# **Legal Steps for Enterprise Creation in Tunisia 2025**

## **I. Executive Summary**

The landscape for enterprise creation in Tunisia in 2025 is significantly shaped by the recently enacted Finance Law No. 48-2024 of December 9, 2024, officially published in the Journal Officiel de la République Tunisienne (JORT) No. 149 on December 10, 2024.1 This legislation introduces a series of pivotal tax and social measures designed to bolster government revenue while simultaneously fostering growth in specific economic sectors.

A notable trend within the Tunisian business environment is the pronounced shift towards administrative digitalization. Initiatives, particularly those spearheaded by the Agence de Promotion de l'Industrie et de l'Innovation (APII) One-Stop Shop, aim to streamline bureaucratic processes, enhance efficiency, and improve overall compliance.4 This digital transformation is a key element for both new and existing enterprises.

Key changes and opportunities for prospective investors and entrepreneurs include a general increase in Corporate Income Tax (CIT) rates, moving from 15% to 20% for most sectors, and a more substantial rise to 40% for financial institutions.1 Despite these general increases, specific incentives remain available. New businesses established in 2024 or 2025 may qualify for a four-year exemption from both Corporate Income Tax and Personal Income Tax (PIT) under certain conditions, with 2025 representing the final year to benefit from this particular advantage.9 Furthermore, targeted incentives continue to support strategic sectors such as agriculture, regional development initiatives, and Research & Development (R&D) activities, alongside new provisions benefiting community enterprises.11 The Auto-Entrepreneur status, a simplified and advantageous fiscal and social regime introduced in 2024, is also a significant development aimed at formalizing independent workers.16

From a strategic perspective, investors must carefully navigate this evolving regulatory landscape, characterized by a dual approach of increased general taxation alongside selective sectoral support. The ongoing digitalization of administrative procedures is expected to simplify business setup while simultaneously strengthening tax enforcement mechanisms. Therefore, engaging with local legal and accounting experts is paramount for optimizing available benefits and ensuring full compliance with the dynamic regulatory framework.

## **II. Introduction to Enterprise Creation in Tunisia (2025 Context)**

Tunisia's legal system is founded on civil law principles, drawing significant influence from French legal traditions, and is characterized by comprehensive written codes and statutes.17 The nation actively encourages foreign investment, implementing measures to streamline procedures and offering various incentives, particularly within designated business parks and free zones.18

The economic outlook for Tunisia in 2025, as projected by the World Bank, indicates a modest growth rate of 1.9%, an increase from 1.4% in 2024. This growth is underpinned by improved rainfall and a gradual stabilization across key sectors, including the resilience observed in tourism and agriculture. However, the economy continues to contend with challenges such as a substantial public debt, recorded at 81.2% of GDP in 2024, and a fiscal deficit of 6.3% of GDP in the same year.20 These economic realities form the backdrop against which the 2025 Finance Law has been formulated.

### **Impact of the 2025 Finance Law (Law No. 48-2024)**

The Finance Law for 2025, effective from January 1, 2025, introduces a range of significant tax adjustments.1 The primary objectives of this legislation are multifaceted: to augment government revenue, to support the purchasing power of citizens through specific measures, and to stimulate economic activity via targeted interventions.1 Furthermore, the law reinforces tax enforcement mechanisms, introduces provisions for tax amnesty, and implements reforms within the social security system.

### **Role of Key Institutions**

Successful enterprise creation in Tunisia necessitates an understanding of the roles played by several key governmental and promotional bodies:

* **Agence de Promotion de l'Industrie et de l'Innovation (APII):** Operating under the Ministry of Industry, Energy, and Mines, APII is a public institution tasked with promoting the industrial sector and fostering innovation.6 It serves as a crucial point of contact for investors, assisting with the legal establishment of companies and the administration of financial and fiscal benefits.6
* **Registre National des Entreprises (RNE):** The RNE functions as the central authority for business registration in Tunisia. Its responsibilities encompass the reservation of company names and the official registration of enterprises, ensuring legal recognition and formal operation.
* **Agence de Promotion des Investissements Agricoles (APIA):** As a public institution under the Ministry of Agriculture, APIA is dedicated to stimulating private investment in the agricultural and fisheries sectors, along with related services. Its mandate includes granting financial and fiscal advantages to eligible projects.6

## **III. General Steps for Business Registration: The APII One-Stop Shop Process**

The APII One-Stop Shop (Guichet Unique) is a centralized service point, certified ISO 9001, designed to streamline and accelerate the business registration process in Tunisia.6 This integrated approach facilitates various administrative formalities for entrepreneurs.

### **Step 1: Reserving a Company Name (RNE)**

The foundational step in establishing a business involves reserving the proposed company name with the National Business Register (RNE). A practical approach to this step involves verifying the availability of the desired name on the official RNE portal prior to formal submission. This preliminary check helps to prevent potential delays in the registration process, as it aligns with the broader governmental drive towards digitalization and efficiency in administrative procedures.4 The ability to perform this pre-check online is an example of how digital tools are being leveraged to improve the speed and ease of initial business setup.

### **Step 2: Securing a Legal Address (Lease or Domiciliation Contract)**

Every company is legally required to establish a fixed legal address within Tunisia. This can be achieved either through a traditional rental contract for premises or a domiciliation agreement with a business center. Crucially, this contract must be officially registered at the local tax office. This registration serves as a prerequisite for obtaining the company's tax identification card.

### **Step 3: Drafting and Signing Company Statutes**

The company statutes, or bylaws, represent the core legal document of the enterprise. These statutes must meticulously detail essential information, including the company's legal name, its registered headquarters, the defined business purpose, the duration of the company's existence, its share capital structure, the distribution of ownership, and the names of its directors or managers. It is strongly recommended that these statutes be reviewed by a certified accountant or a legal advisor. This professional oversight ensures that the document is fully compliant with Tunisian law and that the chosen legal and tax regimes are optimal for the business's objectives.

