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MOROCCO ECONOMIC COMPETITIVENESS

ADMINISTRATIVE GUIDE TO GOOD GOVERNANCE

PROGRAM TO STRENGTHEN THE MANAGERIAL AND ADMINISTRATIVE CAPABILITY OF MOROCCO'S REGIONAL CHAMBERS OF AGRICULTURE



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I. INTRODUCTION

The complexity of the chambers' administrative management, where the right of elected members to give political direction to their sustainable agriculture development programs exists alongside the obligations imposed on the Chambers of Agriculture as public institutions de facto subject to the financial control of the State.

This diversity of approach poses major problems for the proper functioning of administrative procedures. The need for administrative simplification has been established and led to the suggestion that it would be useful to make a practical guide available to these institutions.

This guide has adopted the same approach as the elected members' guide. It aims to identify all the acts that may exist and the procedures associated with them, as well as the scope of activities to be performed.

It is addressed to all persons working in the Chamber of Agriculture and especially to the general secretaries mandated by law to ensure the appropriate legal support for management bodies, namely the General Assembly, the Bureau....

It is likely to be changed and improved, especially by the enhancement of reported experience, which does not appear in this inventory.

2. ORGANIZATION OF GOVERNANCE ROLES AND RESPONSIBILITIES

2.1 GENERAL CONTEXT OF GOVERNANCE

The Chambers of Agriculture are the expression of the universality of the agricultural world that they represent.

They are public professional institutions composed predominantly of elected farmers but also of representatives of professional organizations operating in the agricultural sector.

They carry out two important missions:

- They represent agricultural interests by giving advice to the public authorities.
- They also provide services for farmers (technical advice, training and information).

They currently function on the basis of financial resources raised by means of public support related to their activities and, in the near term, from the sale of services to farmers.

The chambers are governed by a body of elected members that define, in collaboration with the supervisory authorities, the chamber's areas of development and the means necessary for their implementation.

To implement their strategy, the elected members rely on a corps of civil servants in a Department placed entirely under the joint responsibility of the president and the supervisory authority.

The chamber's employees are organized in two structures:

- Management structure under the authority of the president, responsible for running the general administration of the chamber.

- General secretariat structure composed of a secretary general, possibly with other colleagues, and exclusively responsible for supporting the elected members in the discharge of their duties.

In sum, the law clearly separates the duties of management from those of the elected members, knowing that they always act under the authority of the president.

The functions of the elected members as well as the executive (management) are legally defined to guarantee a clear separation of duties and responsibilities.

- The elected members play a fundamental role in defining the chamber's overall development policy, whether in a general framework (assembly and bureau) or in the context of specific topics (specialized commissions by subject):
- The executive is responsible for implementing elected members' policies and guidelines, ensuring compliance with the regulations in force and national policy guidelines decreed by the public authority.

In this type of organization, the president is connecting link between the two groups. He is assisted in the discharge of his duties by a secretary general, whose fundamental role is to facilitate the proper functioning of the institutions of governance, in the same way as the president.

In this arrangement, the director generally attends all meetings of management bodies and is responsible for preparing and distributing all documents needed for the meetings. He also takes on any other task or responsibility that the President entrusts to him.

2.2 ROLE OF THE PRESIDENT IN THE CHAMBER'S GOVERNANCE

2.2.1 Overall Mission

The president is responsible for conducting all the meetings of the bureau/assembly, where he is the principal spokesperson.

When the President or, in his absence, the Vice-President, carries out his duties, his deputy may participate in the debates. Nevertheless, the President or Vice-President has only a single vote.

The President is in close communication with the elected members between meetings and works in collaboration with the Director in regards to the day-to-day operation of the bureau.

2.2.2 Principal areas of expertise

It is not a simple matter to manage a bureau or general assembly: the president is a leader, coordinator, and facilitator. He does not make decisions, but leads the group to a decision solely in the interest of the chamber — which is quite natural since everyone must equally bear the consequences of the decisions.

The president creates a climate in which each elected member, whether he is an “independent,” or connected with a group of elected officials, may keep his independent spirit, judgment, and discernment to make decisions in the interest of the chamber and farmers.

During the meeting, the president will ensure that things are done in an orderly manner following the agenda, that the elected members are not distracted in digressions, and that the meeting is effective, that is to say, that decisions are made on the items on the agenda. The secretary will assist him if need be.

At the end of the meeting, the secretary should be able to verbally summarize the decisions made. After a meeting of the bureau or general assembly, the secretary shall prepare the minutes using notes he made during the meeting.

In short, it is important that the president and the secretary work together harmoniously, in perfect symbiosis.

2.3 ROLE OF THE SECRETARY GENERAL IN THE CHAMBER'S GOVERNANCE

2.3.1 General duties

The secretary serves as legal and administrative support for the chamber's management bodies. He shall ensure, at the behest of the president, the preparation, revision, and distribution of proceedings reports on a timely basis (AG and Bureau). He also assumes any other task or responsibility that the President may entrust to him.

2.3.2 Principal areas of expertise

The role of the secretary goes beyond the preparation, direction, and follow-up of bureau meetings: a number of elected members are not necessarily informed about everything that concerns the chambers — its activities, finances, operations, human resources, environment and even occasionally its legal disputes (remember that these are elected members who, ultimately, may be adversely affected by this litigation).

In this regard, the bureau secretary should be a source of continuously available information for elected members. He should be the point of reference that any elected member can contact when they want, in confidence and confidentiality. Genuine contact in a spirit of trust should be established between the secretary and the elected members.

The secretary may also be proactive: his advice is timely and brief, but relevant and effective. The secretary should be rigorous as well and flexible and have exceptional people skills.

Proper functioning of the bureau is not limited to the preparation and management of bureau meetings, but also applies to their follow-up. Follow-up of decisions should be organized in a systematic manner and the secretary should be involved alongside the president who has the responsibility for them.

Management of the organizational and administrative aspects is the responsibility of the secretary of the board, who is often the chamber's General Counsel. His legal training prepares him for this rigorous and diplomatic function, as well as for the writing required.

He has to ensure that bureau meetings are planned well in advance so that the elected members will be able to attend. He should, with the president, ensure that notices to attend are sent on a

timely basis, that the agenda is clear, precise, succinct, and relevant. He shall ensure that elected members receive information needed for the decisions that they shall have to make in sufficient time so they will be prepared to decide in an informed manner. The secretary will encourage those who are to make presentations to be clear and precise and to use appropriate communication technologies.

3. ACTIONS OF THE MANAGEMENT BODIES AND GOVERNANCE OF THE CHAMBERS

3.1 APPLICABLE PROCEDURES

3.1.1 Preparatory work by the governing bodies

3.1.1.1 Preparation for AG meetings

To effectively prepare for a meeting, the SG should have reliable and updated information:

- The list of members, including the address or the locale for delivering files and telephone numbers;
- The end dates for the members' terms of office, their status (member, observer, contact person etc.), their category of representation (internal, external, sector or particular area etc.);
- The policies, regulations, or directives on the assembly's role, composition, and terms of office;
- The digest of minutes and resolutions from the preceding meetings.

