

- 23- Briket Mohamed,
- 24- Abid Khaled,
- 25- Rezgui Farhat,
- 26- Jedidi Noureddine.

**MINISTRY OF THE INTERIOR
AND LOCAL DEVELOPMENT**

**Decree n° 2010-210 dated 9 February 2010,
approving the particular status of the personnel of
the Management Municipal Agency of the
Municipality of Tunis.**

(Published only in Arabic and French)

APPOINTMENTS

By decree n° 2010-211 dated 9 February 2010.

Mister Abdeljelil Zaddem is appointed as a governor.

(The rest is published only in Arabic and French)

By decree n° 2010-212 dated 9 February 2010.

Mister Hichem Ben Ahmed is appointed as a governor.

(The rest is published only in Arabic and French)

MINISTRY OF TRANSPORT

**Decree n° 2010-213 dated 9 February 2010,
relating to the administrative and financial
organization and the operation methods of the
National Institute of Meteorology.**

The President of the Republic,

On a proposal from the Minister of Transport,

Having regard to law n° 85-78 dated 5 August, 1985, relating to the general status of the agents of the offices, public establishments with industrial and commercial nature and companies whose capital is held directly and entirely by the State or the local public collectivities and all the amending or completing texts, notably law n° 2007-69 dated 27 December 2007,

Having regard to law n° 89-9 dated 1st February 1989, relating to the participations, enterprises and public establishments and all the amending or completing texts, notably law n° 2006-36 dated 12 June 2006,

Having regard to law n° 96-112 dated 30 December 1996, relating to the enterprises accounting system,

Having regard to law n° 2009-10 dated 16 February 2009, relating to the National Institute of Meteorology and notably article 4,

Having regard to decree n° 74-864 dated 11 September 1974, fixing of the cost of meteorological protection for the aerial navigation,

Having regard to decree n° 86-863 dated 15 September 1986, fixing the attributions of the Ministry of Transport,

Having regard to decree n° 87-529 dated 1st April 1987, fixing the conditions and the methods of the review of the accounts of the public establishments with commercial and industrial nature and the companies whose capital is completely held by the State,

Having regard to decree n° 90-1855 dated 10 November 1990, fixing the remuneration scheme of the heads of the public establishments and enterprises as well as the companies with public majority, as amended by decree n° 92-1 dated 6 January 1992 and decree n° 2006-2564 dated 2 October 2006,

Having regard to decree n° 97-552 dated 31 March 1997, fixing the attributions of the directors general and works committees of the public establishments with non-administrative nature,

Having regard to decree n° 97-567 dated 31 March 1997, fixing the conditions and the methods of direct recruitment in the public enterprises and the public establishments with non-administrative nature,

Having regard to decree n° 2002-2131 dated 30 September 2002, establishing the structures of the Prime Ministry,

Having regard to decree n° 2002-2198 dated 7 October 2002, relating to the methods of exercise of the supervision on the public establishments not having the administrative nature, to the methods of approval of their acts of management, to the methods and the conditions of appointments members of the establishment councils and to the fixing of the obligations entrusted to them,

Having regard to decree n° 2002-3158 dated 17 December 2002, organizing the public procurements, and all amending or completing texts, notably decree n° 2008-561 dated 4 March 2008,

Having regard to decree n° 2004-2324 dated 27 September 2004, establishing the scientific committee of meteorology and fixing its attributions, its composition and its operation methods,

Having regard to decree n° 2005-910 dated 24 March 2005, designating the supervisory authority on the public enterprises and public establishments not having the administrative nature, and all the amending or completing texts, notably decree n° 2008-3737 dated 11 December 2008,

Having regard to decree n° 2006-1471 dated 30 May 2006, fixing the missions and attributions of the National

Institute of Meteorology as well as its administrative and financial organization and the operation methods,

Having regard to the opinion of the Minister of Finance,

Having regard to the opinion of the Administrative Court.

