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TRANSLATION

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المكتب الدولي للترجمة

45، شارع فرنسا - أكدال
الرباط

☎ : 05 37 77 31 33

الفاكس : 05 37 77 21 60

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Translation into.....

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Royal Decree

“Dahir”

ESTABLISHING

AL AKHAWAYN UNIVERSITY IN IFRANE



Royal Decree

"Dahir"

With force of Law No. 1-93-227 of 3 Rebia II 1414 (September 20, 1993)

ESTABLISHING

AL AKHAWAYN UNIVERSITY IN IFRANE

Praise be to God!
(Great Seal of His Majesty Hassan II)

Be it known by the present Dahir, may God elevate and strengthen its import!

That Our Sharifian Majesty,
Considering the Constitution, namely article 101 thereof,

Following the deliberations of the Council of Ministers, meeting on 13 Safar 1414 (3 August 1993);

Considering the historical and cultural mission of the Kingdom of Morocco, an Arab-African land enjoying a privileged geo-strategic position, belonging to the Arab-Islamic civilization and open to Europe, America and Asia;

Considering the decisive role of science, technology and arts in the emancipation and prosperity of modern nations and the need to promote them so as to preserve our assets and consolidate our country's identity as a land of dialogue, liberty and tolerance, a fact in which our Kingdom takes deep pride;

Seeking to enrich our educational system through the establishment of a new university, whose organizational, pedagogical and scientific structures are inspired by the most effective models, and which is meant to be a forum for the creation and confrontation of human progress in all fields of knowledge as well as a framework for cooperation and understanding among peoples and civilizations;

Wishing for this university to contribute to the training of highly qualified executives, who are committed to the quest for knowledge and culture, and are infused with the values of human solidarity and tolerance;

Desiring that the education provided by this university grant special status to the Arabic language and Arab-Islamic culture at all educational levels and majors, adopting all the while the English language as the main medium of instruction;



HAS DECIDED THE FOLLOWING:

TITLE I

PURPOSE AND STATUTE

Article 1: It is hereby established under the honorary presidency of our Majesty a non-profit institution of higher education and scientific research, a legal entity with financial autonomy, named Al Akhawayn University in Ifrane;

Al Akhawayn University shall be located in Ifrane. Teaching and research branches of the university may be set up in any other location in the Kingdom.

The University shall be placed under the administrative supervision of a commission made up of:

- The Minister of Waqf and Islamic Affairs;
- The Minister of National Education;
- The Permanent Secretary of the Academy of the Kingdom of Morocco;
- The Permanent Secretary of the Hassan II Academy of Science and Technology.

Article 2: The mission assigned to the University shall be:

- to provide higher education programs covering various fields of knowledge and allowing for diversified training programs that are adapted to changing needs and evolving knowledge;
- to contribute to the mastery and utilization of advanced technologies;
- to undertake scientific and technological research programs in any field of national and international interest;
- to promote continuing education and the development of knowledge and its dissemination;
- to take part in the training of highly qualified executives.

Within the framework of the mission assigned to it by virtue of this Dahir, Al Akhawayn University may establish partnerships with universities or other national and international organizations in the fields of higher education and research. It may also enter into cooperation relations with public or private entities from various sectors of the national economy.

The University shall comprise Schools, Institutes and Research Centers.



TITLE II

THE UNIVERSITY BOARD OF TRUSTEES AND THE PRESIDENT

Article 3: The University shall be administered by the Board of Trustees. It shall be managed by the President of the University.

Chapter I:

The Board of Trustees

Article 4: The Board of Trustees of the University shall have all the powers necessary to fulfill the mission of the University and ensure its proper management, and for this purpose, it:

- establishes the general orientations of the University and enacts all necessary measures to implement them;
- prepares the University's budget and accounts, decides on the allocation of income, sets the annual rates for tuition and fees and decides on grants and scholarships;
- lays down the regulations pertaining to the University's teaching and research faculty as well as the administrative and technical staff. These regulations must be approved by the authority stipulated in Article 1 of this Dahir;
- decides on the establishment of Schools, Institutes and Research Centers and determines their mission;
- decides on setting up branches of the University;
- enacts bylaws for its own government and for the conduct of University affairs.