3.1.1.2 Preparation of the General Assembly's prior proceedings

Article 29 of Law no. 27-08 relative to the statutes of the Chambers of Agriculture provides that “the Bureau is responsible, among other things, with preparing for the sessions of the General Assembly and establishing its agenda.”

The president, in collaboration with his secretary general and his director, consequently ensures that prior consultations with elected members will be brought to bear on any decision of interest to the work of the chamber.

3.1.1.3 Preparation of the agenda

Article 15 of Law no. 27-08 relative to the statutes of the Chambers of Agriculture stipulates, “The president prepares the agenda of the sessions of the General Assembly with the bureau.”

The agenda will provide information on the whys and wherefores of each item of business. The items of business that will require a decision should be clearly identified and specified as priorities.

Each elected member may request, in writing to the president, the listing of any item of business relevant to the functions of the General Assembly on the agenda, at least five days before the date of the aforesaid assembly (Article 15 of Law no. 27-08).

The proposed agenda, accompanied with the notice of meeting and the relevant documentation, shall be sent to the elected members at least eight (clear) days before the session (Article 14 of Law 27-08).

The agenda is approved by the elected members at the beginning of each meeting. In case of disagreement, the President decides which items of business shall be included on the agenda to be submitted to the bureau/assembly for approval.

The General Assembly shall only deliberate on the items of business listed on the agenda. Nevertheless, and in exceptional circumstances, any urgent item of business may be introduced during the sessions, after being accepted by the majority of members present, without discussion (Article 15 of Law 27-08).

3.1.1.4 Preparatory documents

Shall be delivered with the notice of meeting:

- The report of the preceding meeting of the General Assembly;

- The President's report on the chamber's functioning and the preliminary budgetary and financial documents, at the time of the meeting called to rule on the chamber's financial matters.
- Any other document useful for understanding and deciding on the items of business listed on the agenda.

Any document delivered during the session as well as any document modification shall be specified in the meeting report.

3.1.2 Adoption and publication of acts relative to the GA

3.1.2.1 Conduct of the General Assembly Meeting

- 1- The President of the chamber opens the meeting and calls to quorum.
- 2- He then presents the agenda and indicates whether or not he will follow-up on a proposed request for modification that had been brought to his attention.
- 3- In the absence of prior information from the elected members, miscellaneous business filed at the beginning of the session shall not result in a determinative act.
- 4- Once adopted by the assembly, the agenda may not be further modified.

3.1.2.2 Presentation of resolutions

- When a resolution shall be preceded by an opinion rendered by an advisory body (ex: supervising ministry, local authority, internal council), this advice, its meaning, and the date of its issue shall appear clearly in the deliberations (in the form of a special endorsement)).
- When the resolution refers to an exhibit, it is essential to append the exhibit to the deliberation, insofar as this exhibit is considered to constitute an integral part of the act.
- Conversely, the decisions made by the President based on a GA resolution do not have to be appended to the act.

3.1.2.3 Adoption of resolutions

The practice consisting of globally passing all the acts submitted to the GA at the end of the session is not recommended. Each resolution presented should be voted on separately.

Decisions shall be made by an absolute majority of voters. In case of a tied vote, the president has the casting vote except in the case of a secret ballot (Article 17 of Law 27-08).

The record of the meeting should specify the conditions relative to the voting procedures.

Decisions made during the deliberations of the General Assembly are signed by the president of the chamber and his secretary and then recorded in chronological order in a special register.

3.1.2.4 Publication of resolutions

The GA resolutions shall be published eight days after the chamber's meeting. Unless published, the regulations are unenforceable against third parties.

To meet the need for publicity, it is recommended that institutions simply post the summary of the resolutions in a place accessible to everyone (at the least, one posting per geographic location), which indicates the person to contact regarding the acts concerned. These various methods may be defined in greater detail in the chamber's internal regulations.

3.1.3 Writing of minutes

3.1.3.1 Introduction

The minutes are an official document that relates what has been discussed during the meeting. It is drafted by the secretary general at the behest of the president and the secretary of the GA.

The secretary general reports the facts as accurately as possible without expressing his personal opinion or drawing conclusions.

It is provided at the behest of the president and signed by him with the secretary of the GA. It recounts the exchanges of views expressed, the deliberations, opinions, and results of the votes taken.

Drafting the meeting record is the responsibility of the secretary general of the chamber that shall ensure its distribution to the members of the GA. This record of the meeting is brought to the attention of the elected members by the means adopted by the GA.

Possible corrections should be specified in the record.

3.1.3.2 Drafting guidelines:

- The minutes shall be drafted with the greatest care to insure accuracy and precision, because it makes clear, vis-à-vis all the participants, the decisions made collectively;
- The text should always be submitted to the members present for approval and authentication.
- Drafting the minutes consists of formulating the notes taken during the deliberations;
- The style of the minutes should be simple and objective. Sentences should always be brief and punctuated correctly;
- The neutral tone of the minutes implies:
 - That comments shall be written in a familiar or unrefined style;
 - That the exact Text of statements is placed between quotation marks;
 - That the use of the first person singular or plural is rigorously avoided;
 - That the text is written in the present indicative.

A standard example of the minutes is reported in the appendix of this guide.

3.1.4 Transmission and execution of the resolutions

3.1.4.1 Transmission of the acts

At the close of the GA, it falls to the secretary general to distribute the decisions made by the GA to the various authorities.

The report of the meeting shall recount the exchanges of views expressed, the deliberations, the opinions and the results of the votes taken. The report should be distributed within a reasonable period of time.

Particularly concerned by these dispatches are (Article 21 of Law no. 27-08):

- 1- The elected members;
- 2- The supervisory authority, especially the regional office of the Chamber of Agriculture and the Head Office of the Ministry of Agriculture;
- 3- The local authority, in the person of the governor of the prefecture or province in the administrative center of the region of the chamber concerned.

3.1.4.2 Enforcing the General Assembly's acts

One of the president's prerogatives is to ensure the application of the decisions enacted by the GA. He is the leader (Article 30 of Law no. 27-08):

In accordance with Article 37 of Law 27-08, the director is the guarantor of the enforceability of the acts. He shall wait until the acts are enforceable before executing them.

Finally, the president shall, on the occasion of the following GA, report on the proper or poor execution of the resolutions voted on previously. He shall specify the reasons why an act has not been executed.

3.2 RULES OF GOOD CONDUCT

3.2.1 Professionalization of management bodies' meetings

In addition to the multidisciplinary character of the elected members comprising the chamber's senior decision-makers, the secretary and the president take on a great deal of responsibility to ensure that all meetings including these elected members succeed.

The secretary general shall, with the president, ensure that meeting notices are sent on a timely basis, that the agenda is clear, precise, succinct, and relevant. He shall ensure that elected members receive information needed for the decisions that they shall have to make in sufficient time so they will be prepared to decide in an informed manner. The secretary will encourage

those who are to make presentations to be clear and precise and to use appropriate communication technologies.