Decreases the following :

CHAPTER I

Administrative organization

Section I - Director General

Article one - The National Institute of Meteorology is managed by a director general appointed by decree on a proposal from the Minister of Transport. He exercises his attributions in accordance with the legislation and regulations in force. The director general is entitled to make all the decisions related to his attributions, except those concerning the supervisory authority.

The director general is in charge notably of :

- chairing the establishment council,
- ensuring the administrative, financial and technical management of the institute,
- concluding the procurements in the forms and conditions provided for by the regulations in force,
- fixing and following-up the implementation of the objective contracts,
- adopting the estimated operation and investment budgets and the plan of the investment projects financing,
- fixing the financial statements,
- proposing the organization of the institute departments, the particular status of its personnel as well as its remuneration scheme in accordance with the legislation and regulations in force,
- concluding the operations of acquisition, exchange and all real estate operations related to the institute activity, and this, in accordance with the legislation and regulations in force,
- taking the measures necessary for the recovery of the institute credits,
- engaging the expenditures and perceiving the incomings in accordance with the legislation and regulations in force,
- representing the institute by the third parties and in all the civil and administrative and legal acts,
- carrying out any other mission falling within the remit of the institute activity and which is entrusted to him by the supervisory authority.

Art. 2 - The director general exercises his authority over all the institute personnel who he recruits, appoints in their functions and dismisses, in accordance

with the particular status of the institute personnel in accordance with the legislation and regulations in force.

The director general may delegate part of his power as well as his signature to agents placed under his authority within the limit of the missions which are entrusted to them in accordance with the legislation and regulations in force.

Section II - The establishment Council

Art. 3 - The establishment council of the institute is in charge of examining and delivering its opinion on the following issues:

- the objective contracts and the follow-up of their implementation,
 - the estimated operation and investment budgets and the plan of the investment projects financing,
 - the financial statements,
 - the organization of the institute departments,
 - the particular status of its personnel as well as their remuneration scheme,
 - the procurements and conventions concluded by the institute,
 - the acquisitions, transactions and all real estate operations related to the institute activity ,
- And generally, any issue concerned related to the institute activity and which is subjected to it by the director general of the institute.

Art. 4 - The establishment council of the National Institute of Meteorology is chaired by the director general and is composed of the following members:

- a representative of the Prime Ministry,
- two representatives of the Ministry of Transport,
- a representative of the Ministry of the Interior and Local Development,
- a representative of the Ministry of National Defense,
- a representative of the Ministry of Finance,
- a representative of the Ministry of Development and International Cooperation,
- a representative of the Ministry of Agriculture and Water Resources,
- a representative of the Ministry of Higher Education, Scientific Research and Technology,
- a representative of the Ministry of Environment and Sustainable Development,
- a representative of the Office of Civil Aviation and Airports.

The members of the establishment council are appointed by order of the Minister of Transport for three-year duration renewable twice at maximum on a proposal from the concerned Ministers and the heads of the institutions.

The director general may call, during the council meetings, any person recognized for his competence in the scientific or technical field to deliver his opinion on a particular point of the agenda.

The director general appoints an executive of the institute to ensure the Council Secretariat and to prepare the official minutes of its meetings.

Art. 5 - A member of the establishment council may only delegate his attributions to other members of the establishment council. He may not be absent from the meetings or resort to the delegation unless in the event of impeachment, and this, within the limit of twice per year at maximum.

In this case, the establishment council chairman shall inform the Ministry of Transport in the ten days which follow the meeting of the establishment council.

Art. 6 - The establishment council of the National Institute of Meteorology meets on convocation of the director general of the institute each time necessary and at least once quarterly, to deliver its opinion on the issues registered on an agenda communicated at least ten days in advance to all the members of the establishment council and to the Ministry of Transport.

These documents are also transmitted within the same deadlines to the State controller. The latter attends the council meetings as observer. He delivers his opinion and may, if necessary, express reservations on all the issues with the respect of the laws and regulations governing the institute and relating to all the issues having a financial impact. The opinions and the reserves of the State controller are obligatorily consigned in the minutes of the council meeting.

The agenda shall be accompanied by all the documents referring to all the issues having to be examined during the meeting of the establishment council of the institute. The establishment council may deliberate only on the issues registered on the agenda above-indicated.

