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Law on Associations of Kurdistan Region of Iraq

In the name of Allah, The Most Merciful, the Most Compassionate

In name of the people

The National Council of Kurdistan of Iraq

Decision No. 44

Decision date: 31/10/1993

Decision

Based on the provisions of the paragraph (1) of the article (56) of the law No. (1) of 1992 and according to what was based by the Minister of Interior and approved by the Council of Ministers, the National Council of Kurdistan of Iraq has decided in its session held on 25/10/1993, issuing the following law:

Law No. (18) of 1993

Law on Associations of Kurdistan Region of Iraq

Article 1:

1. The association is a permanent group comprised of several natural or legal persons for non-profit purposes.
2. Clubs, organizations, federations, and cultural and social centers and unions, and charitable institutions are considered as an association that is subject to the provisions of this law, unless they are regulated by a special law.
3. In case the association has aimed at scientific, social, occupational, technical or charitable purpose, or even a public benefit, then such an association is designated according to this purpose.

Article 2

1. The association which is established according to the provisions of this law will have legal personality and has the right to exercise all actions which are consistent with its objectives and it has the right to possess the movable properties to achieve its purposes.
2. The legal personality can be effective before others only after the publishing of its internal bylaw in the official gazette by a request from it.

Article 3

The Association is represented before courts and official and non-official agencies by its chairman or someone authorized.

Article 4

The objectives of the association should:

1. Be declared, clear and legitimate.
2. To serve a certain group of the people of Kurdistan of Iraq.
3. Not to aim at sowing dissidence and racial, religious and sectarian discrimination
4. Not to contradict with the democratic principles and Universal Declaration of Human Rights.
5. Not be in violation of the public order and morals.

Article 5

The association should adopt the democratic and peaceful means to achieve its objectives according to the existing laws.

Article 6

The association has the right to assemble, to stage protests, goes on strikes and organize festivals and possess the means of media according to the applicable laws.

Article 7

To establish the association, it is required to submit an application to the Minister of Interior signed by the founding members whose number is not less than (15) members having legal capacity, provided that its bylaw should be attached, having the following information:

1. The Name of association, its purpose and its head-office, provided it should be in the regional Kurdistan of Iraq.
2. The name of each founding member, his surname, nationality, age, his profession and the place of his residence and scientific qualification.
3. Membership conditions and loss.
4. Association's financial resources and sources

The authorities which represent the association and run it and the responsibilities of each and methods of its election and expiry.

Article 8

1. The Minister of Interior must take the decision about the application within a period of (30) days from registration date with the Ministry.
2. The Minister of Interior has the right, in event of not fulfilling the legal conditions by the establishment application and return it to the founders within the period stated in the

above paragraph (1) to fulfill the incomplete documents, then the effective date of decision starts from the date of application receipt.

3. In the event of not taking decision about the application, despite of the mentioned period in the above paragraph (1), the application is considered approved by the law.
4. If the Minister of Interior rejects the establishment application for any reason, the founding members have the right to raise the decision of rejection with the General Authority for the Court of Regional Kurdistan of Iraq, within a period of (15) days from the notification date. The court's decision should be decisive.
5. The procedures stated in the above paragraph are followed in the case of amending the internal bylaw of existing association.

Article 9

The Finance of the Association consists of the following:

1. Subscriptions of membership;
2. Annual subscriptions of members
3. Grants, donations, presents, subscriptions and endowments from individuals and other agencies.
4. Other revenues which are received by the association due to its activities and investments of its funds.

Article 10

1. The association runs its funds by itself through an annual budget to be organized and implemented according to the adopted accounting system with the official circles in the region.
2. The accounts of the association are subject to financial control and auditing in the region of Kurdistan of Iraq.