### **Step 4: Obtaining a Tax Identification Card (Patente)**

Following the drafting and signing of the company statutes and the registration of the legal address, these documents are filed with the relevant tax services. This submission is necessary to obtain the company's tax identification card (known as "patente") and its fiscal registration number. This card is a mandatory credential for any business to operate legally within Tunisia.28

### **Step 5: Registering the Company at the RNE**

The final step in the core registration process involves submitting a complete dossier to the RNE. This dossier typically includes the signed statutes, the newly acquired tax identification card, and identification documents of the founders. Upon submission and payment of the applicable registration fees, the company receives its official certificate of registration, known as the RNE extract. The integrated approach of submitting documents to both tax authorities and the RNE through the "one-stop shop" concept 4 signifies an administrative strategy to minimize bureaucratic obstacles and accelerate the overall company formation timeline.11 This integration aims to create a more efficient and investor-friendly environment.

### **Post-Registration Formalities**

Beyond the initial registration, several other formalities are essential for a company's full legal operation:

* **CNSS Affiliation:** Once the first employee is hired, it is mandatory for the company to register with the National Social Security Fund (CNSS).17 This ensures compliance with social welfare regulations.
* **Customs Code:** For businesses involved in import or export activities, obtaining a customs code is a prerequisite for legal international trade operations.17
* **Other Services at APII One-Stop Shops:** The APII One-Stop Shops offer a range of additional services, including the issuance of customs identification numbers, assistance with social security affiliation for both individuals and corporate entities, and the processing of residence permits for foreign promoters and investors.29 These services further centralize and simplify ongoing administrative needs.

## **IV. Key Legal Forms for Enterprise Creation**

The selection of an appropriate legal form is a foundational decision for any business venture in Tunisia, with the choice typically hinging on factors such as the scale and nature of the business, liability considerations, and the number of individuals involved in the ownership structure.17

### **A. Société à Responsabilité Limitée (SARL)**

The SARL is a widely adopted legal form, particularly favored by Small and Medium-sized Enterprises (SMEs) in Tunisia.30 A key characteristic of the SARL is that the legal liability of its shareholders is limited to the extent of their capital contributions.31

* **Minimum Capital:** The minimum share capital required for a SARL is TND 1,000, which is approximately US$500. This capital amount is determined freely within the company's bylaws and can be paid up either fully at incorporation or partially, with the remainder settled in installments over a maximum period of five years.32 At least one-fifth of the cash contributions must be paid at the time of incorporation.32
* **Shareholder/Director Requirements:** A SARL mandates a minimum of two shareholders and at least one director (referred to as a manager).17 Corporate entities are permitted to be shareholders, and full foreign ownership (up to 100%) is allowed.33 Managers must be natural persons possessing full civil rights.32
* **Auditor Requirements:** Unlike some other legal forms, a SARL is not obligated to appoint a statutory auditor, provided that the company's total assets remain below US$55,000.31

### **B. Société Unipersonnelle à Responsabilité Limitée (SUARL)**

The SUARL represents a specialized form of limited liability company, essentially functioning as a SARL but with the unique characteristic of having a single shareholder.30 Like the SARL, it offers limited liability to its sole owner.17

* **Minimum Capital:** The minimum capital requirement for a SUARL mirrors that of a SARL, standing at TND 1,000.
* **Single Shareholder/Manager Structure:** A SUARL is managed by its single owner, who acts as the sole manager.17 This structure is a direct adaptation of the SARL framework, designed to accommodate individual entrepreneurs who seek the benefits of limited liability without the need for multiple partners.32 The legislative provision for SUARL, with the same minimal capital as a SARL but allowing a single shareholder, underscores a deliberate policy to support individual entrepreneurial endeavors. This flexibility simplifies the corporate structure for solo founders, aligning with governmental efforts to foster entrepreneurship and streamline business creation processes.11

### **C. Société Anonyme (SA)**

The SA, or Public Liability Company (PLC), is typically the preferred legal structure for larger enterprises or those intending to raise capital from a broader base of investors.31 This form also provides limited legal liability to its shareholders.31

* **Minimum Capital:** The minimum capital requirement for an SA ranges from TND 5,000 to TND 50,000.
* **Shareholder/Director Requirements:** An SA mandates a more extensive ownership and management structure, requiring a minimum of seven shareholders and at least three directors.31
* **Foreign Ownership Limitations:** For foreign investors, ownership in an SA is generally capped at 49%. Exceeding this threshold typically necessitates obtaining specific foreign investment approval from the Higher Investment Board.31
* **Mandatory Auditor:** Unlike smaller SARLs, an SA is always required to appoint a statutory auditor to review and certify the company's financial accounts.31

### **D. Auto-Entrepreneur Status**

The auto-entrepreneur status, introduced in Tunisia in 2024, offers a simplified and advantageous framework for independent workers.16 This regime caters to a diverse range of professionals, including freelancers, artisans, consultants, and online sellers, and is also accessible to retirees and students.16

* **Eligibility:** To qualify, individuals must operate exclusively on an individual basis, possess no active traditional "patente" (tax identification card for businesses), and ensure their annual turnover does not exceed TND 75,000.16
* **Simplified Tax Regime:** A significant benefit of this status is a total tax exemption during the first year of activity, followed by a simplified tax rate of 1% on annual turnover in subsequent years.16 This is structured as a "contribution unique," which is a final tax obligation covering personal income tax, Value Added Tax (VAT), and social security contributions.34
* **Social Protection Benefits:** Beyond fiscal advantages, auto-entrepreneurs gain access to comprehensive social protection, encompassing extended health coverage, rights to a pension, and insurance against work-related accidents.16
* **Declaration:** The unique contribution is remitted through four quarterly electronic installments, due within 15 days following the end of each quarter.34 Importantly, no other fiscal declarations are mandated under this regime.34
* The auto-entrepreneur regime, with its low tax burden and integrated social protection, represents a strategic governmental initiative aimed at formalizing the informal economy and stimulating individual entrepreneurship.16 This policy directly addresses economic and social objectives by broadening the tax base and providing essential social safety nets, all without imposing the heavy administrative burdens typically associated with traditional business structures.11 This approach contrasts notably with the traditional "régime forfaitaire," which historically involved a higher minimum tax and did not encompass social contributions.35 The government's intention is clearly to encourage a transition from informal to formal economic activity, thereby improving overall economic stability and social welfare.