3.2.2 Usual standards of good practice for meetings of management bodies

In order to make good decisions, the elected members shall adhere to the following procedures:

- 1- Use the facts and data contained in administrative and financial reports submitted by the president;
- 2- Provide all the other facts that may shed light on the question, particularly with respect to the expectations of the elected members;
- 3- Address questions to the president and the members present who have information to clarify the subject;
- 4- When all the facts are laid out, discuss in the group, look for the point of view of each person and stop the discussion when a new point of view is presented;
- 5- Propose solutions and identify the advantages and disadvantages of each one;
- 6- Choose the solution that is the best fit;
- 7- Take a straw vote and see if there is a consensus;
- 8- Formulate a resolution, adopt it, and write it down in the minutes.
- 9- As far as possible, the members are not to delay a decision; they do this only when they don't have sufficient information to make a decision.

3.2.3 Filing documents in the archives

3.2.3.1 Introduction

All the minutes, including the appended documents, shall be added to the Department of Archives and Document Management.

The chamber's secretary general manages this department.

3.2.3.2 Role of the Department of Archives and Document Management

The primary mission of the Department of Archives and Document Management is to be the institutional memory of the chamber. That is why it acquires all the documents permitting it to develop the history of the chamber and its different components.

The minutes are privileged documents since they pertain to the organization, its activities, functioning, achievements, and the evolution of each of the chamber's activities.

It is, therefore, important that the secretary general, as an entity charged with preserving these documents, ensures the organization of the administrative archives.

3.2.3.3 Preserving the minutes

At the Department of Archives and Document Management, the minutes are grouped in dedicated registers and are classified chronologically.

All the minutes are preserved permanently.

4. ACTS RELATIVE TO THE FUNCTIONING OF THE CHAMBER

4.1 RULES OF PROCEDURE OF THE GENERAL ASSEMBLY

The rules of procedure relative to the organization and functioning of the GA are covered by an act.

This regulation is required according to Article 12 of Law 27-08; it bears on preliminary, supplemental documents to address the elected members, the conditions for establishing the agenda, the periods for filing various questions to be added to the agenda, the designation of the meeting secretary, ways to publicize acts, suspension of meetings, etc.

The GA's prescribed manner of functioning cannot be modified under any circumstances.

This regulation shall be delivered to all the elected members of the General Assembly; the president will ensure its application.

4.2 THE PRESIDENT'S ANNUAL REPORT

4.2.1 On the form:

The president's annual report addresses the management of the chamber in all its aspects, during the autumn session.

4.2.2 On the substance:

The report may contain items concerning, in particular:

- I. a general analysis of the chamber, especially an analysis of management outcomes;

2. a budget execution report for the financial year;
3. the overall agriculture balance sheet for the past year; it reports on activities and socio-economic impacts on the periphery of the chamber;
4. the assessment of personnel training programs;
5. the report on rural development and education activities, actions for inclusion, and all activities conducted in the context of implementing development projects;
6. the report on special outreach programs when they have been included in the annual action plan;
7. the administrative and financial report;
8. information on the performance of various chamber bodies (GA, special commissions, bureau meetings, etc.).

4.3 CONTRACTS AND AGREEMENTS

Article 30 of Law no. 27-08 stipulates that the president of the chamber may enter into contracts and agreements.

The aforesaid article states that the president may only delegate any of his powers, functions, and duties to a member of the bureau. This delegation may only be made in writing.

All the acts of the chamber shall also bear the signature of the president and the director responsible for verifying compliance with the acts before their distribution.

A result of these provisions is that the president, and he alone, has the power to enforce the chamber's decisions, including in the absence, for one reason or another, of the director's signature.

4.4 CHAMBER PERSONNEL

The sharing of roles between the GA and the president should be clearly defined. The sharing of roles is based on the distinction between employment and contracts.

The GA creates jobs, after preliminary agreement of the Minister of Agriculture and Maritime Fishing and the Minister of Economy and Finances. Job creation is to be related to the needs the President determines and presents to the GA.

A potential post is created by the GA in agreement with the supervisory authority corresponding to a budgetary appropriation and allows the president to commit to the corresponding expense. The GA has prerogatives in regards to the creation of this potential position, and in the determination of its limits.

At the president's behest, the director recruits and manages the personnel on the budget.

The president has prerogatives concerning the use of these potential positions, in respect to existing regulations applicable to personnel who may be recruited in this context. The recruitment thus aims to satisfy the needs recognized by the GA, in respect to the regulations covering public service personnel.

4.5 SPECIALIZED COMMITTEES

The GA may establish such committees, special groups, advisory groups, and other similar entities that it considers necessary for the conduct of the chamber's business.

The terms of reference and the expected outcomes are defined for each of the committees. The committees' terms of reference are reviewed by the GA as necessary.

The committees generally meet before and/or after the GA meetings at the discretion of the president of the committee and depending on their work program.

The committees shall conform to the rules established by the General Assembly. The committees and special groups may only work when the majority of their members are present.

5. MODEL STANDARD DOCUMENTS FOR GOOD GOVERNANCE

This section incorporates models of basic documents used in the management of the chamber's governance.

Listed successively below are:

- Notification of meeting
- Bank signing authority
- Special register maintained by the General Assemblies
- Attendance sheet
- Minutes

5.1 NOTIFICATION OF MEETING

5.1.1 Guidelines

Pursuant to Article 14 of Law no. 27-08:

- **“The president sends an individual notice of meeting to each member by registered letter with acknowledgement of receipt or any other means proving receipt;”**
- **The notice of meetings are accompanied by the agenda and sent at least eight clear days before the meeting of the General Assembly.”**

5.1.2 Recommended model

Text	Content
Subject	Notice of meeting to the General Assembly no.____of the budgetary year
Format	By registered letter/ simple letter with acknowledgement of receipt Document written on chamber's letterhead
Body of text:	<p>Sender</p> <p style="text-align: center;">Recipient:</p> <p>Gentlemen:</p> <p>In accordance with Article 14 of Law no. 27-08 on the statutes of the chamber....., I invite you to participate in the Ordinary General Assembly of the chamber....., which will be held on.....at.....o/clock at.....(address).</p> <p>We are proposing the following agenda:</p> <ul style="list-style-type: none"> • Opening of the session • Reading and approval of the agenda • Reading and approval of the agenda of the last meeting of the GA on..... • Follow-up of decisions from the last GA; • Analysis of the president's report concerning: <ul style="list-style-type: none"> ○ The report on the budget activity for the financial year; ○ The administrative and financial report; ○ ... • Action plan and calendar • Information • Miscellaneous issues <p>In case you cannot attend this meeting, please let the secretary general know at telephone no. XXXXXXXXXX or by fax at the following number: YYYYYYYYYY</p> <p>Pending our next meeting, we extend our best wishes to you.</p> <p>ENCL: Agenda</p> <p style="text-align: right;">Signed in, on</p>
Signature	The president or vice president if need be