Article 5: The Board shall consist of no less than twenty-six members and no more than fifty-six. Members of the Board shall bear the title of Trustees of the University.

The title of Trustee of the University shall be inconsistent with the exercise of any administrative, teaching or research activity within the University.

Article 6: The term of office of the Trustees of the University shall be four years. No trustee of the University shall serve more than three terms.

Article 7: The Board of Trustees of the University shall submit to the approval of Our Majesty the names of personalities whom the Trustees wish to co-opt as new Board members.

Election shall take place during the month following that in which Our Majesty has indicated His approval.

However, should Our Majesty advise of His unwillingness to approve the election of a given candidate, such a candidate shall not stand for election.



Article 8: The Board shall elect, from among its members, a Chairman, a Vice-Chairman and a Secretary General.

Candidatures for the positions of Chairman, Vice-Chairman, and Secretary General shall be submitted for the prior approval of Our Majesty.

Article 9: The Chairman shall preside over, and set the agenda of Board meetings.

He/She shall represent the University before any administration, legal entity, national or foreign university and any other party.

He/She may delegate to the President of the University his/her representation powers.

He/She shall accept legacies and donations.

The Vice-Chairman shall assist the Chairman and shall act as his/her substitute in case of absence or impediment.

The Secretary General shall be in charge of the Board's secretariat. He/She shall ensure the drafting and keeping of the minutes of Board meetings.

The Chairman may delegate some of his/her powers to the Vice-Chairman and to the Secretary General.

Article 10: The Board of Trustees of the University may set up, from among its members, standing or ad hoc committees whose composition, attributes and operation shall be determined by its bylaws.

Article 11: The Board shall convene as often as necessary and at least twice a year.

When a Board meeting is convened for the first time, the Board's deliberations shall not be valid unless half of its members at least are present.

Should this quorum not be reached, a second meeting shall be convened within a maximum period of 30 days. The quorum at the second meeting is established irrespective of the number of Trustees present.

During the Board deliberations, the vote of a majority of Trustees present shall prevail. In case of a tie, the Chairman shall have the casting vote.

Article 12: An Executive Committee of the Board of Trustees of the University shall be established. It shall be chaired by the Chairman of the Board, and it shall be made up of the Vice-Chairman, the Secretary General and the Chairpersons of the Standing Committees of the Board. In the period between Board meetings, the Executive Committee shall undertake to settle



the matters for which it has been empowered by the said Board and shall also monitor the management of the University.

The mode of operation of the Executive Committee shall be determined by the Bylaws of the Board.

Article 13: In the event that a Trustee of the University should commit an act likely to jeopardize the honor of the Board or should he/she demonstrate continued and willful neglect of his/her duties, the Board may, after referring to Our Majesty, decide by a two-third vote the vacancy of the relevant seat.

Article 14: The Bylaws of the Board of Trustees must be approved by the authority stipulated in Article 1 here above.

Article 15: The Board of Trustees shall submit annually to Our Majesty a report on the activities of the University.

Chapter II:

The President of the University

Article 16: The Board of Trustees of the University shall submit to the approval of Our Majesty the nomination of the President of the University.

The President of the University shall be appointed for a renewable four-year term.

The President is an ex officio non-voting member of the Board and of the Executive Committee. The function of President of the University is inconsistent with that of Trustee of the University.