The establishment council may meet validly only in the presence of the majority of its members. In case where this quorum is not reached, the council will meet after ten days in a second meeting considered valid whatever the number of the present members, and this, to examine urgent issues. In all cases, the establishment council gives his opinion with the majority of the votes of the present members. In the event of a tied vote, the chairman vote is casting.

Art. 7 - The deliberations of the establishment council are noted in the minutes consigned in a special register held at the registered office of the National Institute of Meteorology and are cosigned by the council chairman and a member of the establishment council. Copies or extracts of the deliberations to be produced are notified by the chairman and at least by two members of the establishment council, to testify to the third parties.

The minutes of the meetings of the establishment council shall be established in the ten days which follow the council meetings. They shall be transmitted to the supervisory authority within fifteen day as from the date of their preparation.

Art. 8 - The following issues are included obligatorily as permanent points of the agenda of the establishment council:

- the follow-up of the preceding recommendations of the establishment council ,

- the follow-up of the institute operation, the evolution of its situation and the advancement of its budget implementation, on the basis of dashboard elaborated by the general directorate of the institute,

- the follow-up of the performance of the procurements by referring to two statements elaborated out by the general directorate of which the first is on the procurements showing a delay or being the subject of a disagreement or which the files of final payment having been not approved. The second is on the procurements concluded within the framework of the decree governing the public procurements,

- the measures taken to remedy to the insufficiencies mentioned in the report of the accounts auditor and the reports of the internal audit and external control bodies. A detailed note is obligatorily communicated to the members of the establishment council as well as to the State controller and includes the following points before their entry into force :

- the possible appointments to the functional posts,

- the increase in salaries, allowances, financial or in kind advantages to be granted within the framework of the regulations in force,

- the recruitment annual program and a periodical report of implementation,

- the investment programs and the related financing plans.

Section III - The scientific council

Art. 9 - It is created at the National Institute of Meteorology a scientific council of meteorology. It has an advisory role.

Art. 10 - The scientific council of meteorology is in charge of :

- assisting the institute for the realization of the research and development activities, in the field of meteorology, on a national level or within the framework of the international programs in which Tunisia takes part,

- giving opinions and recommendations concerning the orientations and programs as regards research relating to the field of meteorology,

- following up the advancement of the scientific programs of the institute and the conditions of their realization,

- promoting collaboration between the National Institute of Meteorology and the universities, research institutes and national institutions concerned by the field of meteorology.

Art. 11 - The members of the scientific council of meteorology are selected because of their scientific competence in the spheres of research activities of the institute.

Art. 12 - The scientific council of meteorology is chaired by the director general of the National Institute of Meteorology, it is composed moreover of:

- two representatives of the Ministry of Transport,
- a representative of the Ministry of Higher Education, Scientific Research and Technology,
- a representative of the office of civil aviation and airports,
- a representative of the office of merchant navy and ports,
- a representative of the national institute of agronomic research of Tunisia,
- a representative of the international center of environment technology of Tunis,
- a representative of the national institute of sea sciences and technologies,
- a representative of the national institute of arid areas,
- a representative of the national institute of scientific and technical research,
- a representative of the national center of cartography and remote sensing.

The members of the scientific council of meteorology are appointed by decision of the Minister of Transport on proposal of the concerned ministries and institutions for renewable three-year duration.

The council chairman may call upon any person whose participation in the council works is deemed to be useful.

Art. 13 - It is established at the scientific council of meteorology a permanent secretariat in charge notably of:

- 1) preparing the agenda and drawing up the meetings minutes,
- 2) addressing the convocations to the meetings,
- 3) drafting the annual activity report of the council.

The permanent secretariat is managed by a high level executive of the National Institute of Meteorology and appointed by decision of the director general of the institute.

Art. 14 - The scientific council of meteorology meets on convocation of his chairman, at least once per year and each time necessary.

Art. 15 - The meetings notifications, accompanied by the agenda, are addressed to the council members at least fifteen days in advance.

