coordinating between the managers responsible of the pupils affairs management in schools and secondary schools. It is the same task for the educational advisor of the boarding school in case the establishment has one.

Art. 32 - A sensor is appointed in the secondary schools among the holders of , at least, a master's degree or an equivalent.

Art. 33 - The private schools and secondary schools teachers are full-time recruited, whenever the establishment has a full-time post, among those who graduated from the institutes of trades of education and training or among the holders of at least a master's degree or equivalent in the required educational specialties.

The portion of full-time recruited teachers is fixed by order of the Minister charged of education.

CHAPTER III

CONDITIONS RELATED TO THE PRIVATE EDUCATIONAL ESTABLISHMENTS AGENTS AND TEACHERS

Art. 34 - Can not be recruited, in order to teach or work within private educational establishments, the persons who were subjected to a judicial conviction of crime or a deliberate offense committed against individuals or properties.

Art. 35 - The private establishment should have a sufficient number of administrative and management staff in order to guarantee the necessary services of administrative management, hygiene protection, cleanliness and guarding, in accordance with the applied criteria in the public educational establishments.

Art. 36 - The director of the private educational establishment is bound to inform the regional director of education and training, before the start of the academic year, the names of the staff exercising in the establishment by presenting necessary documents certifying their competences. Also, he/she should immediately inform the regional director of any change occurring in this field.

Art. 37 - The private educational establishments teachers and agents are bound within the framework of their function to assist to the meetings to which they were called by the supervision authorities and to take part in the training sessions organized for them.

Art. 38 - The private educational establishments teachers benefit from the educational assistance, the inspection and the continuous training services, and they are submitted to all the administrative and vocational duties provided for by particular status of teachers, exercising in the public educational establishments.

Art. 39 - The regional director of education and training can authorize the teachers of schools, secondary schools and public pilot secondary schools to provide extra teaching sessions in the private educational establishment, avoiding that the total extra-hours provided in private or public sector education may exceed, for one teacher, ten hours a week.

Every offender of the provisions of the article herein is submitted to disciplinary sanctions.

CHAPTER IV

THE RELATIONSHIP BETWEEN THE PRIVATE EDUCATIONAL ESTABLISHMENT AND THE PUPILS AND THE PARENTS

Art. 40 - Each private educational establishment has to be endowed with internal regulation approved by the regional directorate of education and training. The internal regulation provides notably :

- the studies hours which shall be from 8 a.m till 6 maximum p.m,
- the behavior inside the establishment,
- the disciplinary regime,
- the valuation system.

Art. 41 - The pupil's parent has to be aware of the internal regulation during the subscription and has to put his/her signature.

Art. 42 - The private educational establishments have to keep a file for each pupil, containing documents used in the public educational establishments.

Art. 43 - The class-meetings decisions dealing with the report of the end of the year concerning the passing and repeating the year shall be respected. The pupils subscription requires a presentation of an original schooling certificate or the attendance certificate.

The class-meetings decisions can not be offended.

Art. 44 – The pupils shall be insured against schools accidents.

In case of an illness or accident that occurs to one of the pupils, the establishment has the responsibility to immediately inform his/her parent as well as the doctor and to proceed to all the necessary procedures in order to give the pupil his/her first aid that his/her state requires.

Art. 45 - The parent has the right to choose the establishment in which he is going to subscribe his child as well as his/her transfer. The director is bound to grant the certificate and the school register during the transfer or studies end of the pupil.

It is prohibited for the director of the private educational establishment to :

- take procedures leading to the pupil expulsion from the private educational establishment unless the procedures taken by the disciplinary committees, or the non-renewal of their subscription or the prohibition to follow their studies in good conditions,
- proceed, whatever the reasons are, to confiscate the documents of the pupils who are definitely living or in case of a transfer to another educational establishment,
- proceed to selective methods in relation with the pupils, or preventing them to take examinations and national competitive examinations or not allowing all the pupils who are passing from the 6th year to the 7th year to subscription in case the private educational establishment includes the two cycles of basic education.

CHAPTER V

PRIVILEGES GRANTED TO INVESTORS IN THE PRIVATE EDUCATION

Art. 46 - The private educational establishments promoters can benefit from the privileges mentioned by articles 49 and 52 (third) of the investments incentives code promulgated by law n° 93-120 dated 27 December 1993 mentioned above and which are :