### **E. Branch Office (Succursale)**

A branch office, or "succursale," provides a mechanism for foreign companies to establish a direct operational presence in Tunisia without the necessity of incorporating a distinct local legal entity.31

* **Liability:** A critical aspect of this structure is that the foreign parent company retains full and unlimited liability for any losses or debts incurred by its local branch.31
* **Resident Director Requirement:** The establishment of a branch mandates the appointment of at least one resident director, who may be of any nationality.31
* **Registration:** To legally conduct commercial activities within Tunisia, the branch office must be formally registered with the Tunisia Trade Registry.31

### **Key Table: Comparative Analysis of Legal Forms (SARL, SUARL, SA)**

The following table provides a concise comparative analysis of the most common corporate structures in Tunisia, offering a quick reference for investors to evaluate options based on critical decision-making criteria. This structured overview consolidates complex legal requirements into an accessible format, facilitating efficient comparison and preliminary strategic choices for prospective entrepreneurs.

| Feature | SARL (Société à Responsabilité Limitée) | SUARL (Société Unipersonnelle à Responsabilité Limitée) | SA (Société Anonyme) |
| --- | --- | --- | --- |
| **Minimum Capital** | TND 1,000 | TND 1,000 | TND 5,000 to TND 50,000 |
| **Minimum Shareholders** | 2 31 | 1 (sole owner) 30 | 7 31 |
| **Minimum Directors** | 1 (manager) 31 | 1 (sole manager) 17 | 3 31 |
| **Foreign Ownership** | Up to 100% allowed 33 | Up to 100% allowed (as sole owner) 33 | Generally capped at 49% (requires approval beyond) 31 |
| **Liability** | Limited to capital contributions 31 | Limited to capital contributions 17 | Limited to capital contributions 31 |
| **Statutory Auditor** | Not required if assets < US$55,000 31 | Not required if assets < US$55,000 31 | Always required 31 |
| **Key Use Cases** | Small/medium enterprises 30 | Individual entrepreneurs seeking limited liability 17 | Large firms, attracting third-party investment 31 |

## **V. Onshore vs. Offshore Company Distinctions and Tax Regimes**

Tunisia's corporate landscape is fundamentally segmented by the distinction between "onshore" and "offshore" companies, primarily differentiated by their market orientation and the corresponding tax treatment.18

### **A. Definition and Legal Framework**

* **Onshore Companies:** These entities conduct their primary business activities within the Tunisian domestic market and are, therefore, subject to the general body of Tunisian tax laws and regulations. Foreign entities generally cannot operate directly in Tunisia without formally establishing a local presence through incorporation or a branch.17
* **Offshore Companies (Fully Exporting Companies):** In contrast, offshore companies are predominantly engaged in export operations. They benefit from a distinct and more favorable tax regime, a policy designed to incentivize foreign currency generation and boost international trade.15 The long-standing existence of this regime underscores Tunisia's strategic commitment to attracting export-oriented Foreign Direct Investment (FDI) and bolstering its foreign exchange reserves.18 However, recent Finance Laws have introduced adjustments to these benefits; for instance, international trade companies and service companies have not been entitled to certain VAT exemptions since January 1, 2022.15 This indicates an evolving policy that seeks to balance the promotion of exports with broader domestic revenue requirements.

### **B. Tax Regime Comparison (2025)**

The 2025 Finance Law introduces several changes that impact the tax regimes for both onshore and offshore entities.

* **Corporate Income Tax (CIT) Rates:**
  + **Onshore (General):** The standard CIT rate has been increased from 15% to 20% for profits realized from January 1, 2024.1
  + **Onshore (Specific High Rates):** Certain sectors face higher CIT rates. Telecommunications, debt collection, large retail stores, franchises, and investment companies are taxed at 35%. The financial sector, including banks, financial institutions (leasing, factoring), and insurance/reinsurance companies, now faces a 40% CIT rate, up from 35%.1
  + **Onshore (Reduced Rates):** A reduced CIT rate of 10% applies to craft, agricultural, and fishing activities, as well as profits derived from investments in designated regional development areas.43
  + **Offshore (Fully Exporting):** Historically, fully exporting companies have enjoyed a 0% CIT rate for their first 10 years, followed by a 10% rate on profits from exports.45 While the 2025 Finance Law does not explicitly detail changes to this specific rate, the general increase in the standard CIT rate to 20% may imply future adjustments or limitations, particularly concerning any non-exporting activities these companies might undertake.
* **Value Added Tax (VAT) Exemptions:**
  + **Onshore:** The standard VAT rate is 19%.43 Reduced rates apply to specific goods and services: 7% for household electricity consumption not exceeding 300 kWh per month (reduced from 13%) 1; 7% for residential properties sold by real estate developers priced below TND 400,000 1; 7% for electric cars and bicycles (reclassified from 13%), and tea/coffee (now zero-rated).50 A 13% rate applies to certain goods and services, including petroleum products and professional services such as those provided by architects, engineers, lawyers, tax advisors, and accountants.43 Community enterprises benefit from a temporary VAT exemption for 10 years from their incorporation date on all acquired goods, services, and equipment.1 Additionally, interest on loans for projects financed through crowdfunding platforms is now VAT exempt.14
  + **Offshore (Fully Exporting):** These companies generally enjoy VAT exemption on import operations and local acquisitions of goods, products, equipment, and services essential for their operations.45 However, it is important to note that international trade companies and service companies have not been entitled to this VAT exemption since January 1, 2022.15
  + **VAT Refund Conditions:** Requests for VAT credit reimbursement must be submitted by the 20th of the month following the quarter for general taxpayers. For partial taxpayers, the deadline is April 30th of the year following the credit's constitution. In cases of business cessation, refund requests must accompany the cessation balance sheet.55 All refunds may be subject to in-depth tax controls.56
* **Customs Duties and Other Indirect Taxes:**
  + **Onshore:** Companies are subject to standard customs duties. However, reductions apply to specific items, such as electric vehicle charging devices.38
  + **Offshore (Fully Exporting):** These entities benefit from exemptions from customs duties and other equivalent taxes on imported equipment necessary for their investment operations.15
* **Social Security Contributions:**
  + **Onshore:** Effective January 1, 2025, CNSS rates have increased by 1%.1 The employee contribution has risen from 9.18% to 9.68%, and the employer contribution from 16.57% to 17.07%.57 The total general regime contribution is now 26.75% (up from 25.75%), and for fully exporting companies, it is 26.25% (up from 25.25%).8 This increase is specifically intended to fund a new unemployment insurance fund, providing benefits to workers who lose their jobs due to economic reasons.1 This policy aims to generate revenue for social security while simultaneously establishing a social safety net, which may lead to increased labor costs for employers but also contributes to economic stability by supporting unemployed workers' consumption.
  + **Offshore (Fully Exporting):** These companies are generally exempt from professional training tax, registration fees, stamp duties, and social lodging tax.15 Furthermore, non-resident foreign employees may opt for a non-Tunisian social security system, thereby exempting both the employee and the employer from Tunisian social security contributions.49
* **Withholding Tax (WHT) on Dividends, Interest, Royalties, Professional Fees:**
  + **Non-residents without a permanent establishment (PE) in Tunisia:** WHT is generally considered liberatory, meaning it is the final tax obligation.60 Applicable rates include 10% on dividends 45, and 15% on interest, royalties, and professional fees.62 These rates may be reduced by bilateral tax conventions, such as the Tunisia-France treaty (15%) or the Tunisia-Netherlands treaty (10% for interest, 11% for royalties). The liberatory nature of WHT for non-residents without a PE, coupled with Tunisia's network of double taxation treaties, is designed to simplify taxation for foreign entities receiving passive income or providing services from abroad, thereby reducing tax friction for international business. However, Tunisia's inclusion on the EU's "blacklist" for harmful preferential tax regimes 65 introduces a layer of complexity. This status may lead to EU member states imposing their own tax sanctions, potentially undermining the intended benefits of these WHT provisions for investors from those countries.
  + **WHT on Online Marketplace Sales:** A new 3% WHT has been introduced on amounts collected by delivery companies on behalf of non-registered individuals selling goods online.1 This measure is a direct response to the growth of the digital economy and represents a proactive step to formalize a previously less regulated sector. It reflects a broader governmental trend of adapting tax policies to new business models and expanding the tax base beyond traditional brick-and-mortar operations.1