Art. 16 - The council may legally deliberate only in the presence of the majority of its members.

If the quorum is not reached, the council is convened by its chairman to meet within eight-day deadline whatever the number of the present members.

The recommendations and the proposals of the council are taken with the majority of the votes of the present members, and in the event of a tied vote, the chairman vote is casting.

Art. 17 - The opinions and recommendations of the council are consigned in minutes signed by its chairman and communicated to the council members.

The council annually addresses its activity report to the Minister of Transport, and this, before the end of the month of March of the following year.

CHAPTER II

Financial organization of the institute

Art. 18 - The director general of the National Institute of Meteorology adopts the estimated operation and investment budget and the financing plans of the investment projects and submits it to the council establishment before 31 August of each year.

The director general shall, moreover, fix the contract objectives and submits it to the council establishment at the latest before the end of October of the first year of the period of implementation of the development plan. This objectives contract is signed by the Minister of Transport and the director general of the institute.

Art. 19 - The operation budget of the institute includes:

A – in Incomings :

- incomings coming from the royalties and all other collections arising from the exercise of the institute of its missions,

- incomes coming from the duties and royalties established to the profit of the institute,

- endowments, appropriations or advances granted by the State to the institute to ensure its international obligations and commitments,

- incomes of the institute patrimony,

- incomes of the donations and legacies,

- other resources.

B – in Expenditures :

- operation expenditures of the institute,

- costs of the management and maintenance of the buildings and other goods of the institute,

- necessary expenditures in order to allow the institute to carry out its missions,
- depreciation of the movable goods and real estates belonging to the institute,
- all the other management expenditures.

Art. 20 - The investment budget of the institute includes:

A- in Incomings :

- surplus of the operation budget,
- loans which the institute is authorized to contract,
- incomes coming from the sale of the movable goods and real estates,
- funds granted by the State, the local public collectivities, the national or international institutions for the realization of the projects and programs,
- financial contributions of groups or companies in order to contribute to the achievement of the institute tasks,
- other resources allocated to the investments and participations.

B- in Expenditures:

- expenditures of equipment, maintenance and extension,
- expenditures of renewal of the equipment, material and installations,
- expenditures of buildings purchase,
- reimbursement of appropriations,
- expenditures of studies, research and experiments,
- all expenditures falling within the framework of the investment projects to be realized.

Art. 21 - The accountancy of the institute is bound in accordance with the rules governing the commercial accounting. The financial year begins on 1st January and finishes on 31 December of each year.

The director general of the institute fixes the financial statements and submits them for opinion to the establishment council within a deadline not exceeding three months as from the closing date of the financial year, on the basis of the report drawn up for this purpose by the accounts auditor.

CHAPTER III

The State supervision

Art. 22 - The supervision of the Ministry of Transport on the National Institute of Meteorology consists of the exercise of the following attributions:

- The approval of the objectives contracts and the follow-up of their implementation,
- The approval of the estimated budgets and the follow-up of their implementation,

- The approval of the financial statements on the basis of report of the accounts auditor,

- The approval of the minutes of the Establishment council of the institute,

- The approval of the remuneration schemes and the rises in salaries,

- The approval of arbitration agreements and arbitration clauses and the transactions settling the different litigations in accordance with the legislation and regulations in force.

The Ministry of Transport also ensures the examination of the following issues:

- The particular status of the institute,
- The classification table of posts,
- The remuneration scheme,
- The organization chart of the institute,
- the conditions of appointment to functional posts,
- The framework law and the recruitment program and their implementation methods,
- The rises in salaries,
- The issues relating to the classification of the National Institute of Meteorology and the remuneration of the director general.

And in a general way, in addition to the management activities subjected to approval in accordance with the legislation and regulations in force, the exercise of the supervision concerns the follow-up of management and the course of the institute activity.

Art. 23 - The approval acts by the Ministry of Transport are accomplished within the following deadlines:

- Within a three-month deadline at maximum of the date of transmission fixed by article 30 of the decree herein for the objectives contracts.