Text	Content
Subject	Monthly notice of meeting of Bureau no.____ pursuant to the budgetary year
Format	By registered letter/ simple letter with acknowledgement of receipt Document written on chamber's letterhead
Body of text:	<p>Sender</p> <p style="text-align: right;">Recipient:</p> <p>Subject: Notification of meeting</p> <p>Gentlemen:</p> <p>I am pleased to invite you to the monthly meeting of our chamber's bureau, which will take place:</p> <ul style="list-style-type: none"> ◆ Tuesday, November 11, 2012 at 10:00 a.m. ◆ at the chamber's headquarters at <p>In case you cannot attend this meeting, please let the secretary general know at telephone no. XXXXXXXXXXXX or by fax at the following number: YYYYYYYYYY</p> <p>Thank you in advance for coming.</p> <p style="text-align: right;">Signed in, on</p>
Signature	The president or vice-president if need be

5.2 BANK SIGNING AUTHORITY

5.2.1 Guidelines

According to Article 30 of Law 27-08, the president is the legal commitments officer of the chamber, and if need be, is replaced by one of his vice-presidents or any member who has been delegated authority by him.

5.2.2 Recommended model

Text	Content
Subject	Bank signing authority
Format	By registered letter/ simple letter with acknowledgement of receipt Document written on chamber's letterhead
Body of text:	<p>Sender</p> <p style="text-align: center;">The bank</p> <p>Gentlemen:</p> <p>During the Ordinary (or Extraordinary) General Assembly of the Chamber of Agriculture.....of the....., the new officers were elected.</p> <p>The following officers were elected:</p> <p><u>President:</u> Mr..... Date of birth in Residing at</p> <p><u>Vice-President:</u> Mr..... Date of birth in Residing at</p> <p><u>Other members one by one:</u> Mr..... Date of birth in Residing at</p> <p>In accordance with the provisions of Article 30 of Law No. 27-08 regarding the statutes of the Chamber of Agriculture, Mr. President (first and last names) has signature authority on the account of (Name of the bank, No.....)</p> <p>We are at your disposal for any supplementary information. Sincerely yours.</p> <p>Encl: Copy of the chamber's statutes and the PV (Official Report) [<i>Procès Verbal</i>] of the appointment of the new officers</p>

	Signed in, on
Signature	President:

5.3 SPECIAL REGISTER MAINTAINED BY THE GENERAL ASSEMBLIES

5.3.1 Guidelines

Pursuant to Article 22 of Law no. 27-08:

- “Decisions made during the deliberations of the general assembly are signed by the president of the chamber and his secretary then recorded in chronological order in a special register.”
- “All the official reports of meetings (general assemblies, officers) are recorded in the special register in chronological order.”

5.3.2 Recommended model

Text	Content
Subject	Special register maintained by the General Assemblies
Format	Signed register held by the Secretary General
Body of text:	<p>You will begin this register by recording, in order, each event of the general assembly or of the bureau in the following form:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>The:..... Constitutive General Assembly No.</p> <ul style="list-style-type: none"> • Foundation of the chamber in: • Adoption of Statutes • Adoption of the organizational chart; • Adoption of the rules of procedure; • Election of bureau members: list the members, president, vice-presidents, etc. </div> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>The:..... Ordinary General Assembly No.</p> <ul style="list-style-type: none"> • Adoption of the assembly’s official report (PV) dated • Adoption of the budget • Adoption of the Action Plan </div>
Signature	None. Except what is signed in the registry

5.4 ATTENDANCE SHEET

5.4.1 Guidelines

- At each general assembly or bureau meeting, an attendance sheet is prepared and signed by all members present.
- This sheet is the material proof that the quorum necessary for deliberations has been reached.
- In addition, any absence from a general assembly shall be justified in writing and addressed to the president. The reasons given are recorded in the attendance sheet (Article 19 or Law no. 27-08).
- Pursuant to Article 25 of Law no. 27-08, voting by mail or by proxy is prohibited.

5.4.2 Recommended model

Text	Content		
Subject	Attendance sheet		
Support	Document written on chamber's letterhead and bearing the sequence of the meeting and date it was held		
Body of text:	First and last name of the member	Chamber titles	Signature (if absent, reason for absence)
	Member 1	President:	
	Member 2	Vice President 1	
	.	.	
	.	.	
	Member n		
Signature	Signature of the members present and signature of the secretary of the council at the bottom of the page		

5.5 MINUTES

5.5.1 Guidelines

- **Article 21 of Law no. 27-08 stipulates that “minutes are prepared at the conclusion of each session (of the general assembly), signed by the president and the secretary, then recorded in a special register after approval by the general assembly in the following session.**
- **A copy of the minutes is sent to each member at least eight days before the following session.**
- **Each chamber regularly sends the minutes of its session to the government agency for agriculture.**
- **A copy of the minutes is also addressed to the governor of the prefecture or province in the administrative center of the region of the chamber concerned.**

5.5.2 Recommended model

Text	Content
Subject	Minutes
Format	<p>Document written on chamber's letterhead</p> <ul style="list-style-type: none"> • The sequence of the meeting and the date and meeting location • The members present/absent and the persons invited • The purpose of the meeting as set out in the agenda
Body of text:	<p>The year two thousand -, the ...(in letters) at....o'clock, the members of the Chamber of Agriculture, met in(location) at the call of the Bureau dated of</p> <p>Those present at the meeting:</p> <ul style="list-style-type: none"> • Mr. XXXX YYYY as • Mr. XXXX YYYY as <p>Absent and excused members</p> <ul style="list-style-type: none"> • Mr. XXXX YYYY as • Mr. XXXX YYYY as <p>The assembly is chaired by Mr.as</p> <p>The secretariat is Mr.;</p> <p>The president states that (all the.....) (.....) of the members) are present; the total number of votes is thus</p> <p>The president declares that the assembly is regularly constituted and may legitimately deliberate and make decisions with the required majority.</p> <p>Then the president reads the agenda for the present meeting:</p> <ul style="list-style-type: none"> • Approval of the minutes (PV) of the assembly dated.... • Approval of the administrative and financial report for the budget year.....; • Full discharge of bureau members; • Miscellaneous issues <p>He then reads the President's report and opens the discussion. An exchange of views takes place. When no one else wants to speak, the president opens the voting on the resolutions listed on the agenda:</p>

	<p>- First resolution After reading the General Assembly's PV (minutes) dated....., the Assembly approves the aforesaid PV.</p> <p>This resolution is adopted unanimously...(indicate the result of the votes if need be).</p> <p>- Second resolution After reading the chamber's administrative and financial report for the fiscal year, the general assembly approves the aforesaid document as presented. Thereafter, full discharge of its management is given to the president and his bureau.</p> <p>This resolution is adopted with...(indicate the result of the votes).</p> <p>When no other question remains on the agenda and no one asks to speak, the session is adjourned ato'clock.</p> <p>During the preceding, the minutes have been prepared and signed by the president and secretary.</p>
Signature	Signature of the president and the secretary of the council

6. APPENDICES

6.1 APPENDIX I: LAW NO. 27-08

Dahir no. I-09-21 of 22 safar 1430 on the enactment of Law no. 27-08 establishing the statutes of the Chambers of Agriculture.