### **C. Benefits and Limitations of Each Regime**

* **Onshore Companies:** These entities benefit from full access to the local Tunisian market. However, they are subject to the general tax rates and obligations applicable to domestic businesses.
* **Offshore Companies:** These companies enjoy significant tax and customs exemptions, making them highly attractive for businesses focused on export activities. Nevertheless, they typically face restrictions on local market sales, though some allowances exist (e.g., the possibility to sell up to 30% of their turnover on the local market 45). Furthermore, offshore regimes may be subject to scrutiny from international bodies due to their preferential tax treatment.65 The continued existence of the "offshore" regime, despite Tunisia's presence on the EU's blacklist for harmful preferential tax regimes 65, creates a tension. While it offers clear advantages for export-oriented businesses, investors, particularly those from EU countries, must carefully weigh these benefits against potential reputational risks or the imposition of unilateral tax measures by their home jurisdictions. This situation necessitates meticulous structuring and expert legal advice.

## **VI. Investment Incentives and Specific Sector Provisions**

Tunisia's Investment Law (Law No. 2016-71 of September 30, 2016) serves as the cornerstone for promoting investment and fostering the creation and development of enterprises. Its objectives include enhancing added value, boosting competitiveness, creating employment opportunities, and achieving balanced regional and sustainable development.66

### **A. General Tax Exemptions for New Businesses**

New companies established in 2024 or 2025 that formally file an investment declaration are eligible for a significant incentive: a four-year exemption from both corporate and personal income taxes. It is crucial for prospective investors to note that 2025 marks the final year to benefit from this specific advantage.8 This limited timeframe creates a strategic window, emphasizing the need for swift decision-making and execution to capitalize on this substantial fiscal benefit before its potential expiration or modification.

**Conditions for Eligibility:** To qualify for this exemption, several conditions must be met:

* The business activity must commence within two years from the date of the investment declaration.9
* The company's accounting records must be maintained in strict adherence to Tunisian accounting standards.9
* The company's status must be fully compliant with the regulations of the National Social Security Funds.15
* The investment itself must constitute a direct operation, such as the creation, extension, or renewal of a business.68

### **B. Incentives for Regional Development Zones**

Investments channeled into specifically designated regional development zones (as defined by decree) are eligible for a range of tax incentives.13

* **Tax Incentives at Exploitation Phase:** Profits generated from direct investments in these zones are fully deductible from taxable income for a period of five years for Group 1 zones or ten years for Group 2 zones.13 Following the expiration of this initial exemption period, these profits become subject to a reduced Corporate Income Tax (CIT) rate of 10%.13
* Furthermore, enterprises operating within these zones may also be exempt from social lodging tax and vocational training tax.15

### **C. Incentives for Specific Sectors**

Tunisia offers tailored incentives to foster growth in particular strategic sectors:

* **Industry and Technology:** The government provides support for startups and technology-driven companies, allocating dedicated funds to stimulate innovation and advance digital transformation initiatives.11
* **Research & Development (R&D):** Companies undertaking R&D activities can deduct 50% of their R&D expenses incurred under agreements with public research institutions, with an annual cap of TND 400,000. An additional 50% deduction is available for innovation-related expenses, also capped at TND 400,000 per year.7 To qualify, the company's contribution to the total R&D expenses covered by the agreement must be at least 10%.15
* **Sustainable Development:** Incentives, including tax credits and subsidies, are offered for investments in renewable energy projects (such as solar and wind power) and for adopting sustainable processes aimed at waste reduction.11

### **D. Agricultural and Fisheries Investments (APIA Role)**

The agricultural and fisheries sectors are strategically prioritized in Tunisia, reflected in the comprehensive support provided by the Agence de Promotion des Investissements Agricoles (APIA).

* **APIA's Mission:** APIA, a non-administrative public institution established in 1983, is specifically mandated to promote private investment across agriculture, fisheries, and associated services.6
* **Services for Promoters and Investors:** APIA offers a wide array of services, including:
  + Granting financial and fiscal advantages as stipulated by Investment Law n° 2016-71.6
  + Identifying and promoting investment opportunities and project ideas.6
  + Assisting promoters in the meticulous preparation of investment files and providing oversight during the project realization phase.6
  + Delivering training and supervision to young agricultural promoters.26
  + Facilitating connections and partnerships between Tunisian and foreign operators.26
  + Organizing economic events, seminars, and specialized fairs both domestically and internationally.26
* **Tax Incentives:**
  + Profits derived from direct investments in the agricultural sector benefit from a total deduction from taxable income for a period of ten years.15
  + Following this ten-year exemption, these profits are subject to a reduced CIT rate of 10%.43
  + Foreigners are permitted to invest in agricultural land through rental agreements, though direct ownership of agricultural land by foreigners is not allowed.49
* The comprehensive support and generous long-term tax incentives (a 10-year exemption followed by a 10% CIT rate) for agriculture and fisheries 15 clearly underscore Tunisia's strong commitment to these sectors. This prioritization extends beyond mere revenue generation, reflecting their critical importance for national food security, economic stability, and rural development, as evidenced by their contribution to GDP and employment.20 The detailed assistance provided by APIA, encompassing promotion, practical support, and training, further highlights the government's proactive stance in fostering growth in these vital areas.

