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Societies Act No. 13 of 2000

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Chapter I General principles

Article 1

First- Society: A non-profit group of a permanent nature made up of several natural or legal persons, including social clubs.

Second - The provisions of this law is not applicable on associations established by special laws.

Article 2

This law aims to regulate the associations in Iraq, according to the principles and objectives of the great revolution of 17 - 30 of July.

Article 3

Every Iraqi has the right to establish a society, or belong to a society or withdraw form a society in accordance with the provisions of this law.

Article 4

The following is required in relation to the activity of a society:

First- not to be in conflict with the principles and objectives of the great revolution of 17 - 30 of July.

Second- not to be in conflict with the country's independence and its national unity and republican system;

Third- not to seek to sow divisions or create division among the different nationalities, religions or ideologies;

Fourth- To be declared, explicit and of clear purpose, which cannot be unknown or secret;

Fifth- not to be contrary to public order and morals;

Article 5

A society should seek to achieve its objectives peacefully and democratically in accordance with the provisions of law.

Chapter II Establishment of a society

Article 6

First: A request for incorporation shall be submitted to the Minister of Interior signed by the founders who must not be less than (10) ten persons;

Second: the founding member must be:

A. Iraqi.

B. reached the age of 20

C. Not convicted of a crime involving moral turpitude;

Third: The application shall include:

A. Rules of Procedure of the society signed by the applicants

B. A statement of the names, titles, residence address of the applicants

C. Iraqi citizenship certificate for each of the applicants

Article 7

The rules of procedure must include the following data:

First: The name of the society, its objectives, programs and activities

Second: Main office of the society, which should be in Iraq

Third: Conditions of membership and how it is acquired or lost; The

;

Fourth: Bodies that represent the society and the respective terms of

Fifth: How to appoint and dismiss members of the various committees of the activities carried out by the society;

Sixth: financial resources

Article 8

The Minister may request legal amendments or additions to the society's of rules of procedure, if it is contrary to the provisions of this law and object to the founders who do not meet the legal requirements; the applicants must perform the necessary correction.

Article 9

First: If the Minister refuses the request of incorporation, the applicants can appeal the decision of rejection to the Administrative Court within (30) thirty days from the date the decision of rejection being notified to any of them; this should be considered an urgent case.

Procedures set forth in item (First) of this article shall be following in case the rules of procedure of an existing society were amended.

Article 10

A society acquires legal personality after the approval of its establishment and its rules of procedure published in the Official Gazette.

Article 11

First: The Society may establish a branch or more in any governorate, by a decision of its board. The branch shall be considered established within (15) fifteen days of informing the Governor of this decision and the names of applicants, if he has no objections.

Second: The Governor may object to the establishment of the branch, if it was in violation of the law or the rules of procedure, or if the applicants or any of them failed to meet the legal requirements.

Third: The Society may object to the Minister's decision through the Governor within (30) thirty days of informing him, and his decision should be final in this regard.

Fourth: the branch shall be managed under the provisions of the society's rules of procedures.

Article 12

First: societies with similar objectives may merge and compose one society with one rules of procedure, upon a decision of its board.

Second: a society of public utility may only merge with a society of societies of public utility.

Third: The procedure for integration and incorporation of the society are subject to the provisions of this law/.

Article 13

The merged society acquires the legal personality as of the date of publication of its rules of procedure in the Official Gazette and the previous legal personality of merged societies shall cease. The newly merged society constitutes the successor of the merged societies regarding their rights and liabilities

Chapter III Membership

Article 14

A society member must be:

First: Iraqi.

Second: reached the age of 18

Third: not convicted with a crime or felony of dishonor

Fourth: accepted the rules of procedure in writing

Article 15

Membership to the society may be granted to non-Iraqis living in Iraq for the development of ties of friendship, but they may not be more than a quarter of the number of members; they shall not participate in the meetings of the General Assembly and the nomination for membership of the Administrative Body.

Article 16

First: The General Assembly of the society shall consist of all members who have fulfilled their obligations imposed according to the society's rules of procedure.

Second: members of the General Assembly have equal right of voting; the quorum shall be valid in the presence of the majority of members in the first call.

Resolutions are passed by a majority of two thirds of the members of the society in relation to amend the rules of procedure and the relative majority of the members present in respect of the adoption of the annual budget.

