

Article 2

For the purposes of this law, the following definitions shall apply:

- Administration or administrations: public administrations, local authorities and their groups and bodies, public institutions, and any other legal entity subject to public law and bodies entrusted with public service missions, which are responsible for receiving and examining requests relating to administrative decisions, processing them, and delivering these decisions;
- Administrative decision: any document delivered by the administration to the applicant at his request, in accordance with the legislative and regulatory texts in force, in particular licenses, permits, authorizations, certificates, authorizations, and decisions;
- Applicant: any natural or legal person who submits a request for an administrative decision.

Chapter II

Principle of Science

Article 3

The administration may only request from users administrative decisions, documents, and records that:

- are stipulated by the legislative or regulatory texts in force;
- Have been inventoried, classified, documented, recorded, and published on the national portal referred to in Article 26 below and implemented in accordance with the provisions of this law.

Article 4

In order to carry out the procedures and formalities relating to administrative decisions, the relationship between the administration and the contractor shall be based on the following general principles:

- 1 - Trust between the contractor and the administration;
- 2 - Transparency of procedures and processes related to receiving, processing, and delivering administrative decisions, particularly through documenting, recording, and certifying them, and informing stakeholders of their content by publishing them, while ensuring that they are accessible by all appropriate means, particularly electronic ones;
- 3 - Simplifying the procedures and processes related to administrative decisions, particularly by eliminating unjustified procedures and processes, standardizing and improving the readability of documents related to such decisions, and working to reduce the associated expenses and costs for users and the administration;

Zahir Sharif 9 Qam (1.16 p. 9 in (from 9 4 (44 (6) m19l (1 (1) by implementing Law 9 Qam 55 (1) relating to the simplification of administrative procedures.

Praise be to God alone,

The noble seal - Inside:

)Muhammad bin Al-Hasan bin Muhammad bin Yusuf Allah Wali (

Let it be known by our noble decree, may God exalt his name and

honor his command, that we: Based on the Constitution, particularly Articles 42 and 50 thereof,

We have issued our noble decree as follows:

Law No. 55.19 on the simplification of administrative procedures and formalities, as approved by the House of Representatives and the House of Councillors, shall be implemented and published in the Official Gazette following this royal decree.

Done at Fez on 11 Rajab 1441 (March 6, 2020).

Signed with

affection: Head of

Government,

Signed: Saad Eddine El Othmani.

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Law No. 55.**Concerning the simplification of administrative procedures**

Chapter I

General provisions

Article 1

This law sets out the principles and rules governing administrative procedures and measures relating to administrative decisions requested by contractors from public administrations, local authorities and their groups and bodies, public institutions, and any other legal entity subject to public law and bodies entrusted with public service missions.

2 - The administration or administrations responsible for receiving, examining, and processing requests relating to administrative decisions;

3 - List of documents and papers comprising the administrative decision application file and procedures for its submission, distinguishing between those that must be provided by the applicant and those that must be obtained by the administration responsible for issuing the administrative decision from other administrations in accordance with the provisions of Chapter VIII of this Law;

4 - The expenses, fees, and charges to be paid by the applicant, as updated in accordance with the legislative and regulatory texts in force;

5 - The deadline for the administration to respond to the concessionaire's request in accordance with the provisions of Chapter V of this Law;

6 - The consequences of the administration's silence within the specified period and the means of appeal available to the contractor, in accordance with the provisions of Chapters VI and VII of this Law;

7 - The cases and conditions for carrying out the technical expertise or public research referred to in Article 17 below.

