**BACKGROUND AND LEGAL SYSTEM**

**LEGAL SYSTEM**  
Civil Law System based on French, Spanish and Islamic law, and French legal procedure.

**POLITICAL SYSTEM**  
Constitutional Monarchy.

**HEAD OF STATE**  
King.

**HEAD OF GOVERNMENT**  
Prime Minister.

**SUBNATIONAL ENTITIES**  
The country is divided into 17 Wilayas, 22 préfectures and 47 provinces. The Wilayas are headed by a Wali who may at the same time be a governor of a prefecture, while all provinces and prefectures are headed by governors. All Walis and governors are appointed by the king (included in these figures are those pertaining to Western Sahara). Each province or prefecture has an elected assembly; the number of the members of these assemblies is proportional to the population of the concerned territory.

**SUBLOCAL ENTITIES**  
All provinces and prefectures are further subdivided into cercles (circles) which are further divided into qaidats. Each cercle is associated with one or more communes. Rural qaidats are headed by qaids, rural circles are headed by chef de cercle while urban circonscriptions are led by pashas. Below the qaids and pashas are a number of government administrators including Khalifas, Shaykhs, and Muqaddams.

**TRANSLITERATION SYSTEM**  
Arabic.
Languages

Arabic is the official language.
Others include French, Berber dialects (Tachelhit, Tamazight and tarifit), and Spanish.

Constitution

Official Name

Le Royaume du Maroc.

Enactment

First Constitutional Project: 1908.
First promulgated Constitution: 1962
Second Constitution: 1970
Revised on September 4, 1992.
Amended (to create bicameral legislature and other substantial changes) in September 1996.

Citation Format

ROYAUME DU MAROC [Constitution] art.<article number>.<chapter>, <section> (Morocco 1996).

Example


Statutes

The Bicameral Parliament consists of an upper house (Chamber of Counselors) and lower house (Chamber of Representatives). Members of the upper house serve nine year terms and are indirectly elected by organizations, local councils, and labor syndicates. Every three years one third of the members are renewed. Members of the lower house are elected for five year terms by popular vote. Each chamber elects its own president, its bureau along with parliamentary groups.
**LEGISLATIVE PROCESS**

The bicameral parliament holds two sessions a year. The opening ceremony of the October session is presided over by the King. Parliament may also hold a special session. The special session may be convened by decree, or by the request of an absolute majority in one house. No member may be arrested during a session without permission from the house. The Chamber of Advisers may initiate legislation on equal footing with the Chamber of Representatives, but the former has the potential decisive advantage of being able to dissolve the government with a two-thirds majority vote.

**REPORTER**

*Bulletin Officiel.*

**CITATION FORMAT**

<“Name of Law if Available”>, Law No. <law number>, <volume> *Bulletin Officiel* <page>, <month day, year>.

*Example*


**ROYAL DECREES**


**CITATION FORMAT**

<Name of Royal Decree>, *Dahir* No. <number>, <month day, year>, art. <article number>.

*Example*

Mining Decree, *Dahir* No. 1-23-456, Jun 20, 1985, art. 3.

**ADMINISTRATIVE REGULATIONS**

**ADMINISTRATIVE SOURCES**

The Administrative power in Morocco is organized into two layers: local communities and provincial assemblies. The assemblies have the following responsibilities: determination of ways to collect duties and taxes for regional development programs of the prefecture or province; projects of industrial decentralization; establishment of rules for prefectoral and provincial public services; classifying, extending, and maintaining roadways.

**REPORTER**

*Bulletin Officiel.*
CITATION FORMAT

Example


CODES

<table>
<thead>
<tr>
<th>Code Name</th>
<th>Enacted Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Al-Mudawwanah (family law)</td>
<td>Enacted in 1957 and modified in 2004</td>
</tr>
<tr>
<td>Code de Procédure Civile (CODE OF CIVIL PROCEDURE)</td>
<td>Enacted in 1913.</td>
</tr>
</tbody>
</table>

CITATION FORMAT

Example

CASE LAW

**JUDICIAL OVERVIEW:**

According to the Constitution, judicial power is to be independent from the executive and legislative branches. The *Dahir* appoints magistrates by proposal of the high council of magistrature.

First degree jurisdiction includes: First Instance Courts, Trade Courts, and Communal and District Courts. First Instance Courts are responsible for civil cases related to persons or inheritances, and social and commercial laws. Trade courts cover disputes involving commercial activities, business, and trade effects that are limited by a specific amount. Communal and District Courts hear personal estate actions against residents of their jurisdiction. The value amount must be under a certain sum.

Second degree jurisdiction includes appeals courts that hear cases made by tribunals and judges of Original Jurisdiction. They also try criminal cases. The Supreme Court hears appealed decisions, jurisdiction disputes amongst courts, bias suits against courts, and various other cases.

Administrative courts can make initial rulings on acts against administrative authorities, contract disputes, and compensation claims against public entities. Such courts may also rule on administrative acts in order to make them consistent with legal provisions.

The remaining jurisdictions include: The High Court, The Standing Tribunal of the Royal Armed Forces, and The Audit Court (The Special Court of Justice was dissolved in 2006).

**REPORTER**

*Recueil des Arrêt de la Cour d’appel Rabat* ("Court of Appeals Reporter").

**CITATION FORMAT (COURT OF APPEALS)**

<Name of Court [abbreviation of court] [English name of court] <region>, <decision date>, <reporter or journal year published>, <section of journal (if applicable)>, <page of decision or number of decision>, <pin cite>, <author of case note>, <country abbreviation if it is not obvious>.
Example

Cour Supreme [C.S.] [Supreme Court] South Region, May 28, 1983, Recueil des Arrêt de la Cour Supreme 2000, 115, 125, John Smith (Morocco).

REPORTER

Recueil des Arrêt de la Cour Supreme (“Supreme Court Reporter”).

CITATION FORMAT (SUPREME COURT)

Same format as Court of Appeals Citation.

Example

Cour d'appel [C.A.] [Court of Appeals] South Region, May 28, 1983, Recueil des Arrêt de la Cour d'appel de Rabat 2000, 115, 125, John Smith (Morocco).

SOURCES

The CIA Factbook:
https://www.cia.gov/cia/publications/factbook/geos/mo.htm

ROYAUME DU MAROC [Constitution]
http://www.mincom.gov.ma/french/prc/prc.html


Dahmène Touchent, Guide to the Morocco Legal System
http://www.llrx.com/features/morocco.htm


SPECIAL THANKS

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Washington University Manual of International Legal Citation