Article 17: The President of the University shall serve as the Chief Executive Officer of the University. He/She shall have all the powers necessary for the management of the University. Thus, he/she shall:

- represent the University before any administration and any other party with regard to the matters for which he/she has been empowered by the Chairman of the Board;
- undertake all legal steps and represent the University before courts of justice;
- make disbursements in the name of the University through deeds, contracts or transactions. He/She shall ensure that accounting of disbursed funds is kept, and he/she shall control the University's expenditure and income;
- ensure the management of all the services of the University;
- ensure the coordination of the activities of the various Schools, Institutes and Centers of the University;



- Submit to the approval of the Board the appointment of the faculty members and researchers as well as that of the candidates to the senior administrative and technical posts;
- Make appointments to posts other than those stipulated herein before;
- Submit to the Chairman of the Board items which he/she deems useful to include in the agenda of Board meetings.

The President of the University may be empowered by the Board to deal with specific matters.

Article 18: The President shall be assisted by one or more Vice-Presidents, including one Vice President for Academic Affairs. The Vice Presidents may receive delegation from the President. Their number, nomination, and attributes shall be determined by the Bylaws of the Board.

TITLE III

ACADEMIC ORGANIZATION

Article 19: An Academic Council shall be established of which the President of the University is the Chair. It shall be made up of:

- The Vice President for Academic Affairs;
- The Dean of each school;
- The Director of each Research Center or Institute;
- Three tenured faculty members from each School, elected by their peers for a renewable three-year term.

The President of the University may invite, on a consultative basis, any person whose presence he deems useful to attend the meetings of said council.

In the event of absence or impediment of the President of the University, the chairmanship of the Academic Council shall be ensured by the Vice President for Academic Affairs.

Article 20: The Academic Council of the University shall be convened by its President as often as needed and at least twice in each academic year. The agenda shall be prepared by said President.

The decisions of the Academic Council shall be made by a majority vote of its members. In case of a tie, the President shall have the casting vote.

The Academic Council shall establish the rules of procedure relating to the holding and running of its meetings. It shall set up such committees as it deems necessary for the conduct of its business, including a Degree Committee.



The composition and mode of operation of these committees shall be determined by the Academic Council.

Article 21: The Academic Council of the University shall be entrusted with:

- Promoting and maintaining a high intellectual standard within the University and in accordance with its mission;
- Proposing requirements for student admission, courses of study, the nature of degrees to be conferred, and the conditions of graduation;
- Recommending candidates to receive scholarships and prizes within their respective schools.

Article 22: The proposals of the Academic Council relating to the requirements for admission to the University of national and foreign students, to the system of studies and exams and to the educational and research programs shall be submitted by its President to the Board of Trustees for approval.

Article 23: Acting upon the proposal of the Degree Committee, the Board of Trustees of the University shall award the students who fulfill the academic requirements consistent with the criteria established by international accreditation bodies, the degrees of Bachelor, Master and Ph.D. in addition to all other degrees prepared within the University.

The Board may also award, upon the proposal of the Academic Council, honorary degrees.

The degrees stipulated in the foregoing paragraphs shall be jointly signed by the Chairman of the Board and the President of the University.

Article 24: The immediate suspension of any student may be decided by the President in the case of violation of the University's regulations, and particularly for a conduct contrary to good morals or for the illegal use, keeping or distribution of drugs or psychotropic substances.

The President of the University shall be responsible for discipline within the University. He shall be assisted by a Disciplinary Committee which decides on violations of the University's regulations.

The mode of operation of the Disciplinary Committee, in addition to the sanctions and the conditions for their application, shall be determined by the rules of procedures of the University.



TITLE IV

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FINANCIAL ORGANIZATION

Article 25: The budget of the University is the annual document which forecasts, evaluates and authorizes the resources and expenditures of the University.

It shall be prepared, on an annual basis, by the President of the University and shall be discussed and approved by the Board of Trustees of the University. The Board shall approve the annual accounts of the University.

The President of the University shall execute the budget. However, he/she may not acquire or transfer the real estate of the University except with the consent of the Board.

Article 26: The resources of the University shall comprise:

- income from the activities of the University;
- income from the movable and immovable property which make up the assets of the University;
- tuition and registration fees;
- contributions from national, international, private or public institutions;
- donations and legacies;
- other forms of revenue.