Article 7

Notwithstanding any contrary legislative or regulatory provisions, administrations shall, when documenting and recording administrative decisions, comply with the following rules:

1 - Not to require the applicant to provide more than one copy of the application file relating to the administrative decision and of the documents and supporting documents comprising that file;

2 - Not requiring the applicant to correct the signature on the documents and papers comprising the application file;

3 - Not requiring the applicant to submit administrative documents or records that are publicly available and do not concern him personally;

4 - The concessionaire shall not be required to provide certified copies of the original documents and papers comprising the application file. However, if there is any doubt as to the authenticity of the copies submitted, the administration may, by any appropriate means of communication, request the applicant, on one occasion only and giving reasons for its request, to submit the original documents or copies certified as true copies of the originals for inspection, either when the file is submitted or, at the latest, during the first half of the period set for examining the application. In this case, the period specified for examining the application shall be suspended until the required documents and records have been submitted.

4 - Setting maximum deadlines for the examination, processing, and response by the administration to requests from concessionaires relating to administrative decisions;

5 - Consider the administration's silence on requests from users regarding administrative decisions, after the specified deadline has expired, as approval, in accordance with the conditions stipulated in this law;

6 - Ensuring proportionality between the subject matter of the administrative decision and the documents and information required to obtain it;

7 - Ensuring the continuous improvement of the quality of services provided to users, in particular by speeding up performance, increasing the efficiency of request processing, digitizing administrative procedures and processes, and using innovative technologies in the field of information and communication systems;

8 - Not requiring the contracting party, when submitting their application or during the processing stage, to provide a document, information, or perform an administrative procedure more than once;

9 - Bringing the administration closer to the user in terms of submitting, processing, and delivering applications related to administrative decisions within the specified deadlines;

10. The administration shall justify its negative decisions regarding requests related to administrative decisions and inform the beneficiaries concerned by all appropriate means.

Chapter III

Preparation of a compendium of administrative decisions

Article

5 In

accordance with the principles set forth in Article 4 above, the administrations shall, each within their respective areas of competence, to inventory all administrative decisions falling within their jurisdiction, classify them, document them, and record them in catalogs whose format shall be specified by regulatory text.

These works shall be published on the national portal referred to in Article 26 of this Law, subject to the provisions of Article 9 below.

Article 6

The process of documenting and recording each administrative decision shall include, in particular, the following information:

1 - The name of the administrative decision and its legal references;

Under penalty of returning the file, this document or document shall be submitted within a maximum period of 30 days from the date of receipt of the administration's request. The administration's request to replace a document or document shall result in the suspension of the time limit for processing the request relating to the administrative decision until the document or document is submitted.

The provisions of the first and second paragraphs of this article shall not apply to requests that are processed and administrative decisions relating thereto are delivered immediately.

Article 11

The form of the receipt referred to in Article 10 above and the procedures for its delivery to the contractor shall be specified in a regulatory text.

Article 12

The receipt referred to in Article 10 above shall be taken into account for the purpose of lodging appeals or claiming the application of the principle of tacit consent by the administration, as provided for in this Law.

Article 13

Taking into account the legislative and regulatory texts relating to the protection of individuals with regard to the processing of personal data, files relating to administrative decisions are submitted via electronic platforms that are gradually being developed for this purpose. Through these platforms, users shall be informed of the outcome of their requests and, where applicable, shall be provided with the administrative decisions that are the subject of the request.

Article 14

The administration may, where appropriate, request the applicant, during the first half of the period specified for processing the request relating to the administrative decision, and by any appropriate means of communication, to provide the additional information necessary to process his request.

The Administration may only request such information once for each request.

The request for additional information shall result in the suspension of the time limit for processing the request relating to the administrative decision until such information is provided. In this case, the time limits shall resume from the date on which the file is completed, within the time remaining from the time limit set for processing the request.

Article 8

In accordance with the principle of trust set out in Article 4 above, when preparing files relating to administrative decisions, the administration may replace some of the documents, records, and information required with a declaration on the honor of the person concerned.

Article 9

Subject to the provisions of the second paragraph of this article, the documents referred to in Article 5 above shall be submitted for approval to the National Commission for the Simplification of Administrative Procedures and Procedures provided for in Article 27 of this Law.

The classifications prepared by local communities, their groups, and their bodies shall be submitted to the government authority responsible for internal affairs in order to verify their compliance with the provisions of this law and the legislative and regulatory texts in force.