### **Key Table: Summary of APIA Services and Incentives for Agricultural and Fisheries Investments**

This table consolidates the specific support mechanisms available for agricultural and fisheries investments, providing a clear overview for interested investors. The comprehensive nature of APIA's assistance, combined with the favorable tax regime, highlights the strategic importance of these sectors to Tunisia's economic and social objectives.

| Service Category / Incentive Type | Specific Services / Incentives | Relevant Tax Rates / Exemptions |
| --- | --- | --- |
| **Financial & Fiscal Advantages** | Granting benefits under Investment Law n° 2016-71 6 | Total CIT deduction for 10 years; thereafter, 10% CIT rate on profits 15 |
| **Investment Opportunity Identification** | Identifying and promoting project ideas 6 | N/A |
| **Assistance & Supervision** | Assisting with investment file preparation; supervising project realization 6 | N/A |
| **Training & Capacity Building** | Providing training for young agricultural promoters 26 | N/A |
| **Networking & Partnerships** | Facilitating connections between Tunisian and foreign operators 26 | N/A |
| **Promotional Activities** | Organizing economic events; participating in specialized fairs 26 | N/A |
| **Land Access** | Foreigners can invest through rental of agricultural land (not ownership) 49 | N/A |

## **VII. Blacklisted Activities Ineligible for Exemptions and Special Regimes**

While Tunisia offers various incentives to encourage investment, certain activities and situations are either explicitly excluded from general tax exemptions or are subject to specific, often higher, tax rates.

### **General Exclusions from Tax Exemptions**

To prevent the misuse of new business incentives and ensure that benefits genuinely stimulate new economic activity, certain types of companies are excluded from general tax exemptions:

* **Restructured or Transferred Businesses:** Companies formed through the modification or transmission of existing businesses, or through a change in legal form, are generally ineligible.9 This measure is designed to prevent entities from simply re-registering to qualify for new business benefits, thereby ensuring that incentives are directed towards genuine new ventures.
* **Prior Activity or Family Links:** Companies established by individuals who have previously engaged in a similar activity, whether as an employee, independent contractor, associate, or manager, are excluded. This exclusion also extends to cases where there are family connections (spouses or children) to similar existing businesses.9 This policy aims to prevent artificial restructuring and ensure that tax benefits truly foster new entrepreneurial growth rather than merely re-labeling existing operations or facilitating tax optimization loopholes.

### **Specific Sectors with Higher Tax Rates or Limited Benefits**

Certain sectors are subject to special tax treatment, often facing higher rates or having limited access to general investment incentives, reflecting their strategic importance, profitability, or regulatory sensitivity:

* **Higher Corporate Income Tax (CIT) Rates:** Industries such as telecommunications, debt collection, large retail stores, franchises (especially those with less than 30% local integration), and investment companies are subject to higher CIT rates, typically 35%.43 The financial sector, encompassing banks, leasing and factoring institutions, and insurance and reinsurance companies, faces an even higher CIT rate of 40%.43 These elevated rates are a domestic policy choice, often applied to sectors deemed highly profitable or strategically important for government revenue.
* **Excluded from Auto-Entrepreneur Regime:** The simplified auto-entrepreneur regime has specific exclusions to prevent its application to larger or more complex business activities. These include importers, businesses primarily remunerated by commissions (with exceptions for authorized telecom distributors), manufacturers of alcohol-based products, wholesale traders, entities owning more than one public transport vehicle, and those already subject to VAT under the real regime.60
* **Activities Requiring Government Authorization (Negative List):** A "negative list" of sectors requires prior government authorization for investment. These include natural resources, construction materials, land/sea/air transport, banking/finance/insurance, hazardous/polluting industries, health, education, and telecommunications.19 While not necessarily "blacklisted" from all exemptions, these sectors are subject to stringent regulatory oversight or may have limited access to general incentives due to their strategic or sensitive nature.
* **EU Blacklist Implications:** Tunisia is currently listed on the EU's blacklist for tax purposes. This designation stems from its "harmful preferential tax regimes" and its failure to commit to amending them by December 31, 2018.65 This international classification carries significant implications for investors, particularly those from EU countries. Even if a particular sector is not "blacklisted" under Tunisian domestic law, its operations may still be subject to adverse tax treatment or heightened scrutiny from foreign jurisdictions. This could lead to EU member states applying their own tax sanctions, complicating the overall tax landscape for multinational enterprises and potentially deterring certain types of foreign investment. This complex interplay between domestic tax policy and international tax classifications necessitates careful structuring and specialized advice for investors.

### **Key Table: Activities/Sectors with Specific Tax Rates or Exclusions from General Incentives**

This table clearly delineates which activities are subject to special, often less favorable, tax treatment or are entirely excluded from general investment incentives. This information is crucial for investors to identify sectors where general benefits may not apply or where higher tax burdens are expected.

| Activity/Sector | Applicable CIT Rate (if special) | Reason for Exclusion/Special Regime |
| --- | --- | --- |
| **Companies in modification/transmission** | N/A | Preventing abuse of new business incentives 9 |
| **Companies with prior similar activity/family links** | N/A | Preventing abuse of new business incentives 9 |
| **Telecommunications, Debt Collection, Large Retail, Franchises (<30% local integration), Investment Companies** | 35% 43 | Considered high-profit sectors or strategically important 43 |
| **Banks, Financial Institutions (Leasing, Factoring), Insurance/Reinsurance** | 40% 43 | Considered high-profit sectors or strategically important 43 |
| **Importers, Commission-based (except telecom distributors), Alcohol producers, Wholesale traders, Multiple public transport vehicles, VAT real regime taxpayers (Auto-Entrepreneur Exclusions)** | N/A (Excluded from Auto-Entrepreneur status) 60 | To ensure simplified regime targets small-scale individual activities 60 |
| **Natural Resources, Construction Materials, Transport (Land/Sea/Air), Banking/Finance/Insurance, Hazardous/Polluting Industries, Health, Education** | Varies (often standard or higher) 19 | Sectors requiring government authorization ("Negative List") due to strategic or sensitive nature 19 |
| **Activities with "Harmful Preferential Tax Regimes" (EU Blacklist)** | Varies (potential for EU-member state sanctions) 65 | Non-compliance with international fair taxation standards 65 |

