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Official Gazette No. 5339 issued on Monday 1 August 2005
Decree No. 2-04-969 issued in 28 of Thu Al Qeda 1425 (10 January 2005) to apply the Royal Decree No. 1-58-376 issued on 3 Jumad Al Awal 1378 (15 November 1958) to regulate the right of association.

Prime Minister,

Based on the Royal Decree No. 1-58-376 issued on 3 Jumadi Al Awal 1378 (15 November 1958) to regulate the right of association, as it has been changed and completed by the Law No. 75-00 implemented by the Decree No 1-02-206 dated 12 Jumad Al Awal 1423 (23 July 2002), especially the article 9 thereof;

Having considered the draft in the Ministerial Council convened on 24 Thu Al Qeda 1425 (6 January 2005);

The following has been decided:

Article 1:

Every association which needs to be recognized for its public benefit should:

1. Be established according to the provisions of the decree No. 1-58-376 issued on 3 Jumad Al Awal 1378 (15 November 1958) indicated above and should be run in consistent with its statute.
2. Have financial capacities available with it to enable it accomplish its assigned tasks and duties as stated in its statute, which have the public benefit nature;
3. Have a statute and internal bylaw which ensures actual participation for its members in managing the association and in practicing monitoring on periodical basis, and it (statute) should define the role and responsibilities of bodies, and the dates of general assembly and schedule;
4. Have an objective of public benefit at local and national levels;
5. Hold an accounting books which allow prepare structural statements that reflect a real picture of its accounts and financial position and its results according to the applicable organizational provisions;
6. Respect and be adhered to provision of required information and be subject to administrative monitoring stated in the applicable legislative and regulative provisions.

Article 2:

The application for recognition of the public benefit, before being deposited, should be subject to a special discussion by the competent body according to its statute.

Article 3:

The president of the association or the qualified person should deposit the application for recognition of the public benefit with the official in charge within the jurisdiction of the association, attached with the following documents:

- A copy of the final receipt of depositing the association file for establishing;
- Two copies of the statute and the internal bylaw of the association, to dated, and when necessary, stating where their headquarters are located;
- Two copies of the list of members responsible for administrating the association, indicating their nationalities, professions, residence, and a copy of the last receipt of the association renewal.
- Report on the activities of association, showing its achievements since it was established, and when necessary its estimated action program over the upcoming three years'
- The structural statements of its accounts and financial statements and the value of movable and immovable properties of the association and the ones which it intends to have in future;
- A copy of the minutes of the deliberations of the association's competent body which permits the presentation of the application for public benefit for the interest of the concerned association, along with the list of the present members;
- The documents should be certified as duplicates

Article 4

According to the provisions of the article 9 of the decree No. 1-58-376 issued on 3 Jumad Al Awal 1378 (15 Nov. 1958) above mentioned, the official do prior investigation for the objectives of the concerned association and its activities within a period not later than three months from the date of depositing the application for recognition of public benefit.

Article 5

The official is to address the application for recognition of public benefit to the Secretary General of the Government, attached with the documents set forth in article 3 above, along with the results of investigation stated in the article 4 above and assessment on the nature of public benefit of the association.

Article 6

The General Secretary of Government refers the application file to the assigned minister in finance and the government authorities concerned with the activities of the association for giving its opinion, after having a look into the results of investigation and ensuring that the association has fulfilled all requirements stated to obtain the recognition of the public benefit and that the necessary documents are attached to the file.

The results of the application consideration should be presented to the Prime Minister.

Article 7:

The Recognition of the public benefit is to be granted by a decree that defines the maximum value of property the association can own. The decree is to be communicated to the association and to be published in the official gazette.

Article 8:

According to the provisions of the two last articles of the article 9, of the decree No. 1-58-376 issued on 3 Jumad Al Awal 1378 (15 Nov. 1958) above mentioned, every association- recognized for public benefit in the date of publishing this decree or while applying for the recognition of public benefit- can ask for an annual support from the government, according to the requirements stated in the article 9, taking the following into accounts:

- To be committed to use the raised amounts for its assigned purposes;
- To indicate to the estimated amount that can be collected from the government support and the requirements according to which it will be made, especially its term and scope;

This permission is to be granted by a decree of the recognition for the public benefit.

The association, within 15 days prior the application for a government support, should send an application to the General Secretary of the Government, containing the data stated in the article 2 of the decree issued to implement the Law No. 004-71 dated 21 Sha'aban 1391 (12 October 1971) relevant to the government support.

Article: 9

In application of the provisions of the article 7 of the chapter 9 of the decree No. 1-58-376 issued in 3 Jumadi Al Awal 1378 (15 November 1958) above mentioned , when the official discovers that the association recognized for its public benefit is not adhered to its legal obligations or the ones stated in its statute, he may address a warning to it in order to fix its situation within three months period as maximum. If the association does not respond to this warning, the official may raise the issue to the General Secretary of the Government who may present the issue to the Prime Minister for the purpose of a decision to be taken.

Article 10

The associations recognized for public benefit should hold accounts according to the requirements defined by a decision of the government authority responsible for finance. Pending the issue of the mentioned decision, the President of the association provides a statement of the financial accounts of the association and also the value of the movable and immovable properties.

The associations should send the documents stated above to the General Secretary of Government, and should be certified by an accountant on the National Board of Expert Accounts.

Article 11:

The withdrawal of the recognition for public benefit is decided upon by a justified decree.

The stated withdrawal is to be informed to the concerned association and to be published in the official gazette.

Article 12

The execution of this decree- to be published in the official gazette- is to be entrusted to the Ministry of Interior, Minister of Finance and Privatization and the Secretary General of Government, each in his respective official scope.

Written in Rebat on 28 of Thu Al Qeda 1425 (10 Jan. 2005)

Signature: Edris Jitto.

Singed by

Minister of Interior

Signature: Al Mustafa Sahel

Minister of Finance & Privatization

Signature: Fateh Allah wa Lella

Secretary General of Government

Signature: Abdu Al Sadeq Al Rabee