Chapter IV

Submission of applications relating to administrative decisions

Article 10

Requests for administrative decisions shall be filed with the relevant departments in exchange for a receipt that shall be delivered to the applicant immediately. This receipt shall include, as applicable, one of the following two phrases:

- "File submitted," if the file is found to contain all the required documents and supporting documents;
- The phrase "file pending submission" in the event that the contractor fails to submit one or more of the required documents or certificates. In this case, the administration shall specify in the aforementioned receipt, exclusively and in a single batch, the list of documents and papers that the applicant must submit, under penalty of returning the file, within a maximum period of 30 days from the date of submission of the application. The period specified for the administration to process the application and deliver the administrative decision on the subject of the application shall only be counted from the date of submission of all the required documents and papers.

Subject to paragraph 8 of Article 4 above, if, after delivery of the said receipt, the Administration finds that a document or document from the deposited file does not meet the requirements of the regulations, it shall, within the first half of the period specified for processing the request relating to the administrative decision, request the contractor, by any appropriate means of communication, to replace the document or document in question, giving reasons for its request. In this case, the contractor shall,

Chapter VI

Consider silence as consent

Article 19

Notwithstanding any contrary legislative or regulatory provisions, silence on the part of the administration after the expiry of the time limits specified in Article 16 above shall be deemed to constitute approval of requests relating to administrative decisions specified in a regulatory text.

In this case, the hierarchical superior of the public administration concerned, or the hierarchical superior of the public institution or legal entity governed by public law or of the body responsible for the public service concerned, or the president of the local authority concerned, or the president of the group of local authorities, or the body of the local authority concerned, must, at the request of the beneficiary, deliver the administrative decision that is the subject of the request within a maximum period of seven days from the date of submission of the request.

Article 20

If the administrative decision is not delivered to the beneficiary, in accordance with the provisions of the second paragraph of Article 19 above, the beneficiary may, depending on the case, resort to:

- The government authority responsible for administrative decisions taken at the central level by public administrations. This authority must issue the administrative decision within 15 days of the date on which the matter is brought before it;
- The head of the public institution, legal entity governed by public law, or body entrusted with public service missions concerned by the administrative decisions. The head concerned must issue the administrative decision within 15 days of the date on which the matter is brought before them;
- The governor of the region, the labor inspector, or the regional governor, as applicable, for administrative decisions issued by decentralized state agencies. The governor of the region, the labor inspector, or the regional governor must issue the administrative decision within 15 days of the date on which the matter was referred to them.

With regard to administrative decisions handed down by local communities, groups, or bodies, the contractor may appeal to the governor of the region, the prefect, or the district, as appropriate, to request a certificate of tacit consent. The governor or prefect concerned shall issue the requested certificate after contacting the president concerned to provide written explanations as to the reasons for his refusal to deliver the administrative decision, within a period not exceeding 10 days from the date of receipt.

Article 15

The administration reserves the right not to respond to repeated requests submitted by the same applicant regarding an administrative decision that has already been rejected, unless there is a change in the conditions for delivering the said decision or in the documents and files.

The procedures for applying the provisions of this article shall be specified in a regulatory text.

Chapter V

Processing of Requests and Delivery of Administrative Decisions

Article 16

Administrations must set a deadline for processing requests and delivering each administrative decision. Notwithstanding any contrary legislative or regulatory provisions, this deadline may not exceed a maximum of 60 days.

However, the above-mentioned maximum period shall be reduced to 30 days for the processing of applications by contractors for administrative decisions, as specified in a regulatory text, which are necessary for the completion of investment projects.

The deadlines stipulated in this article shall apply from the date on which the beneficiary submits a complete application file, in accordance with the provisions of Articles 6 and 10 above.

Article 17

The deadline referred to in Article 16 above for the delivery of the administrative decision may be extended only once when the processing of the applicant's request requires the completion of a technical study or public inquiry. The duration of this extension may not exceed the time necessary to complete the said study or inquiry.