B.O. no. 5714 of March 5, 2009

Considering the Constitution, especially Articles 26 and 58,

Law no. 27-08 establishing the statutes of the Chambers of Agriculture as adopted by the Assembly of Representatives and the Assembly of Councilors is enacted and shall be published in the Official Bulletin, following the present dahir.

TITLE ONE: General Provisions

First Article:

The Chambers of Agriculture and other professional chambers are professional public institutions endowed with a legal personality and financial autonomy. They are subject to the supervision of the State, whose goal is to make sure that the provisions of the present law are respected and to ensure the application of legislation and regulations relative to public institutions. They are designated below by chamber.

They are also subject to the financial control of the State applicable to public institutions in accordance with the legislation and regulations in force.

Article 2:

The term, the seat, and the area of jurisdiction of the chambers as well as the number of seats are established by decree.

Title II: Functions of the Chambers

Article 3:

The chambers are the representatives of the agricultural sectors in the local, provincial, regional and national governments.

Article 4:

At the request of the Government and local authorities, the chambers may give advice and information relevant to agriculture. They may also make suggestions and requests relative to agriculture and rural development.

They participate, at the local, provincial, regional, or national level, in the development of plans or options pertaining to agricultural activity and rural development so as to develop partnerships in these areas with governmental and nongovernmental institutions.

They also participate on boards of public institutions that are interested in agricultural activities.

The Chambers of Agriculture may:

- * represent and defend the interests of farmers and animal breeders in their geographical districts;
- * contribute to the popularization of scientific, technical, and economic information in agriculture and rural development and modern working methods for the benefit of farmers, stock breeders, and young promoters and to the development of production and marketing techniques, especially via long-term cooperation with research organizations, agronomic training and technologies, and all the governmental and professional organizations concerned;
- * contribute to the training and provision of information for farmers and stockbreeders especially by organizing training sessions, information days, and the creation or management of professional training centers, alternate training, and apprenticeship training;
- * create industrial or commercial institutions to serve the interests of agriculture and rural development;
- * contribute to the support of investment and employment in the rural environment, establish data banks on the conditions and characteristics of each region, and establish a partnership with stakeholders in the sector for the promotion of local and regional investment;
- * propose measures for simplifying administrative procedures in regards to agricultural and rural investment and development.
- * encourage farmers and stock breeders to organize in professional organizations to represent their interests, develop their internal capabilities, establish a collegial style of organizing the processes of production and marketing, and play an intermediary role between themselves and the professionals and foreign organizations working towards the same goals;
- * carry out projects, field investigations, and technical studies of general interest to support agricultural production, rural development and the protection of animal health;
- * contribute to the expansion of Morocco's trade relations by mentoring relationships and exchanges of experience and expertise with professional organizations working towards the same goals;
- * organize or participate in events and provincial, regional, national and international festivals related to agriculture;
- * deliver requested documents to farmers and stockbreeders, created for use inside or outside the kingdom;
- * contribute to the preservation of the environment.

Article 5:

The chambers shall be consulted by the administration regarding:

- * proposals for the agricultural sector;

- * regulations relative to agricultural uses;
- * measures directed at the organization of the agricultural sector;
- * development projects and programs related to their duties and territorial jurisdiction;
- * the creation, in their district, of warehouses and public sales rooms for agricultural products to be sold in auctions or wholesale;
- * the implementation of agricultural investment projects in their territorial jurisdiction;
- * urban expansion projects, master development plans, and rural development plans;
- * the organization of fairs within their territorial jurisdiction.

The chambers shall give their opinion within a maximum of two months from the inquiry. Beyond that date, their opinions shall be deemed to have been given.

The administration shall give a reason for its decision in case it rejects the opinion provided by the chambers.

Article 6:

Subject to an authorization by the government agency for agriculture, the chamber may, by mutual agreement, between themselves, with other professional chambers, or with other public institutions, create institutions or services of common interest or give them financial aid or ensure their maintenance.

Article 7:

The chambers may execute works of public interest in regards to public service concession contracts concluded with the State or local authorities or be responsible for services of general interest, especially support services for agricultural and rural development in their territorial jurisdiction.

Title III: Administrative and management bodies

Article 8:

The chambers' administrative and managerial bodies include the general assembly, the bureau, commissions and a secretariat general for management.

First Chapter: General Assembly: Composition and Functions

Article 9:

The General Assembly of the chambers includes:

1 - elected members in accordance with the provisions of Law no. 9-97 relative to the electoral code enacted by dahir no. 1-97-83 of the 23 kaada 1417 (April 2, 1997) as amended and supplemented;

2 - associate members elected in accordance with the provisions of Article 10 below, in addition to the members indicated in 1). Their staff is set at 20% of the elected members' staff. If the resulting percentage is a decimal, it will be counted as the larger whole number.

Article 10:

The associate members are elected by the uninominal system, with a secret, simple majority vote by the elected members described in 1) of Article 9 above by the members of professional agricultural associations, with each new term of the chambers.

The professional agricultural associations authorized to present their candidates are established by joint order of the government agency for agriculture and the government agency for the interior, in accordance with the criteria and procedures established by the aforesaid order.

The associate members have voting rights in the general assembly.

However, the associate members may not be elected to the position of President of the Chamber, or to the position of First Vice-President of the Chamber. They also may not vote for the appointments for said positions.

In addition, they may not participate in the Electoral College to elect the representatives of the chamber to the Assembly of Councilors, regional, provincial, or prefectural councils, or represent the chambers in the aforementioned councils.

Article 11:

The functions of the elected and associate members of the chambers' general assembly are performed without remuneration.

However, the chambers may provide travel and housing expenses to their elected members in business and their associate members when they are asked to perform missions on behalf of the chamber in accordance with the regulations in force.

Article 12:

The General Assembly is the highest body in the chamber. It is invested with the power and authority necessary for the administration of the chamber.

Through its deliberations, it regulates the business of the chamber and employs all of its prerogatives to carry out the missions it is invested with in accordance with the provisions of the present law, namely:

- * elect the members of the bureau;
- * establish commissions;

- * elect the Chamber's representatives to provincial or prefectural councils.
- * approve the rules of procedure;
- * approve the strategic plan and the annual action plan;
- * adopt the annual budget;
- * approve the annual administrative report;
- * approve acquisitions, dispositions, loans and advances;
- * approve agreements entered into with other institutions and organizations.

The General Assembly may delegate part of its powers and functions to the president, the chamber's bureau, or its commissions.

Article 13:

The chambers have the ability to bring actions, suits, or other legal proceedings, to desist or compromise in case of litigation.