- an investment subsidy within the limit of 25% of the investment cost,
- a State subsidy within the limit of 25 % of the salaries due to the permanent Tunisian teachers and in deadline not exceeding 10 years,
- the State takes over the employers contribution in the legal scheme of social security as the due salaries of permanent Tunisian teachers during five (5) years renewable only once for the same period,
- putting lands at the investors disposal within the framework of a concession contract in accordance with the legislation in force,
- the exemption of customs duties, taxes of equivalent effect, the suspension of the value added tax as regard the imported equipments which do not have similar ones locally, as well as the suspension of the value- added tax as regard the locally made equipments,
- without prejudice to the provisions of articles 12 and 12 (bis) of law n° 89-114 which entitles to the subscription in the enterprise initial capital or to its increase by deducting incomes or benefits invested within the limit of 50 % of net incomes and benefits submitted to personal income tax or corporate tax,
- the investments achieved by these enterprises give also a possibility to deduct invested benefits in the same enterprise within the limit of 50 % of net benefits subject to the corporate tax,
- the deduction of incomes and benefits arising from these activities from personal income tax or corporate tax assessment, taking into account the provisions of articles 12 and 12 (bis) of law n° 89-114, promulgating personal income and corporate tax code,
- the tax exemption of vocational training as regard wages, salaries, allowances and advantages granted to Tunisian trainers or teachers permanently recruited,
- the exemption of the contribution in housing promotion fund for the salaried as regard wages, salaries, allowances and advantages granted to Tunisian trainers or teachers permanently recruited, and this, during the ten (10) first years as from the date of the effective entry on activity. This advantage is granted to the enterprises which enter on effective activity during the period of the 11th development plan (2007-2011).

CHAPTER VI

CHANGES, END OF ACTIVITY AND SANCTIONS

Art. 47 - Every change that occurs in the private educational establishment is submitted to the prior authorization of competent authorities after opinion from the regional consultative committee of the private educational establishments.

Art. 48 - The promoter can deliberately put an end to the activity only at the end of the academic year by informing the regional directorate of education and training and the pupils before three months and after regularizing the pupils' situations by granting them school certificates and transferring their files provided with a minutes report to the regional directorate of education and training.

Art. 49 - In case of breach of the provisions mentioned by orientation law n° 2002-80 dated 23 July 2002 mentioned above and related application texts, the responsible is submitted to one of the sanctions, and this after audition, according to the following downgrade :

- a warning,
- a reprimand,
- the withdrawal of the director authorization,
- the implementation of the provisions of articles 43 and 44 of the orientation law, relating to education and school teaching.

Art. 50 - The private educational establishment subjected to the withdrawal of authorization and closure or which the activity is ended on the promoter initiative, is bound to transfer the subscribed pupils files to the related regional directorate of education and training.

CHAPTER VII

TRANSITORY PROVISIONS

Art. 51 - The private educational establishments on activity on the date of promulgation of the decree herein shall be in accordance with the provisions in a deadline not exceeding two (2) years as from the date of its enforcement and this according to the remarks which contain the failings presented by the administration after official report made to this effect, as follows:

During the first year :

The educational establishments shall take necessary procedures so that its standards can be in accordance with the provisions of the decree herein.

In case competent departments of the Ministry of Education and Training considers

that these establishments did not do any effective initiative to regularize their situation, the latter are deprived from subscribing new pupils. Every subscription of new pupils will be considered as a creation of a private educational establishment without authorization.

During the second year :

The private educational establishments referred to above in the abovementioned paragraph, carry on their activities without subscribing new pupils. The establishments which started the enforcement of the new provisions of the decree herein follow their activities in an ordinary way.

At the expiry of the second year and in all cases, all educational establishments are committed to entirely enforce the provisions of the decree herein.

Art. 52 - The private educational establishments which did not completely regularize their situations in accordance with the provisions of the decree herein at the expiry of the second year will be considered as illegal situation and their authorization will be withdrawn. A manager is appointed among educational staff in accordance with the legislation in force.

CHAPTER VIII

FINAL PROVISIONS

Art. 53 - All the provisions prior and contrary to the decree herein, notably the provisions of decree n° 92-1187 dated 22 June 1992 mentioned above and the provisions of the order dated 31 July 2001, approving the specifications governing the opening of preparatory year classes and their organization and management shall be repealed.

Art. 54 - The Minister of Education and Training shall implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 22 February 2008.

الملحق عدد 1

تصريح بإحداث أقسام سنة تحضيرية

I - الباعث :

1 - شخص طبيعي:

الاسم: اللقب

تاريخ الولادة: مكانها

الجنسية:

رقم بطاقة التعريف الوطنية : تاريخ إصدارها : مكانها :

رقم بطاقة الإقامة (بالنسبة إلى الأجانب) : تاريخ إصدارها : مكانها :

العنوان الشخصي :

الهاتف

2- شخص معنوي :

التسمية الرسمية :

الصبغة القانونية :

عنوان المقر الاجتماعي : الهاتف

اسم الممثل القانوني ولقبه :

تاريخ الولادة مكانها :

الجنسية :

رقم بطاقة التعريف الوطنية : تاريخ إصدارها : مكانها :

رقم بطاقة الإقامة (بالنسبة إلى الأجانب) : تاريخ إصدارها : مكانها :

II - مدير المؤسسة :

الاسم : اللقب :

تاريخ الولادة : مكانها :

المستوى العلمي :

رقم بطاقة التعريف الوطنية : تاريخ إصدارها : مكانها :

الوضعية الإدارية :

التفرغ للإدارة : كلي أو جزئي :

بيان النشاط داخل المؤسسة :

- III - المؤسسة :

التسمية :

العنوان :

الهاتف

تاريخ انطلاق النشاط :

الأنشطة التربوية الموازية :

روضة أطفال

تعليم أساسي م.1

تعليم أساسي م.2

مديرها :

تاريخ الترخيص فيها : مصدره :

ملاحظات عند الاقتضاء :

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- VI - الفضاءات : (تفصيلها مع ذكر المساحة)

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نحن الممضيان أسفله، نشهد بصحة البيانات التي تضمنها هذا التصريح، كما نصرح أننا نلتزم باحترام أحكام كراس الشروط المتعلق بإحداث أقسام تحضيرية وتنظيمها وتسييرها.

