

Law No. 36-21 on Civil Status

Reference: Dahir No. 1-21-81 of 3 Hijja 1442 (14 July 2021) promulgating Law No. 36-21 on civil status, repealing Law No. 37-99

Practice areas: Family law, Civil law, Administrative law

Law 36-21 modernises the civil status system: an electronic national register, a civil and social identifier, registration of births and deaths, marginal notes of marriage and divorce, and the correction and reconstitution of records. It governs civil status litigation before the Court of First Instance.

Registrations and records

- A birth must be registered with the civil registrar within thirty days; after that period, a declaratory judgment of the Court of First Instance is required.
- A death must be registered within the same period by the relatives, the health facility or the local authority.
- Marriage and divorce certificates are noted in the margin of the spouses' birth certificates upon transmission by the family court.

Correction and litigation

- Clerical errors are corrected by decision of the Crown Prosecutor; other corrections fall within the jurisdiction of the Court of First Instance.
- The choice or change of a first name or family name is subject to specific rules and procedures (High Commission for Civil Status).
- Moroccans living abroad register events with the consulates, with transcription in Morocco.

Key articles

REGISTRATION OF BIRTHS

Every birth occurring in Morocco must be registered with the civil registrar of the place of birth within thirty days; failing this, registration is possible only by virtue of a judgment of the Court of First Instance.

Points to watch

- Declaratory judgments for late birth registration require an inquiry and witnesses; allow for the time involved before any school or administrative formality.

- Spelling discrepancies between records (first names, dates) hold up successions, marriages and passport applications: have them corrected without delay.
- Records drawn up abroad must be transcribed in Morocco in order to take effect.

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