## **VIII. Key Tax Rates and Obligations (2025 Finance Law)**

The 2025 Finance Law (Law No. 48-2024) significantly overhauls Tunisia's tax framework, introducing changes that directly impact both corporate entities and individual taxpayers.1

### **A. Corporate Income Tax (CIT) Rates**

* **General Rate:** The standard Corporate Income Tax rate has been increased from 15% to 20% for profits realized from January 1, 2024.1
* **Specific Higher Rates:**
  + A 40% rate is now applied to banks, financial institutions (including leasing and factoring companies), and insurance/reinsurance companies, an increase from their previous 35% rate.1
  + A 35% rate applies to telecommunications companies, debt collection agencies, large retail stores, franchises (with less than 30% local integration), and investment companies.22
* **Reduced Rate:** A preferential rate of 10% is applicable to craft, agricultural, and fishing activities, as well as to profits derived from investments in designated regional development areas.43
* **Conjunctural Contribution:** A new 2% contribution on profits has been introduced for 2025, with a minimum payment of TND 1,000. This applies to companies whose 2023 turnover exceeded TND 20 million (excluding VAT) and were subject to the 15% CIT rate.1 This contribution is explicitly not deductible from the CIT base.46
* **Minimum Tax:** For commercial and non-commercial activities, the annual tax liability cannot fall below a specified minimum. This minimum is calculated as 0.2% of local turnover or gross revenue (with a floor of TND 300), or 0.1% of export turnover/revenue for activities operating under governmental price approval.43

### **Key Table: Corporate Income Tax Rates by Sector (2025)**

This table provides a clear and concise overview of the varying Corporate Income Tax rates applicable to different sectors of activity in Tunisia for 2025. This information is fundamental for businesses to understand their potential tax burden based on their industry.

| Sector/Activity | Applicable CIT Rate | Specific Conditions/Notes |
| --- | --- | --- |
| **General Rate (most sectors)** | 20% 1 | For profits realized from Jan 1, 2024 1 |
| **Banks, Financial Institutions, Insurance/Reinsurance** | 40% 43 | Increased from 35% 40 |
| **Telecommunications, Debt Collection, Large Retail, Franchises (<30% local integration), Investment Companies** | 35% 43 |  |
| **Craft, Agricultural, and Fishing Activities** | 10% 43 |  |
| **Investments in Regional Development Areas** | 10% 43 | After initial exemption period (5 or 10 years) 15 |
| **Conjunctural Contribution** | 2% of profits (min. TND 1,000) 1 | For companies with 2023 turnover > TND 20M (excl. VAT) & subject to 15% CIT rate 1 |
| **Minimum Tax (Commercial/Non-Commercial)** | 0.2% of local turnover (min. TND 300) or 0.1% of export turnover 43 | Applies even if no turnover is made 43 |

### **B. Individual Income Tax (IIT) Brackets**

The Individual Income Tax brackets have been revised, taking effect from January 1, 2025, with the aim of establishing a more progressive taxation system.1 The new structure increases the tax burden on higher income brackets, which reflects a governmental strategy to augment revenue from individuals, particularly those in the middle and high-income segments.74 This adjustment may influence disposable income and could potentially impact decisions related to talent retention or attraction within the country.74

New Progressive Rates (2025):

The updated tax brackets and their corresponding rates are as follows:

* TND 0 to TND 5,000: 0% 76
* TND 5,001 to TND 10,000: 15% 76
* TND 10,001 to TND 20,000: 25% 76
* TND 20,001 to TND 30,000: 30% 76
* TND 30,001 to TND 40,000: 33% 76
* TND 40,001 to TND 50,000: 36% 76
* TND 50,001 to TND 70,000: 38% 76
* Above TND 70,000: 40% 76

### **Key Table: Individual Income Tax Brackets (2025)**

This table clearly presents the new progressive tax rates for individuals, which are a fundamental component of personal taxation in Tunisia for 2025.

| Income Tranche (TND) | Applicable Tax Rate (%) |
| --- | --- |
| 0 to 5,000 | 0% 77 |
| 5,001 to 10,000 | 15% 77 |
| 10,001 to 20,000 | 25% 77 |
| 20,001 to 30,000 | 30% 77 |
| 30,001 to 40,000 | 33% 77 |
| 40,001 to 50,000 | 36% 77 |
| 50,001 to 70,000 | 38% 77 |
| Above 70,000 | 40% 77 |

### **C. Value Added Tax (VAT)**

The 2025 Finance Law introduces a series of detailed adjustments to VAT rates, reflecting a policy aimed at balancing government revenue generation with social support. This involves increasing rates for certain real estate transactions while simultaneously reducing them for essential goods and services, as well as affordable housing, to mitigate the impact of overall tax increases on lower and middle-income households.

* **Standard Rate:** The general VAT rate remains at 19%.43
* **Reduced Rates:**
  + A 7% rate applies to household electricity consumption not exceeding 300 kWh per month, a reduction from the previous 13%.1
  + Residential properties sold by real estate developers for prices below TND 400,000 are also subject to a 7% VAT rate.1
  + Electric cars and bicycles have been reclassified, reducing their VAT rate from 13% to 7%, while tea and coffee have been cut to a zero rate.50
  + A 13% rate continues to apply to specific goods and services, including petroleum products and certain professional services such as those provided by architects, engineers, lawyers, tax advisors, and accounting service providers.43
* **Temporary VAT Exemption for Community Enterprises:** Community enterprises are granted a VAT exemption for a period of 10 years from their incorporation date on all acquired goods, services, and equipment.1
* **VAT Exemption on Loan Interest for Crowdfunded Projects:** This new exemption aims to incentivize innovative and alternative financing methods.14
* **VAT Exemption for Wholly Exporting Companies:** These companies generally benefit from VAT exemption on import operations and local acquisitions necessary for their operations.15 However, it is important to note that international trade companies and service companies are no longer entitled to this VAT exemption as of January 1, 2022.15
* **VAT Refund Conditions:** Requests for VAT credit reimbursement must be submitted by the 20th of the month following the quarter in which the credit was constituted, for general taxpayers. For partial taxpayers, the deadline is April 30th of the year following the credit's constitution. In cases of business cessation, refund requests must be filed concurrently with the cessation balance sheet.55 All VAT refunds may be subject to thorough tax controls.56