Fourth: decisions are taken with relative majority of members present, unless the rules of procedure contain a text contrary to this provision except as provided in item (III) of this article.

Article 17

First: the General Assembly must convene once every three (3) years for the election of the Administrative Body

Second: the General Assembly must convene once a year to approve its budget and the final accounts

Third: the meeting of the General Assembly may not be held before the first day of March of each year.

Article 18

First: The founding members of the General Assembly shall call a general meeting to elect the administrative body of the society within a period not exceeding (180) one hundred and eighty days from the date of incorporation; they should inform the ministry of the outcome of this election within a period of (10) ten days from the date of its announcement.

Second: the number of members of the administrative body must not be less than seven (7) persons and the membership may not exceed three (3) years; a member may be re-elected.

Article 19

It shall be prohibited to preside over two administrative bodies of the society.

Article 20

Members of the administrative body may not be elected in a consolidated list.

Article 21

The society must inform the judge of the Court of First Instance within its constituency of the day, time and place of election; the judge should attend personally to supervise and ensure the conduct of the election according to law and rules of procedure of the society. He has to organize a record signed by him, including how the election will be carried out and its results.

Article 22

Each decision of the General Assembly or the administrative body or its Chairman may be annulled by virtue of the Court of First Instance, if it was contrary to law or rules of procedure. A claim of invalidity must be filed by a member or any other interested person or the public prosecutor within (60) sixty days from the date of the resolution.

Article 23

The Minister may abolish any decision by the General Assembly or the administrative body or its Chairman if he believed that it is contrary to law, public order or public morals.

Chapter IV

Rights of the Society

Article 24

First: the society shall be considered of public utility if it aims to achieve the public interest through a decision of the Council of Ministers upon a proposal of the Minister of the Interior based on its rules of procedure; The Council of Ministers may decide to withdraw this status. The Council of Ministers may give a public utility society rights and privileges other than those provided for in this law in order to enable it to achieve its objectives and has to take special measures to control and supervise the society.

Article 24

a public utility society is entitled to execute, in its name, all legal transactions related to its rules of procedure; it shall be exempted from restrictions relating to the acquisition of funds and real estate; moreover, the society may sell any owned real estate no longer deemed necessary

for its goals and with the permission of the Minister, taking into account the provisions of other laws; the value of the property shall be recorded as a revenue. The society has the right to accept commandments, provided that the Minister is informed.

Article 26

The Society may own real estate to the extent necessary to take a headquarters and branches, or a meeting place for its members, or to achieve the goals established for it after the approval of the Minister.

Chapter V

Duties of the Society

Article 27

First: the society and its branches must keep the following records:

- A. Register of members and record of their names, addresses, nationalities, ages and occupations.
- B. a record of the decisions and resolutions of the General Assembly and the administrative body, signed by the society.
- C. Accounting records containing the income and expenses of the society
- D. A Record of funds and furniture noting all movable and immovable assets of the society, with the description and values
- E. Correspondence register

Second: the records set forth in paragraph (c) of item (First) of this Article must be certified by the notary public; all records and correspondence of the society and its branches must be sealed by the society's stamp;

Article 28

The society must submit to the Minister during the month of January of each year a statement containing the following:

First: the number of its new members, as well as their names, ages, nationalities, occupations and address.

Second: Names of members who have lost their membership

Third: The total number of members of the society at the last day of the past year

Article 29

The society should submit to the Minister during the first three months of each year a report on its activity accompanied by an annual budget and final statement of the past year audited by a certified accountant if its capital was (100000) a hundred thousand dinars or more.

Chapter VI Controlling the Society

Article 30

First: the Minister has the right to completely supervise and control the society under the provisions of law.

Second: the accounts of a public utility society and its assets shall be subject to the monitoring and control of the Board of Supreme Audit.

Third: the accounts of a society with a capital of (100000) a hundred thousand dinars or more shall be audited by a certified accountant.

Fourth: The Minister may ask a society to duly submit documents on its financial transactions at any time. .

Chapter VII Penalties

Article 31

The Minister may decide to:

First: alert or warn a society in case it violated one of the provisions of Articles (19) and (20) of this law.

Second: suspend the activity of the society and close the places where its members meet for not more than (30) thirty days in case of a repeated violation of the provisions of the Articles set out in item (First) of this article.

