

No. 17580

FRANCE
and
MOROCCO

Protocol of administrative agreement relating to the implications of the application of Moroccan legislation on civil status to Moroccans living in France or coming to reside and work there (with annexes). Signed at Paris on 1 June 1978

Authentic text: French.

Registered by France on 20 February 1979.

FRANCE
et
MAROC

Protocole d'accord administratif relatif aux incidences de l'application de la législation marocaine sur l'état civil aux ressortissants marocains demeurant en France ou venant y résider et y travailler (avec annexes). Signé à Paris le 1^{er} juin 1978

Texte authentique : français.

Enregistré par la France le 20 février 1979.

[TRANSLATION — TRADUCTION]

PROTOCOL OF ADMINISTRATIVE AGREEMENT¹ BETWEEN
THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE
GOVERNMENT OF THE KINGDOM OF MOROCCO RELATING
TO THE IMPLICATIONS OF THE APPLICATION OF MOROCCAN
LEGISLATION ON CIVIL STATUS TO MOROCCANS
LIVING IN FRANCE OR COMING TO RESIDE AND WORK
THERE

Considering the difficulties encountered by the French Administration and social services in identifying Moroccan nationals concerning whom an entry has been made in the civil register or whose civil status has been amended,

Considering the advantage both for Moroccan nationals in France and the French public services of efforts to reach a solution which would be fair and in conformity with the laws and regulations in force in both countries,

Following conversations held in Paris in January 1978 and at Rabat in April 1978, the French and Moroccan administrative authorities have agreed as follows:

Article 1. CERTIFICATE OF CONCORDANCE

Any Moroccan national living in France concerning whom a first entry has been made in the Moroccan civil register shall present to the French public services, whenever necessary, in support of his civil status booklet or his birth certificate, a "certificate of concordance" establishing the link between his previous identification based on administrative documents and his newly instituted civil status.

The same "certificate of concordance" shall be required from a Moroccan national living in France whose civil status has been amended by a court order or by decree in conformity with Moroccan law.

The certificate, which shall conform to the model annexed to this Agreement, shall bear the seal and visa of the administrative authority and the seal and visa of the competent civil registry official (civil registry official at the place of birth of the person concerned). It shall be authenticated by the visa and embossed stamp of the consulate in whose jurisdiction the Moroccan national has his residence.

This certificate may be presented by the person concerned or requested by the French public services through the intermediary of Moroccan consulates in France. In all cases it shall be kept by the Moroccan national.

Article 2. PASSPORT RENEWAL CERTIFICATE

Any Moroccan national who, subsequent to a first stay in France, enters that country again, after one or more of his identity documents have been modified as a result of an entry concerning him in the Moroccan civil register

¹ Came into force on 1 September 1978, i.e., after the completion of the necessary formalities, in accordance with article 6.

or of a court order, shall, upon entering French territory, present a "passport renewal certificate" to the officials responsible for frontier police control.

The document, prepared in conformity with the model annexed to this Agreement, shall establish the link between the previous identity entered in the former passport and the civil status shown in the new passport. It shall be issued exclusively by governors and authenticated by an embossed stamp. It shall only be used on entry into France to prove that the bearer of the passport is indeed the same person as had already had permission to reside and shall be left in the hands of the control official.

Article 3. FRANCO-MOROCCAN TECHNICAL COMMITTEE

The two parties accept the principle of the establishment of a Franco-Moroccan Technical Committee responsible for rendering an opinion on the problems raised by some of the files, settlement of which has been suspended by the French social security services pending an amicable solution or possible referral to the Moroccan courts.

Article 4. REMEDIES PROVIDED FOR BY MOROCCAN LEGISLATION

The French Administration and social services reserve the right to avail themselves of the remedies provided for by Moroccan legislation to request modification of civil status documents, in accordance with article 219 of the Moroccan code of civil procedure, and to begin third party opposition proceedings or an appeal for withdrawal, in accordance with articles 303, 402 *et seq* of the Moroccan code of civil procedure, against court orders modifying civil status which are prejudicial to their rights.

Article 5. TRANSITIONAL PROVISIONS

In the event that a request for social security benefits is rejected solely because of a modification of elements of identification, the Moroccan national concerned may submit to the competent service a request for revision of his file based on the new fact which constitutes justification of the concordance of the elements of identification provided for by this Protocol of Agreement.

Article 6. ENTRY INTO FORCE

This Agreement shall take effect after the necessary formalities for its entry into force have been completed.

DONE at Paris on 1 June 1978.

For the Government of the French Republic:

[Signed]

CLAUDE CHAYET

For the Government of the Kingdom of Morocco:

[Signed]

MOHAMED AIOUCH

ANNEX I

KINGDOM OF MOROCCO
MINISTRY OF

CERTIFICATE OF CONCORDANCE

The administrative and civil registry authorities of certify that an entry concerning:

Mr of Moroccan nationality
Born on
At
Douar
Commune
Caïdat
Province
Son of and of
has been registered, in accordance with texts in force governing civil status in Morocco,
at the civil registry office of
commune of

He appears in the civil status registers, document No. of the year
under the following identification:

Family name
Given name
Born on at
Son of and of
Commune of, province of

This certificate is issued to the person concerned for such purposes as may be deemed appropriate.

DONE at, on

STAMP AND VISA
OF THE ADMINISTRATIVE AUTHORITY

STAMP AND VISA
OF THE COMPETENT CIVIL REGISTRY OFFICIAL

NOTE. The competent civil registry official is the civil registry official of the place of birth of the person concerned.

ANNEX II

PASSPORT RENEWAL CERTIFICATE ISSUED TO MOROCCAN NATIONALS RESIDING IN FRANCE

The Governor of the prefecture or province of
certifies that Mr., given name
born on in the prefecture or province of
previously holding
former passport model No., series
issued by the prefecture or province of
on
In the name of Mr.
a holder of
residence card No., issued at
by
and if necessary of the
Work card No. issued at
by
has obtained a new passport model No., series A,
issued on at

SEAL AND SIGNATURE OF THE GUBERNATORIAL AUTHORITY
WHICH ISSUED THE NEW PASSPORT
