

Law No. 80-03 establishing Administrative Courts of Appeal

Reference: Dahir No. 1-06-07 of 15 Muharram 1427 (14 February 2006) promulgating Law No. 80-03 establishing administrative courts of appeal

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Practice areas: Administrative law, Litigation, arbitration and mediation

Law 80-03 creates the Administrative Courts of Appeal of Rabat and Marrakech, which hear appeals against judgments of the Administrative Courts. It governs the composition of these courts, mandatory representation by a lawyer, time limits for appeal and appeals in cassation before the Court of Cassation.

Jurisdiction and organisation

- The Administrative Courts of Appeal hear appeals against judgments of the Administrative Courts and orders of their presidents (Art. 5).
- The Administrative Court of Appeal of Rabat covers the jurisdictions of the Administrative Courts of Rabat, Casablanca, Fez, Meknes and Oujda; the Marrakech court covers Marrakech and Agadir.
- Judgments are delivered by a bench of three judges, after hearing the submissions of the royal commissioner for law and justice.

Procedure

- An appeal is lodged within thirty days of service of the judgment, by written application signed by a lawyer.
- In principle, an appeal does not suspend enforcement, unless the court orders a stay of execution.
- Judgments may be appealed in cassation before the Court of Cassation under the conditions laid down in the Code of Civil Procedure.

Key articles

ART. 5

The administrative courts of appeal have jurisdiction to hear, on appeal, judgments delivered by the administrative courts and orders of their presidents, unless otherwise provided by law.

Points to watch

- The thirty-day time limit for appeal runs from proper service; check the date and form of service.

- An application for a stay of execution must be justified by urgency and by the serious nature of the grounds raised.
- The seat of the Administrative Court of Appeal in Rabat makes it easier to follow cases within the capital's jurisdiction.

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