Article 11

Every association and its branches should keep the records which are stated below, provided that they should be certified by:

1. Record of members, in which names of the association's members are listed and their addresses, ages, nationalities, occupations, scientific and technical qualifications and their affiliations.
2. Record of decisions, in which the decisions of the Board of Association and the General Authority, signed by the Association's Board.
3. Record of accounts, in which revenues and expenses are input.
4. Record of money and furniture, in which all movable and immovable properties of the association are listed.

Article 12

The Association's General Authority has the right to decide the voluntary dissolution of the association after the approval of two thirds of the authority's members.

Article 13

The dissolution of the association by a decision from the court based on a request submitted to the Minister of Interior or his deputy, in the following cases:

1. If one year of the establishment of the Association has passed but has not embarked its activities stated in the bylaw or stopped its activities for unidentified reasons.
2. If its activities have violated the purposes and means stated in the two articles (four and five) of this law.
3. In case the association has become unable to meet its commitments or dedicated its funds or profits for unintended purposes.
4. If it stores weapons or explosive materials or crackers in its headquarters or at any of its branches.

Article 14

1. The court will look into the application of dissolution in urgent manner and the decision of the court will be published in the local newspapers within one week from its issuance date and those who are affected have the right to raise it to the Cassation Court of Kurdistan Region within thirty days from the publication date.
2. If the court has refused the request of dissolution, it will have the right to rescind challenged request.

Article 15

If the association has been dissolved, a liquidator or more will be appointed. Such an appointment will be made by the Association's General Authority in case the dissolution is voluntary or the General Authority of the Cassation Court of Kurdistan of Iraq if the dissolution is by a court ruling and the primary court will put its upper hand until liquidation is finalized.

Article 16

After completing the liquidation process, the liquidators will distribute the remaining money according to the internal bylaw of the Association. If this bylaw has no a provision about this or if any, but the method of distribution was not impossible, therefore the money of dissolved association are transferred to an association or associations whose purposes are the most similar to the purpose of the association or to any charitable association determined by the Council of Cabinet.

Article 17

1. The Minister of Interior has the right to warn the association or to bring to its notice about its legal violations.
2. The association has the right to protest the decision of the Minister of Interior before the General Authority of Cassation Court of Kurdistan Region of Iraq within thirty days from notification date.

Article 18

1. Each decision issued by the General Authority in violation of the law or internal bylaw of the association, and every action made by the Board of Association and the councils of branches going beyond its duties or in violation of the law provisions or the statute of the association or the decisions of the General Authority, it is allowed to rescind it by the primary court within the jurisprudence of the association based on any relevant person. This should be made within sixty days from the issuance date of the decision or action. The above is applicable to the civil rights only.
2. The call for revoke should not be addressed to others with good intentions who had gained rights based on the decision or the challenged action.

Article 19

Military, or quasi-military non-government associations are not allowed to be established; as well as it is allowed to establish professional or occupational associations only by individuals who can practice similar professions.

Article 20

The association is exempted from the fees of establishment and those of its record certification.

Article 21

Every member of the Board of the Association and those of branches will be penalized by a fine not more than five hundred dinars, and not less than one hundred dinars, in addition to his responsibilities toward the association, if it has been proved that the association:

1. Has not kept the records which have been stated in this law or has not observed the stated requirements.
2. Has not notified the competent agency about the issues stated in the law.
3. Has accepted a member who has not met the conditions of the membership stated in its internal bylaw.

Article 22

1. The existing associations should amend its conditions in a way that conforms with the provisions of this law within six months from entry-into-force date.
2. The associations which have not abided by the paragraph (1) of this Article is considered dissolved by the ruling of the law.

Article 23

The affairs of the Kurdistan organizations operating in the domains of relief and reconstruction will be regulated by a special law.

Article 24

Any provision that contradicts with the provisions of this law will be inoperative

Article 25

The Minister of Interior has the right to issue necessary instructions to facilitate the execution of this law provisions.

Article 26

The competent ministers have to execute the provisions of this law

Article 27

This law will be effective from the date of being published in the official gazette

Jawhar Nameq Salem

Chairman of National Council of Kurdistan of Iraq