In this case, the administration concerned shall inform the applicant, by any appropriate means of communication, of the new deadline for submitting its response.

The regulations governing administrative decisions concerning the extension of the aforementioned deadline shall be specified in a regulatory text.

Article 18

Subject to the exceptions provided for in the legislation in force, the administration must justify its negative administrative decisions relating to requests for administrative decisions by disclosing the reasons for taking them in the body of those decisions and informing the beneficiary concerned by any appropriate means of communication.

The provisions of this article shall apply to administrative decisions as defined in Article 2 of this Law.

Chapter VIII

Exchange of documents and records between administrations

Article 23

In accordance with the principle of simplification referred to in Article 4 above and taking into account the provisions of Article 24 below, administrations shall specify in their catalogues of administrative decisions the administrative documents and records that fall within their jurisdiction or that they can obtain from other departments, which are considered necessary for processing requests for administrative decisions, without requiring the applicant to submit them when submitting such requests.

The principle of gradualism shall be taken into account in the application of the provisions of the preceding paragraph, with priority given to administrative decisions necessary for the completion of investment projects.

The list of documents and papers referred to in the first paragraph above shall be specified in a regulatory text.

Article 24

Taking into account the legislative and regulatory texts relating to the protection of individuals with regard to the processing of personal data, the administration that obtains from other administrations the documents and records required to process requests for administrative decisions, the list of which is specified in accordance with the provisions of Article 23 above, shall do the following:

- Obtain the prior consent of the person concerned;
- Send a copy of the administrative documents and records obtained to the applicant, by any appropriate means of communication, to obtain their consent before using them to process their request relating to the administrative decision in question.

If the administrative documents and records in question cannot be obtained, the administration shall inform the applicant, within a maximum period of 15 days from the date of filing the request, of the reasons for this inability and invite him to obtain them himself and submit them.

The procedures for implementing the provisions of this article shall be specified in a regulatory text.

Article 25

Administrations must digitize the procedures and processes related to the processing and delivery of administrative decisions falling within their jurisdiction and those related to the payment of relevant administrative expenses, within a maximum period of five (5) years from the date of entry into force of this law.

Chapter VII

Administrative Appeal Procedures

Article 21

Except in the cases provided for in Articles 19 and 20 above, if the administration remains silent within the specified time limits or responds negatively, the contractor may, within a period not exceeding 30 days from the date of expiry of the time limits specified for the delivery of the decision or from the date of receipt of the negative response, as the case may be, to lodge an appeal with:

- The relevant government authority or the person authorized by it for this purpose, for all administrative decisions taken at the central level by public administrations. This authority shall decide on the appeal submitted to it and inform the applicant of its response within a maximum period of 15 days from the date on which the matter was submitted to it;
- The person in charge of the public institution, legal entity governed by public law, or body responsible for public service tasks concerned by administrative decisions. This person decides on the appeal submitted to them and informs the appellant of their decision within a maximum of 15 days from the date on which the matter was brought before them.
- The governor of the region, the prefect, or the regional governor, as applicable, for administrative decisions issued by decentralized state agencies. The governor of the region, the prefect, or the regional governor shall rule on the appeal submitted to them and inform the appellant of their decision within a maximum of 15 days from the date on which the matter was brought before them.
- The president of the local community, group of local communities, or local community body responsible for issuing the administrative decision that is the subject of the request. In this case, the president concerned must respond to the applicant within a maximum of 15 days from the date on which the matter is brought to his attention. If he does not respond within the aforementioned period, the applicant may refer the matter to the governor of the region or the prefect of the province or territory, as the case may be, who shall write to the president concerned inviting him to rule on the appeal within a period not exceeding 10 days from the date of receipt.

Article 22

Appeals against rejection decisions issued by the Unified Regional Investment Commission shall remain subject to the provisions of Law No. 47.18 on the reform of regional investment centers and the creation of unified regional investment commissions.