An opinion shall be addressed to the government agency for agriculture concerning all litigation, whether introduced by or against it, and the settlement or withdrawal procedures reached by the chamber on the recommendation of the government agency for agriculture.

Article 14:

The General Assembly is required to meet once every four months, beginning with the date the bureau is constituted. Sessions are held in the chamber's geographical district and shall not last longer than ten days.

The president sends an individual notice of meeting to each member by registered letter with acknowledgement of receipt or any other means proving receipt; the notice of meeting is accompanied by the agenda and sent at least eight clear days before the meeting of the General Assembly.

Article 15:

The president prepares the agenda of the sessions of the General Assembly with the bureau.

Each member may request, in writing to the president, the listing of any item of business relevant to the functions of the General Assembly on the agenda, at least five days before the date of the aforesaid assembly.

The General Assembly shall deliberate only on the items of business listed on the agenda. Nevertheless, and in exceptional circumstances, any urgent item of business may be introduced during the sessions, after its acceptance by the majority of members present, without discussion.

Article 16:

The General Assembly may hold special sessions when needed:

- * at the initiative of the president;
- * at the request of at least one third of the members in office;
- * at the request of the government agency for agriculture or the governor of the prefecture or province in the administrative center of the region of the chamber concerned.

The meetings take place under the same conditions as the ordinary meetings of the General Assembly.

The president shall respond to a request to convene presented to him within fifteen days following the date of its receipt.

Beyond that date, the request may be addressed to the governor of the prefecture or province in the administrative center of the region of the chamber concerned, which shall then convene the General Assembly within fifteen days from the date of receipt of the aforesaid request.

The special session of the General Assembly shall not last longer than three days.

Article 17:

The deliberations of the General Assembly are valid subject to the conditions set out below:

- * an absolute majority of members in office is present. If this quorum is not reached, a second meeting shall be held within fifteen days. A new individual notice of meeting is addressed at least eight clear days before the date of the meeting. In this case, the deliberations are valid regardless of the number of members present;
- * decisions should be made by an absolute majority of voters. In case of a tied vote, the president has the casting vote except in the case of a secret ballot.

Voting is public; nevertheless, it may be secret at the request of one third of the members present.

In this case, an equal split in the vote constitutes a defeat of the decision.

Article 18:

The government agency for agriculture or its representative and the local administrative authority or its representative attends sessions of the chambers' General Assembly without participating in voting.

However, they may present, at their initiative or at the request of the president or a member of the General Assembly, all the observations and clarifications relative to the items of business listed on the agenda.

The president, in concert with the other members of the bureau, may invite any person that he considers useful to consult on an item of business on the agenda.

Article 19:

Any absence from a General Assembly meeting shall be justified in writing and addressed to the president. The reasons given are recorded in the attendance sheet.

Article 20:

Any member who does not comply with the provisions of the present law and the chamber's rules of procedure, shall be sanctioned by the General Assembly that, with a majority of members present, may exclude the member concerned from the session.

Article 21:

Minutes are prepared at the conclusion of each session, signed by the president and the secretary, then recorded in a special register after approval by the General Assembly in the following session.

A copy of the minutes is sent to each member at least eight days before the following session.

Each chamber regularly sends the minutes of its session to the government agency for agriculture. A copy of the minutes is also sent to the governor of the prefecture or province in the administrative center of the region of the chamber concerned.

Article 22:

Decisions made during the deliberations of the General Assembly are signed by the president of the chamber and his secretary and recorded in chronological order in a special register.

Excerpts from the decisions are posted within eight days of the chamber's session.

Any voting member of the chamber has the right to make complete or partial copies of the decisions at his own expense. He may publish them subject to being held responsible for it.

Article 23:

In case of the absence or incapacity of the secretary or when the secretary refuses to sign a decision, a note is added to the meeting minutes. It is thus up to the deputy secretary to proceed on his own.

Failing that, the president designates a secretary who may proceed legitimately from among the members of the General Assembly present who know how to read and write.

Chapter 2: Composition and Functions of the Chamber's Bureau

Section 1: Composition of the bureau

Article 24:

The General Assembly meets during the two weeks following the proclamation of the definitive results, in accordance with the provisions of the aforesaid Article 271 of Law no. 9-97, on written notice by the governor of the prefecture or province in the administrative center of the region of the chamber concerned to elect a bureau from among its members, for the term of office, including:

- * a president;
- * 2 vice-presidents, when the number of chamber members is less than 10;
- * 4 vice-presidents, when the number of chamber members is between 11 and 40;
- * 6 vice-presidents, when the number of chamber members is between 41 and 60;
- * 8 vice-presidents, when the number of chamber members is more than 60;
- * a secretary;
- * a deputy secretary;
- * a budget rapporteur.

Article 25:

For the election of its bureau, the General Assembly meets under the presidency of the oldest member among the members present.

The secretariat for the session, provided by the youngest members present who know how to read and write, creates the minutes that will be signed by the president of the session and his secretary.

The president and first vice-president are elected on a secret ballot by the uninominal system. Each position to be filled is voted upon separately;

The other members of the bureau are elected:

- voting for a single candidate by secret ballot if the number of chamber members is less than fifteen; each position to be filled is voted upon separately;
- by the list system if the number of chamber members is equal to or greater than fifteen; the winning list takes all the offices.

Voting by mail or by proxy is prohibited.

The assembly can only legitimately hold the meeting for this election when two thirds of its members in office are present.

If this condition is not satisfied, the election of the bureau is postponed to another meeting, which shall be held at the earliest four days and at the latest eight days later. During this meeting,

the election of the bureau shall be held legitimately regardless of the number of members present.

On the first ballot, the election is held with an absolute majority of members present. If this condition is not met, a second ballot is held during the same session and in this case, the election is held with a simple majority.

In case of an equal distribution of votes in the second ballot, a drawing is held to determine the election.

Article 26:

The election of the chambers' president and bureau members may be appealed in accordance with the legislation applicable to the elections of chamber members.

Article 27:

Each chamber elects a representative from its elected members for each prefectural or provincial council in its district. This election takes place during the same session as the bureau election.

This representative is elected by simple majority in a secret ballot by the elected members of the chamber for the prefecture or province corresponding to the member of the aforesaid chamber.

If these representatives' seats become vacant for any reason whatsoever, they are replaced in accordance with the provisions of Law no. 79-00 relative to the organization of provinces and prefectures, enacted by dahir no. 1-02-269 of the 25 rejab 1423 (October 3, 2002).

Section 2: Functions of the bureau

Article 28:

Upon its election, the chamber's bureau is charged with achieving its missions and meets at least once a month.

Article 29:

The chamber's bureau is responsible for

- * establishing the chamber's rules of procedure;
- * preparing for the sessions of the General Assembly and establishing its agenda;
- * executing and following the decisions of the General Assembly;
- * developing the chamber's draft budget;
- * monitoring the implementation of the chamber's budget;
- * seeking solutions to problems delegated to it by the General Assembly

- * studying all the business to be presented for approval to the General Assembly
- * giving opinions and presenting recommendations concerning urgent business between General Assembly sessions.