Article 32

The Minister may dissolve the society in one of the following cases:

First: If one year passed following incorporation, and the society did not begin its work set forth in its rules of procedure or discontinued its activities without good reason;

Second: If the society violate the provisions of Articles (4), (5), (27), (28), (29) and (30) of this law.

Third: if the society becomes unable to fulfill its obligations;

Fourth: in case the society allocated funds or profits for purposes other than the objectives of incorporation;

Fifth: If it was proven that the society is involved in gambling or other things contrary to public morals;

Sixth: If it was proven that it has war weapons, or it stores firearms or explosive materials in its center or in one of the centers of its branches in any other place;

Article 33

The society may object to the Council of Ministers against the decision to dissolve within (15) fifteen days from the date of being notified and its relevant decision shall be final.

Article 34

If the Minister decides to dissolve the society, he shall lay hands on its movable and immovable assets and appoint a liquidator or more for the liquidation of its funds.

Article 35

The movable and immovable assets of the society to be solved in accordance with Article (32) of this law shall be transferred to the entity designated by the Council of Ministers upon a proposal by the Minister.

Article 36

Any of the members of the administrative body of the society shall pay a fine of no more than (5000) five thousand dinars, in addition to holding the society accountable if it is proved that the society:

First: did not keep the records provided for in Article (27) of this law or did not take into account the conditions set forth herein;

Second: failed to notify the competent of matters, which should be communicated under the law.

Third: Admitted to membership an individual who did not meet the requirements for membership stipulated in this Law.

Article 37

imprisonment for no less than three (3) years shall be the punishment for anyone who was a member of a society established contrary to the provisions of this law or carried out activities in a society that was denied a request for incorporation, as well as those who attended its meetings or helped it continue its work. Similarly, the same punishment shall be imposed on any member of a body or group that carried out actions in the capacity of a society or branch of it, without completing the procedures of incorporation.

Article 38

The punishment under this law does not confine punishment of a violator by means of other laws.

Chapter VIII

General and concluding provisions

Article 39

First: a society may not be affiliated with, participate or join an association, body, club or institution, which is based outside Iraq, unless permitted by the Minister.

Second: A society may not receive or send any funds regardless of their source inside or outside Iraq to any persons or entities without the permission of the Minister.

Article 40

First: A member shall lose his membership in the case of death, resignation or lack of one of the conditions of membership, or being dismissed according to the society's rules of procedure, or in case the society was dissolved.

Second: The member who loses membership, or his heirs, in any way shall not be entitled to the society's funds, except in cases in which the society maintains a common cooperation fund provided for in its rules of procedure.

Article 41

Any person whose membership application was refused may object to this decision before the Minister within (30) thirty days from the date of notification and the decision of the Minister shall be final.

Article 42

First: the society may decide to dissolve itself with the consent of two thirds of the members of the General Assembly;

Second: If the society dissolves itself, the General Assembly must appoint a liquidator or more to liquidate its funds.

Third: After the completion of the liquidation process, the liquidators

Should the rules of procedures lack such a provision to distribute the funds,

Article 43

The Minister may cancel the elections under a good reason within (15) fifteen days of the vote if he finds it was contrary to law or the society's rules of procedure.

Article 44

First: The Minister may, for good reason, appoint a chairman or an interim administrative body to the society assuming the powers vested in

its administrative body system, if the society committed irregularities requiring such an action since the society failed to remedy the situation; or if the number of the society's administrative body was not enough to call it to convene properly.

Second: the members of the society's administrative body and all its personnel must submit to the interim administrative body all funds, records and documents once this body was appointed.

Article 45

First: an advisory committee of representatives of the Ministries of Interior and Justice shall be formed to advise the minister on the conformity of the society's rules of procedure with the provisions of this law upon the submission of an incorporation application or the amendment of its rules of procedure.

Second: if appropriate, the Minister may appoint an additional representative of any other entity to the Advisory Committee.

Article 46

The law of societies no. (1) of 1960 shall be cancelled.

Article 47

The Minister may issue instructions to facilitate the implementation of the provisions of this law.

Article 48

This law enters into force from the date of publication on the official gazette.

It was written in Baghdad in the twenty first of Shawwal 1420 AH, corresponding to the twenty-seventh of January year 2000.