

Law No. 31-13 on the Right of Access to Information

Reference: Dahir No. 1-18-15 of 5 Jumada II 1439 (22 February 2018) promulgating Law No. 31-13 on the right of access to information

Official Bulletin: Official Bulletin (B.O.) No. 6655 of 12 March 2018

Practice areas: Administrative law

Implementing Article 27 of the Constitution, Law 31-13 grants every citizen the right to access information held by public administrations, local authorities, public institutions and elected bodies. It sets out the request procedure, response times, exceptions and appeals to the Commission on the Right of Access to Information and then to the Administrative Court.

Scope of the right

- The institutions concerned proactively publish a range of information (legislation, procedures, budgets, public contracts) and respond to individual requests.
- Exceptions relate in particular to national defence, state security, privacy, personal data, pending judicial proceedings and the confidentiality of deliberations (Art. 7).
- The information officer within each institution handles requests.

Procedure and appeals

- The request is filed using a form; a response is given within twenty working days, which may be extended once (Art. 15), or within three days in urgent cases.
- In the event of refusal or no response, the applicant applies to the head of the institution, then to the Commission on the Right of Access to Information, and then to the Administrative Court.
- Use of the information obtained for harmful purposes is punishable.

Key articles

ART. 15

The institution or body concerned shall respond to the request for access to information within twenty working days from the date of its receipt; this period may be extended by an equal period where the institution is unable to respond in whole or in part.

Points to watch

- Word your request precisely and keep proof of filing: the time limits for response and appeal run from that date.
- An appeal to the Commission is a useful preliminary step, but proceedings before the Administrative Court remain available within the time limits.
- Information on public contracts and individual decisions is often accessible and useful in administrative litigation.

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General information document and unofficial English translation. Only the version published in the Official Bulletin of the Kingdom of Morocco is authoritative; the articles cited may have been amended since this sheet was written. Last updated : 13 October 2026.