### **Key Table: Key VAT Rates and Exemptions (2025)**

This table provides a comprehensive summary of the various VAT rates and specific exemptions applicable in Tunisia for 2025. This information is essential for businesses to accurately calculate their VAT obligations and identify potential cost savings.

| VAT Rate (%) | Goods/Services/Activities Covered | Specific Conditions/Notes |
| --- | --- | --- |
| **19% (Standard)** | Most goods and services 51 |  |
| **13% (Reduced)** | Low-voltage electricity for household consumption (above 300 kWh/month), petroleum products, certain professional services (architects, engineers, lawyers, tax advisors, accounting services providers, experts, consultants) 43 |  |
| **7% (Reduced)** | Household electricity consumption up to 300 kWh/month 1; Residential properties < TND 400,000 1; Electric cars & bicycles 50; Preserved olives 79 |  |
| **0% (Zero-rated)** | Tea and coffee 50 |  |
| **Exemptions (Temporary)** | Community enterprises (10 years from incorporation on all acquired goods/services/equipment) 1; Loan interest for crowdfunded projects 14 |  |
| **Exemptions (General)** | Wholly exporting companies (on imports/local acquisitions for operations, with exceptions from 2022 for international trade & service companies) 15 |  |

### **D. Social Security Contributions (CNSS)**

The 2025 Finance Law introduces an increase in social security contributions, effective January 1, 2025, which serves a dual purpose: generating additional revenue for the social security system and establishing a new unemployment insurance fund.1 This policy aims to provide a social safety net for workers who lose their jobs due to economic reasons, which can help stabilize the economy by supporting unemployed workers' consumption.1 However, this also implies increased labor costs for employers.

* **Increased Rates (Effective January 1, 2025):**
  + The total CNSS rate has increased by 1%.1
  + Employee contribution: Now 9.68% (up from 9.18%).57
  + Employer contribution: Now 17.07% (up from 16.57%).57
  + The total contribution for the general regime is 26.75% (up from 25.75%).8
  + For fully exporting companies, the total contribution is 26.25% (up from 25.25%).8
* **Creation of an Unemployment Fund:** The 1% increase in social security contributions is specifically earmarked to fund a newly established unemployment insurance fund, designed to provide benefits to workers who become unemployed for economic reasons.1

### **Key Table: Social Security Contribution Rates (2025)**

This table clearly presents the updated social security contribution rates for both employees and employers, which are mandatory payroll deductions under the 2025 Finance Law.

| Contribution Type | Rate (2024) | Rate (2025) | Increase | Affected Schemes/Purpose |
| --- | --- | --- | --- | --- |
| **Employee Contribution** | 9.18% 57 | 9.68% 57 | +0.50% | General Regime, Unemployment Fund 1 |
| **Employer Contribution** | 16.57% 57 | 17.07% 57 | +0.50% | General Regime, Unemployment Fund 1 |
| **Total General Regime** | 25.75% 8 | 26.75% 8 | +1.00% |  |
| **Total Fully Exporting Companies** | 25.25% 8 | 26.25% 8 | +1.00% |  |

### **E. Other Relevant Taxes and Duties**

* **Taxe sur les Collectivités Locales (TCL):** This tax is levied on industrial, commercial, or professional establishments.80
  + **Rates:** The general rate is 0.2% of local gross turnover.73 For export turnover, a reduced rate of 0.1% applies.73 For companies reporting a loss (supported by compliant accounting), the rate is 25% of the minimum tax.73
  + **Tax on Built Properties:** This tax is calculated at 2% of the reference price per square meter, which is fixed by Decree n°431 of March 3, 1997.82 This base is then multiplied by the covered area, with rates varying from 8% to 14% depending on the level of public services (e.g., lighting, paving, sewerage) provided by the municipality to the property.60 The detailed structure of TCL, with rates varying by local versus export turnover and by property characteristics (built vs. unbuilt, services received), indicates a granular approach to local taxation. This approach aims to align contributions with local economic activity and the provision of public services, necessitating careful calculation for businesses with diverse operations or properties.
  + **Tax on Unbuilt Lands:** This tax is set at 0.3% of the real market value of the land.43
* **Taxe de Formation Professionnelle (TFP):** The TFP generally applies at a rate of 1% for manufacturing companies and 2% for other economic activities.88 Exemptions may be available, typically during the first three years of a company's activity.88 Companies can also benefit from an advance on their TFP, equivalent to 60% of the previous year's TFP, provided they declare by January and utilize these funds for staff training.
* **FOPROLOS (Fonds de Promotion du Logement Social):** This is a mandatory contribution to the social housing fund, collected from most private and public employers, with the exception of private agricultural companies.89 The contribution rate is 0.5% of declared salaries, equally split between the employer and the employee.38
* **Hotel Tax (Taxe de Séjour):** This tax is levied per night for stays in hotels and other tourist establishments.43
  + **Rates for Foreigners (from 2024):** TND 4 for 2-star hotels, TND 8 for 3-star hotels, and TND 12 for 4- and 5-star hotels.90
  + **Rates for Tunisians/Maghrebins (from 2024):** TND 1 for 2-star hotels, TND 2 for 3-star hotels, and TND 3 for 4- and 5-star hotels.90 Children under the age of 12 are exempt from this tax.92
* **Stamp Duties (Droit de Timbre):** The 2025 Finance Law introduces several modifications to stamp duties.94
  + The stamp duty on invoices has increased from 600 millimes to TND 1.95
  + Fixed rates apply to certain documents, such as TND 30 per page for property registration in specific cases.83
  + Progressive rates are applied based on the monetary amount of certain documents: 1% for amounts up to TND 30,000, 1.5% for amounts between TND 30,000 and TND 100,000, and 2% for amounts exceeding TND 100,000, with a minimum duty of TND 5.94

## **IX. Important Deadlines for 2025**

Adherence to fiscal deadlines is paramount in Tunisia to avoid the imposition of penalties and fines.28