The expenditures of the University shall notably include:

- operating costs of the University;
- equipment and investment costs.

Article 27: At the end of each financial year, the Board shall appoint two chartered accountants whose mission shall be to audit the financial management of the University, the regularity and fairness of accounts.

They may take cognizance of the documents necessary for the fulfillment of their missions. They shall prepare a report on the audit operations they executed and shall formulate their remarks on the financial management of the University.

This report shall be appended to the annual activity report submitted to Our Majesty in accordance with Article 15 above.

Article 28: Al Akhawayn University shall be exempt from all import duties and taxes, applicable to materials, tools and equipment goods acquired by the University directly or through a leasing corporation, and which are necessary for the discharging of the missions assigned to it by this Dahir.



It shall likewise be exempt from value added tax on:

- the materials, tools and equipment goods stipulated in the foregoing paragraph, acquired locally by the University or through a leasing corporation;
- the services it provides within the framework of the missions assigned to it by this Dahir.

Al Akhawayn University shall be exempt, in all its acts, activities or operations and the potential income therefrom, from any duty, tax or any other national or local, current or future levy.

Article 29: The amount or value of the donations granted to the University, in cash or in kind, by individuals or corporate bodies, constitutes deductible expenses in accordance with the provisions of Article 7 (paragraph 9) of law no. 24-86 enacting a tax on companies, or of Article 9 (paragraph 1) of law no. 17-89 relating to the general income tax.

Article 30: To constitute its initial assets, the University shall receive from the State, as full property, the personal and real estates necessary for the fulfilment of the missions assigned to it by this Dahir.

TITLE V

GENERAL PROVISIONS

Article 31: In addition to the staff that Al Akhawayn University may recruit in accordance with its personnel regulations, staff from the public sector may be seconded to the University by virtue of the legislative provisions in force.

Article 32: Al Akhawayn University shall not be subject to the provisions of:

- the Dahir bearing law no. 1-75-102 of 13 Safar 1395 (25 February 1975) relating to the organization of universities;
- law no. 15-86 constituting the statute of private education and enacted by the Dahir no. 1-87-126 of 6 Rabii II 1412 (15 October 1991);
- the Dahir bearing law no. 1-74-384 of 5 Shawal 1397 (19 September 1977) constituting the statute of private arts education;
- the Dahir no. 1-59-271 of 17 Shawal 1397 (14 April 1960) organizing the State's financial control of offices, public establishments and franchise corporations as well as of the companies and bodies benefiting from the financial assistance of the State or the public communities.

The teaching staff and researchers of the University, who are of foreign nationality, shall not be subject to the provisions of the Dahir of 7 Shaaban 1353 (15 November 1934) regulating immigration.



TITLE VI TRANSITIONAL PROVISIONS

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Article 33: A commission designated by Our Majesty shall establish a list of the first twenty-six Trustees of the University, which it will submit to Our Majesty for approval.

This commission shall likewise draw up provisional bylaws of the University. It shall terminate its activities when the Board of Trustees of the University holds its first meeting.

The Board shall, as and where necessary, elect, in accordance with the stipulated regulations, the new members whose seats remain yet to be occupied.

TITLE VII

ENFORCEMENT

Article 34: This Dahir bearing law shall be promulgated in the Official Gazette.

Given in Rabat on 3 rebia II 1414 (September 20, 1993)

Countersignature:
The Prime Minister
Mohammed Karim Lamrani

Note of the translator: *this is a translation of pages 505, 506, 507 and 508 of the official Gazette No. 4223 dated 19 rebia II 1414 (October 6, 1993), each of which is certified by the General Secretariat of the Government under the signature of Mohamed SOUSSI on February 20, 2003.*

True and authentic translation
issued by me A. MIRANI ALAOUI
Conference Interpreter
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Rabat..... 11 OCT 2010
The Interpreter