- Before the end of the year for the estimated operation and investment budgets and the reports of annual follow-up of implementation of the objectives contracts,

- Within one-month deadline at maximum of the date of transmission of the minutes of the establishment council fixed by article 30 of the decree herein, exceeding the indicated deadline, the silence of the Ministry of sectoral supervision is deemed as tacit approval,

- within one-month deadline of the date of transmission fixed by article 30 of the decree herein for the reports of the accounts auditors and the financial statements.

Art. 24 - The National Institute of Meteorology communicates directly to the Prime Ministry periodical information within a deadline not exceeding the week after the end of the month for monthly information, the end of July and the end of January for semi-annual information and the end of January of the following year for annual information, except the financial statements which shall be

communicated within their approval deadline above mentioned.

This information includes obligatorily the following data:

- Monthly data: the state of liquidity, manpower, wage bill, recruitments and departures by administrative situation,

- Semi-annual data: debts, credits according to terms and appointments to functional posts,

- Annual data: incomes, running costs and the turnover, tables of uses and resources, tables of investments, the portfolio, manpower, recruitments and departures of agents by administrative situation, wage bill, the budget of the social fund and its uses and the social balance.

Art. 25 - The National Institute of Meteorology communicates to the Ministry of Transport for approval or follow-up the following documents within a deadline not exceeding 15 days as from the date of their preparation:

- Objectives contracts and annual reports of advancement of their implementation,

- Estimated operation and investment budgets and the financing plan of the investment projects,

- Financial statements,

- Annual reports,

- Reports of legal certification of the accounts and reports of internal audit,

- Minutes of the Establishment council,

- Monthly statements of the situation of the liquidities at the end of each month,

- Specific data.

Art. 26 - The National Institute of Meteorology communicates to the Prime Ministry and the Ministry of Finance the following documents:

- Objectives contracts,

- Estimated operation and investment budgets and the financing plan of the investment projects, and this, within a three-month deadline of the date of their fixing by the director general and after their approval by the supervisory authority within the indicated deadlines,

- Reports of the accounts auditors as well as the financial statements within a deadline which cannot exceed 15 days of the date of approval,

- Monthly statements of the situation of liquidity at the end of each month within a 15-day deadline at maximum of the next month.

Art. 27 - The National Institute of Meteorology communicates to the Ministry of Development and International Cooperation the objectives contracts and the estimated management and investment budgets and

the financing plan of the investment projects, and this, after their approval within the indicated deadlines.

Art. 28 - It is appointed by the National Institute of Meteorology a State controller who exercises his functions in accordance with the legislation and regulations in force.

Art. 29 - Are repealed, the prior provisions contrary to the decree herein and notably those of decree n° 2004-2324 dated 27 September 2004 and decree n° 2006-1471 dated 30 May 2006, referred to above.

Art. 30 - The Minister of Transport and the Minister of Finance shall, each in his respective capacity, implement the decree herein which shall be published in the Official Gazette of the Republic of Tunisia.

Tunis, 9 February 2010.

Zine El Abidine Ben Ali

MINISTRY OF PUBLIC HEALTH

APPOINTMENTS

By decree n° 2010-214 dated 10 February 2010.

Doctor Saloua Faker spouse Sassi is appointed as a director of unit.

(The rest is published only in Arabic and French)

By decree n° 2010-215 dated 10 February 2010.

Doctor Najla Besbes is appointed as a regional director.

(The rest is published only in Arabic and French)

By decree n° 2010-216 dated 9 February 2010.

Doctor Abdelmajid Ben Hamida is appointed as a head of hospital department.

(The rest is published only in Arabic and French)

By decree n° 2010-217 dated 10 February 2010.

Doctor Abderrahim H'midi is appointed as a head of department.

(The rest is published only in Arabic and French)

By decree n° 2010-218 dated 10 February 2010.

Doctor Samir M'rabet is appointed as a head of department.

(The rest is published only in Arabic and French)

By decree n° 2010-219 dated 10 February 2010.

Doctor Hatem Mlaouhia is appointed as a head of department.

(The rest is published only in Arabic and French)