* **Annual Corporate Income Tax (IS) Declaration:**
  + The general deadline for filing the annual corporate income tax declaration is March 25th.
  + However, companies that engage statutory auditors benefit from an extended deadline of June 25th for their final declaration.43 It is important to note that a provisional declaration is still due by March 25th for these entities.43 This extended deadline for companies with statutory auditors acknowledges the increased complexity and time required for auditing and reporting by larger organizations, providing a practical concession that balances compliance requirements with operational realities.
* **Monthly VAT and Withholding Tax (WHT) Declarations:**
  + For individuals (physical persons), the deadline is the 15th of the following month.
  + Legal entities that utilize the online declaration and payment system must file by the 20th of the following month.
  + Legal entities that do not adhere to the online declaration and payment system have a deadline of the 28th of the following month.
* **Annual Individual Income Tax (IRPP) Declaration:**
  + For specific income categories, such as income from movable capital, real estate income, and capital gains on shares, the declaration deadline is February 25th.
  + For general income, the annual declaration is due by April 30th.
  + It is noteworthy that Tunisians residing abroad are generally not required to file a tax declaration in Tunisia for their foreign-sourced income.
* **Social Security (CNSS) Declarations:**
  + Quarterly payments for independent workers are due by the 15th day of the month following the end of the quarter.
  + For salaries and contributions pertaining to Q4 2024, an extended deadline of January 17, 2025, was granted.
  + A social amnesty program for late payments requires debts to be settled by March 31, 2025.
* **Tax Amnesty Deadlines:**
  + A total reduction of late payment penalties for tax returns is available if filed by June 20, 2025, provided the principal tax amount is paid.
  + The regularization of assessed tax debts and financial penalties must occur before June 20, 2025.
  + For customs-related offenses detected before December 1, 2024, a customs amnesty offers staggered payment conditions extending until January 1, 2026.8 The recurring nature of tax amnesties suggests a governmental strategy to recover outstanding revenue and reduce tax disputes, while also highlighting persistent challenges in tax compliance or collection within Tunisia's fiscal administration. These amnesties provide temporary relief but also underscore the ongoing efforts to manage fiscal challenges.
* **Employer Declaration:** The annual employer declaration is due by April 30th.
* **Dormant Accounts Transfer:** Banks and financial institutions are required to transfer unclaimed deposits and interest to the government by July 2025.40
* **Electronic Invoicing Sanctions:** Sanctions for non-compliance with electronic invoicing obligations will be applicable starting July 1, 2025.

## **X. Conclusions and Recommendations**

The legal and fiscal framework for enterprise creation in Tunisia in 2025 presents a dynamic and evolving environment, shaped significantly by the new Finance Law. The analysis reveals several key conclusions and offers actionable recommendations for prospective investors and entrepreneurs.

**Conclusions:**

1. **Increased Fiscal Burden with Strategic Flexibilities:** Tunisia is clearly pursuing a strategy to increase state revenue through higher corporate and individual income taxes. The general Corporate Income Tax rate has risen, and the financial sector faces a notably higher rate. Similarly, individual income tax brackets have been adjusted to capture more revenue from higher earners. This approach aims to address the nation's fiscal deficit and public debt.74 However, this is balanced by strategic tax exemptions for new businesses (especially those created in 2024/2025), and sustained, long-term incentives for priority sectors like agriculture, regional development, and R&D. This dual approach indicates a nuanced policy to enhance revenue while simultaneously stimulating growth in targeted areas.
2. **Digitalization as a Double-Edged Sword:** The pervasive push towards digitalization across administrative processes, particularly through the APII One-Stop Shop and electronic filing mandates, is a significant modernization effort. This streamlines business creation and compliance, reducing bureaucratic hurdles. However, it also serves as a powerful tool for enhanced tax enforcement and formalization of the economy, as evidenced by new withholding taxes on online sales and the auto-entrepreneur status. This technological shift, while improving efficiency, also tightens the regulatory grip.
3. **Formalization and Social Safety Nets:** The introduction of the auto-entrepreneur status and the increase in social security contributions to fund an unemployment scheme highlight a governmental commitment to formalizing the informal economy and bolstering social welfare. This aims to broaden the tax base and provide essential social safety nets, contributing to economic stability by supporting vulnerable populations.
4. **International Scrutiny and Its Implications:** Tunisia's presence on the EU's blacklist for "harmful preferential tax regimes" is a critical external factor. While domestic "offshore" incentives remain attractive for export-oriented businesses, this international classification could lead to unilateral tax sanctions from EU member states, complicating tax planning and potentially impacting foreign investment from these jurisdictions. This necessitates careful consideration of the international tax landscape beyond domestic benefits.

**Recommendations:**

1. **Engage Expert Local Counsel Early:** Given the complexities of the 2025 Finance Law, the nuanced tax regimes (onshore, offshore, auto-entrepreneur), and the specific sectoral incentives, engaging experienced local legal and accounting professionals from the outset is not merely advisable but essential. Such experts can navigate the intricacies of compliance, optimize tax structures, and identify the most advantageous incentives tailored to the specific business model and investment goals.
2. **Capitalize on Time-Sensitive Incentives:** For new businesses, the four-year tax exemption for entities created in 2024 or 2025 represents a significant opportunity, with 2025 being the final year for eligibility. Prospective investors should expedite their planning and registration processes to seize this benefit.
3. **Evaluate Onshore vs. Offshore with Caution:** While offshore (fully exporting) structures offer substantial tax benefits, potential investors, particularly those with ties to EU countries, must conduct a thorough risk assessment. This should include understanding potential implications arising from Tunisia's EU blacklist status and considering the evolving nature of international tax regulations.
4. **Embrace Digital Compliance:** Businesses should proactively adapt to and leverage Tunisia's increasingly digitized administrative and tax filing systems. This not only ensures compliance but can also enhance operational efficiency.
5. **Consider Strategic Sectors:** Investors interested in agriculture, regional development zones, or R&D should thoroughly explore the specific, often long-term, incentives available in these prioritized sectors. These targeted benefits can significantly enhance project viability and profitability.
6. **Understand Social Obligations:** Businesses must factor in the increased social security contributions and the implications of the new unemployment fund into their financial planning and human resource strategies, as these represent rising labor costs.

By carefully considering these legal steps, tax implications, available incentives, and the broader economic context, investors can navigate the Tunisian market effectively and position their enterprises for sustainable growth in 2025 and beyond.

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