

Law No. 88-17 on Online Business Formation

Reference: Dahir No. 1-18-109 of 2 Jumada I 1440 (9 January 2019) promulgating Law No. 88-17 on the online formation of businesses and support for them

Practice areas: Corporate law, Business law, Commercial law and debt recovery

Law 88-17 sets up a single electronic platform for forming a business and registering it in the trade register. It digitises the negative certificate (name availability), the filing of articles of association, registration and statutory publications, and establishes a national committee to oversee the system.

The electronic platform

- A single platform, managed by OMPIC, receives applications for the formation and registration of natural and legal persons.
- Documents are filed electronically and signed by electronic signature.
- The relevant authorities (court, tax administration, CNSS) are connected to the platform.

Digitised formalities

- Application for and issuance of the negative certificate for the company name.
- Filing of the articles of association, registration in the trade register and allocation of the common business identifier (ICE).
- Statutory publication in the Official Bulletin and in a legal notices newspaper by electronic means.
- The same formalities apply to amendments to the articles of association and to deregistration.

Key articles

PURPOSE

This law sets out the rules applicable to the online formation of businesses and their electronic registration in the trade register by means of a dedicated electronic platform.

Points to watch

- Digitisation does not replace legal advice: articles of association filed online bind the shareholders for the long term.
- The negative certificate remains valid for ninety days; after that period the name becomes available again.
- Check that the declared corporate purpose matches the sector-specific authorisations required for your business.

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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.