

Dahir of 27 July 1972 on the Social Security Scheme (CNSS)

Reference: Dahir having the force of law No. 1-72-184 of 15 Jumada II 1392 (27 July 1972) on the social security scheme, as amended and supplemented on several occasions

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Practice areas: Employment law, Business law

The 1972 Dahir establishes the compulsory social security scheme managed by the National Social Security Fund (CNSS): registration of employers and employees, contributions, family allowances, daily sickness and maternity benefits, invalidity, old-age and survivors' pensions, and penalties for failure to declare.

Registration and contributions

- Every employer with employees must register with the CNSS and register its employees (Art. 2).
- Contributions are calculated on gross salary, with an employer share and an employee share withheld at source; salaries are declared monthly.
- Failure to declare or to pay exposes the employer to surcharges, enforced recovery and criminal penalties.

Benefits

- Family allowances and daily benefits in the event of sickness, maternity and non-occupational accidents.
- Old-age pension at 60, subject to 3,240 days of contributions (Art. 53); invalidity pension and survivors' pensions.
- Job loss allowance, subject to registration and contribution requirements.

Key articles

ART. 2

The following are compulsorily covered by the social security scheme: apprentices and salaried persons of either sex working for one or more employers in industry, commerce and the liberal professions, as well as persons employed by cooperatives, civil companies, trade unions, associations and groupings of any kind.

ART. 53

An insured person who has reached the age of sixty and can show at least 3,240 days of insurance is entitled to an old-age pension, provided that they cease all salaried activity.

Points to watch

- An undeclared employee may apply to the CNSS and to the labour court to have their rights regularised and to obtain damages.
- Undeclared periods of work may be proved by any means (payslips, certificates, bank statements).
- The employer remains liable for contributions even if the employee agreed not to be declared.

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