حرر بـ في

المدير

الباعث

المندوبية الجهوية للتربية بـ :

رقم الإيداع :

تاريخ الإيداع :

وصل إيداع ملف فتح أقسام تحضيرية

أودع(ت) السيد(ة)
صاحب(ة) بطاقة التعريف الوطنية عدد المسلمة ب..... في
بصفته (هـ) (شخصاً طبيعياً - ممثلاً قانونياً لـ) لدى المندوبية
الجهوية للتربية ب..... الملف الكامل المطلوب لإحداث سنة تحضيرية .
بداية من : بالعنوان التالي :
ويتولى الإدارة السيد (ة)
صاحب (ة) بطاقة التعريف الوطنية عدد المسلمة ب..... في.....
ملاحظات المندوبية الجهوية للتربية : (عند الاقتضاء)
.....
.....
.....

..... في

المندوب الجهوي للتربية ب :

مطلب إحداث مؤسسة تربوية خاصة

معهد

مدرسة إعدادية

مدرسة ابتدائية

I - إرشادات تتعلق بالباحث :
أ- شخص طبيعي :

الاسم : اللقب :
تاريخ الولادة : مكانها :
الجنسية : الحالة المدنية :
المهنة الحالية :
بطاقة التعريف الوطنية عدد : مسلمة بـ : في :
العنوان الشخصي : الهاتف :

ب- شخص معنوي :

اسم الجمعية أو الشركة :
نوع الشركة أو الجمعية :
تاريخ إحداثها : عدد الرخصة وتاريخها :
العنوان :
اسم الممثل القانوني وصفته :

II - إرشادات تتعلق بالمدير(ة) :

الاسم : اللقب :
تاريخ الولادة : مكانها :
الجنسية : الحالة المدنية : عدد الأطفال :
المهنة أو الخطة : الوضعية الإدارية :
العنوان الشخصي : الهاتف :

III - المحل المزمع استغلاله

- العنوان : المعتمدية الولاية :

- وجه الاستغلال : ملكية تسويغ
حالة المحل : جاهز في حاجة إلى تحويل البناءات

..... نوعية الأشغال الضرورية لتوظيفه :

..... المدة الضرورية لإنهاء الأشغال :

..... الاسم المقترح للمؤسسة :

IV - نوع التعليم ونظامه :

ابتدائي إعدادي ثانوي خارجي 1/2 إقامة إقامة

حرر بـ..... في

المديرة(ة)

الاسم واللقب والإمضاء

حرر بـ..... في

الباعث

الاسم واللقب والإمضاء

الملحق عدد 5

ب.....

التزام الباعث أو الممثل القانوني للشركة الباعثة

إني الممضي أسفله،

الاسم واللقب :

المولود في : ب :

العمادة المعتمدية : الولاية :

صاحب بطاقة التعريف عدد : المسلمة ب : في :

بناء على تقديمي بطلب لإحداث مؤسسة تربوية خاصة ألتزم :

1- باحترام كل الترتيب المنصوص عليها بكراس الشروط الذي تسلمت نسخة منه

2- بصحة التصريحات التي أدليت بها وأتحمل تبعات ما يكون غير صحيح منها
بما في ذلك التبعات العدمية .

حرر ب في

الاسم واللقب

الإمضاء

الجمهورية التونسية

وزارة التربية

المنذوبية الجهوية للتربية

الملحق عدد 6

ب.....

التزام المدير

إني الممضي أسفله :

الاسم واللقب :

تاريخ الولادة ومكانها :

صاحب بطاقة التعريف عدد : المسلمة بـ : في :

الصفة : المباشر حاليا :

العنوان الشخصي :

أتعهد بإدارة المدرسة (المعهد) المتوقع إحداث (هـ) ها بداية من مفتح السنة الدراسية :

اسم المدرسة (المعهد) : نوع التعليم :

العنوان :

وألتزم بالتفرغ الكامل لإدارة المؤسسة و باحترام كل ما ورد في كراس شروط
إحداث مؤسسة تربوية خاصة و بإعلام المنذوبية الجهوية للتربية مباشرة في صورة
إعراضي عن إدارتها و بعدم ترسيم التلاميذ قبل الحصول على الترخيص في فتح
المؤسسة .

حرر بـ في

الاسم واللقب