The secretary and the deputy secretary ensure the creation and preservation of the minutes. The budget rapporteur is instructed to present the draft budget and the administrative accounts to the General Assembly.

Section 3: Functions of the chamber president

Article 30:

The president of the chamber is the president of the bureau and the General Assembly and is the authorizing officer for expenditures.

He is entrusted with the following tasks in particular;

- * ensuring the application of decisions of the General Assembly and bureau;
- * contributing to the implementation of the regional agricultural strategy;
- * contributing to the implementation of regional plans for agricultural development;
- * ensuring the coordination of the Chamber of Agriculture's institutional activities;
- * facilitating and supporting the functioning of management organizations within his jurisdiction;
- * ensuring the application of the legislation in force;
- * preserving the chamber's property;
- * facilitating the discussion with the various operators in regards to agricultural and rural development;
- * ensuring the development of partnerships with public and private players in the agricultural sector;
- * representing the chamber to third parties;
- * ensuring the proper organization and functioning of the sessions and meetings of the bureau and General Assembly.

In case of absence or incapacity, the president's functions are carried out by one of the vice-presidents according to their order.

The president may delegate certain of his duties to a member of the bureau by written decision.

Article 31:

When a new president is elected, the incoming president proceeds to establish an inventory, within five days from the date of his election, in the presence of the representative of the government agency for agriculture and the representative of the local administrative authority.

A report including a complete inventory of the chamber's movable and immovable property and an inventory of its human resources and financial situation is established to this end and signed by the incoming and outgoing presidents.

A copy of this report is sent to the government agency for agriculture and the governor of the prefecture or province in the administrative center of the region of the chamber concerned.

In case this Inventory cannot be made, the government agency for agriculture designates a commission composed of;

- * a representative of the government agency for agriculture;
- * a representative of the local administrative authority;
- * the director of the chamber.

The mission of this commission is to establish a complete inventory of the chamber's movable and immovable property, its human resources, and its financial situation.

Section 4: Functions of the chamber's secretary general

Article 32:

A general secretariat, comprised of 3 to 4 persons, is attached to the president of the chamber. A secretary general named by the president after approval by the government agency for agriculture ensures the management of the general secretariat.

His/her responsibilities are essentially to:

- * coordinate the activities of the bureau;
- * ensure the proper functioning of the general secretariat attached to the president;
- * contribute to preparing the work for the meetings of the bureau, the General Assembly and its commissions;
- * regulate the record-keeping procedures of elected bodies' work sessions;
- * write reports on the activities of the bureau and General Assembly;
- * help prepare the draft of the agenda for meetings and sessions of the bureau;
- * study the files and business to be submitted to the president, bureau, commissions and General Assembly;
- * prepare items for the bureau and its president to draft an opinion on questions posed or to discuss in the institutions in which they participate;

- * advise elected bodies on legal and institutional questions related to the performance of their duties;
- * attend and take part in bureau meetings and sessions of the General Assembly, in an advisory capacity;
- * facilitate the work of the commissions.

Section 5: Functions of the chambers' provincial or prefectural representatives

Article 33:

The chamber representatives to provincial or prefectural councils, referred to in Article 27 above, also represent the aforesaid chamber at the provincial and prefectural level for all business that the president has delegated them.

Chapter 3: Commissions : Creation and duties

Article 34:

The General Assembly may appoint commissions to which they entrust the examination of questions to be presented to the General Assembly for discussion and approval.

The General Assembly elects a president and a deputy for each commission from among its members by simple majority in a secret ballot.

The composition, powers, and functioning of the commissions are established in the rules of procedure mentioned in Article 12 above.

Article 35:

The commissions may only perform duties reserved for the General Assembly when they are so delegated.

The president of the commission is, by law, the rapporteur of the chamber's work. He may, through the chamber president, invite any person known to have specific skills and qualifications to participate, in an advisory capacity, in the work of the commission.

Chapter 4: Management: Creation and duties

Article 36:

In each chamber, management is instituted whose director is appointed and revoked from office by the president after approval of the government agency for agriculture.

He carries out the decisions of the General Assembly and the bureau. He takes all necessary measures to accomplish this task.

With the president, he signs all financial and accounting records of the chamber within eight days of the date of receipt. In case the director refuses to sign, the president's signature is legally binding. The president informs the government agency for agriculture about this circumstance at once.

Article 37:

The chamber's director is responsible for:

- * ensuring compliance with the measures and procedures in force;
- * carrying out the decisions of the bureau's General Assembly;
- * providing administrative and financial management;
- * organizing, facilitating and coordinating the business of the relevant services in his jurisdiction;
- * carrying out the chamber's programs, policies, and the business of services that are attached to him;
- * executing the chamber's budget and ensuring financial management control;
- * monitoring recruitment, evaluation, and training of the chamber's personnel;
- * attending, in an advisory capacity, meetings of the bureau and General Assembly;

Chapter 5: Rules of procedure;

Article 38:

The chamber establishes the rules of procedure on the recommendation of the bureau. The rules are approved by the General Assembly.

Title IV: Resignation or removal of chamber and bureau members

First Chapter: Resignation or removal of chamber members

Article 39:

Any member who becomes ineligible in accordance with the provisions of aforesaid Law no. 9-97 is deemed to have resigned.

Article 40:

The resignation of the chamber member is sent by registered letter to the president. It is final only after it is submitted to the General Assembly.

A notice is sent to the government agency for agriculture and the governor of the prefecture or province in the administrative center of the region of the chamber concerned.

Article 41:

Any member who, without a reason accepted by the General Assembly, is absent during two successive ordinary sessions is deemed to have resigned by joint order of the Minister of the Interior and the government agency for agriculture.

The chamber president sends the application for revocation of the person concerned to the government agency for agriculture after deliberation of the General Assembly,

Article 42:

Elected members who resign or are relieved of their duties are replaced when by-elections are held in accordance with the provisions of the aforesaid Law no. 9-97.

Article 43:

Once a chamber has lost at least one third of its members, it is required to hold by-elections after the annual revision of electoral lists.

However, if a chamber has lost half of its members or more, the activity of its bodies are frozen until its completion by order of the government agency for agriculture.

The by-elections are organized by a decree establishing the date and the conditions under which they are held in accordance with the provisions of the aforesaid Law no. 9-97.

Chapter 2: Resignation and removal of bureau members

Article 44:

Any member who, without a valid reason, is absent during three meetings is deemed to have resigned by decision of the General Assembly.

The decision to remove a member is made during the next meeting of the General Assembly, by a majority vote of the members present.

Article 45:

Three-fourths of the chamber members in office may request the president, the government agency for agriculture, and the governor of the prefecture or province in the administrative center of the region of the chamber concerned, to hold an special General Assembly for the removal of the bureau.

The special General Assembly decides on the application for removal with a two-thirds majority vote.

In case the application is accepted, an election of a new bureau is held during the same session in accordance with the terms and conditions provided in the present law.

In case the president refuses to convene the special General Assembly within a maximum of one month from the date of receipt of the application, the governor of the prefecture or province in the administrative center of the region of the chamber concerned convenes the special General Assembly within fifteen days following the expiration of the deadline given to the president.

The bureau may be relieved of its duties only under the conditions defined in the preceding paragraph after the expiration of one year following the date of its election or reappointment. The bureau removal procedure may not be initiated during the last half of its term.

Article 46:

A president wanting to renounce his office shall present his resignation, by registered letter, to the vice-president, the government agency for agriculture and the governor of the prefecture or province in the administrative center of the region of the chamber concerned.

This resignation only becomes definitive after being accepted by the General Assembly.

Article 47:

The resignation of other bureau members is sent to the president of the chamber, who informs the General Assembly, the government agency for agriculture and the governor of the prefecture or province in the administrative center of the region of the chamber concerned.

It is considered definitive after being accepted by the General Assembly.

Article 48:

If the office of the president or a bureau member is vacant for whatever reason, the General Assembly is convened for a special session to elect their successors, in conformity with Article 24 of the present law within one month from the date of the vacancy.

Title V: Financial organization:

Article 49:

The chamber's budget includes:

a) In revenue:

- * the share allocated to it by revenue collected from taxes and fees for their use;
- * grants and subsidies of the State, local authorities, and public institutions;
- * receipts from matching funds and partnerships with national and foreign professional organizations and assistance from these organizations;

- * contributions from members of its electoral college;
- * gifts and bequests;
- * authorized loans and other forms of financing;
- * receipts that may be reserved for them by regulation;
- * receipts that may be received for services performed, from the management of their affairs, or those billed by the services that are attached to them, as determined by the bureau, after approval by the government agency for agriculture;
- * amounts from judgments decided in their favor;

b) In expenses:

- * operating expenses;
- * investment expenses;
- * payment of debts, loans and debt service;
- * grants and subsidies provided by the chamber.

Article 50:

Every year the chambers establish their own budget of revenues and expenses and, if need be, special budgets for services assigned to them, which are submitted to the General Assembly for approval.

After these budgets have been submitted to the government agency for agriculture for endorsement, they are sent to the government agency for finances for approval. The government agency for agriculture is responsible for verifying the execution;

In case the budget is not approved in the first two months, the government agency for agriculture may establish, for the chamber concerned, a partial budget submitted for endorsement to the governmental agency for finances, including the necessary expenses to ensure its continuity as a public service.

Article 51:

The decision to accept or reject gifts and bequests, even without costs and without condition or assignment of real estate, shall be approved by joint order of the government agency for agriculture.

The chambers may, however, accept gifts and bequests made to them provisionally, without authorization.

Article 52:

The chambers may be authorized, by joint order of the government agency for agriculture and the government agency for finances, to contract loans for construction and development of institutions in connection with their functions and duties or for carrying out agricultural development projects.

Loans may not be authorized for a term of more than thirty years and shall be subject to depreciation schedules each year.

The service of these loans and the operating expenses of the institutions are financed by tax revenues and, where appropriate, quasi-taxes whose collection may be authorized for the benefit of the aforementioned institutions.

Article 53:

Acquisition of properties, for valuable consideration, on the one hand, and disposition of properties for valuable consideration or free of charge, on the other hand, made by the chambers are subject to prior approval in the following situations:

1. for acquisitions and dispositions valued at less than five million dirhams, an order made by the government agency for agriculture;
2. for acquisitions and disposition with a value equal to or more than five million dirhams, a joint order of the government agency for agriculture and the government agency for finances;

Title VI: Supervision

Article 54:

Decisions of the General Assembly are carried out only after approval by the government agency for agriculture and the government agency for finances in regards to:

- * the budget;
- * opening new accounts;
- * acquisitions and dispositions of real estate;
- * loans;
- * guarantees;

Article 55:

Every year each chamber sends a comprehensive report on the work and operations that it performed during the preceding year to the government agency for agriculture and the government agency for finances.

This report shall be completed during the first quarter of each year.

Article 56:

If the interests of a chamber are threatened for any reason that affects its normal functioning, the government agency for agriculture, in collaboration with the local administrative authority, may, after an investigation, freeze the activities of the management bodies of the chamber concerned by a reasoned order published in the "Official Bulletin." The freeze period may not last longer than three months.

A chamber's management bodies may be dissolved by reasoned decree published in the "Official Bulletin."

Article 57:

Each time that a chamber of agriculture's management bodies are dissolved, or when its members cease their activity following a collective resignation or for any other reason, the election of new members is held within ninety (90) days from the date of the event. This procedure may not be initiated during the last half of the chamber members' term.

Article 58:

In case of frozen activity, dissolution of a chamber, the impossibility of electing a president, or a collective resignation of its members, the government agency for agriculture designates a special commission solely for the purpose of carrying out urgent administrative work, in the fifteen days following the event of one of the aforesaid cases.

The special commission is composed of four members in addition to the director of the chamber concerned. The government agency for agriculture designates one of them as president of the commission.

The president of the special commission is the authorizing officer for expenditures.

The duties of the aforesaid commission ends, by law and according to the case, at the time of the election of the chamber's bureau, the organization of by-elections, or the selection of the chamber's new General Assembly.

Title VII: Associations of the Chambers of Agriculture

Article 59:

The chambers meet in an association regulated by dahir no. 1-58-376 of the 3 jomada I 1378 (November 15, 1958) regulating the right of association, as amended and supplemented.

The statutes of the association are approved by the government agency for agriculture.

Title VIII: Final provisions

Article 60:

This law supersedes the provisions of dahir no. 1-62-281 of the 24 jourmada I 1382 (October 24, 1962) forming the statutes of the chambers of agriculture, as amended and supplemented.

However, these provisions remain in force during a transitional period between the publication of the present law in the Official Bulletin and the official proclamation of the results of the elections of chambers' members following this publication.

Article 61:

The relevant movable and immovable property of former chambers, within the limits of their territorial jurisdiction, are transferred in full ownership and without cost for the constitution of the initial assets of the new chamber, according to the terms established by regulation.

The above-mentioned transfer does not give rise to the collection of any tax or fee.

The files and other documents related to the duties that are vested in them and held by the former chamber are transferred on their own initiative to the chamber offices, on the date the present law goes into force.

Article 62:

The chambers regulated by the present law are subrogated in the rights and obligations of the former chambers for all the design, work, materials, and transport contracts and all other contracts and agreements entered into before the effective date of the present law as well as for the services provided and technical, legal and administrative activities, related to the ongoing duties vested in these chambers on the aforesaid date.

Article 63:

Recovery of chambers' debts resulting from services provided under the provisions of Article 4 of the present law, is carried out in accordance with the legislation relative to the recovery of public debts.