

Dahir No. 1-21-59 of 3 hija 1442 (July 14, 2021) promulgating Law No. 13-21 relating to the lawful uses of cannabis.

Moroccan Law No. 13-21
relating to the lawful uses of cannabis

Chapter I

General provisions

Article 1

Notwithstanding the provisions of the Dahir of 12 Rebia II 1341 (2 December 1922) regulating the import, trade, possession and use of poisonous substances, as amended and supplemented, of the Dahir of 20 chaabane 1373 (24 April, 1954) prohibiting kif hemp, as it has been amended and supplemented, and the dahir containing Law No. 1-73-282 of 28 rebia II 1394 (21 May 1974) relating to the repression of drug addiction and the prevention of drug addicts and modifying the dahir of 12 rebia II 1341 (2 December 1922) regulating the import, trade, possession and use of poisonous substances as well as the dahir of 20 chaabane 1373 (24 April 1954) prohibiting kif hemp, as supplemented or modified, and subject to the international commitments of the Kingdom of Morocco, the cultivation, production, processing, manufacture, marketing, transport, export of cannabis and its products and the export and import of its seeds and plants, the import of its products and the establishment and operation of its nurseries may be authorised under the conditions and according to the rules provided for by this law.

Article 2

For the purposes of this law, the following terms mean:

- cannabis;
- the cannabis plant, which designates any plant of the cannabis genus;
- the flowering or fruiting tops of the cannabis plant, excluding seeds and leaves not accompanied by the tops, from which the resin has not been extracted, whatever their name;
- cannabis resin: the separated resin, raw or purified, extracted from the cannabis plant;
- narcotic: any natural or synthetic substance listed in Schedules I and II of the Single Convention on Narcotic Drugs of 1961, done in New York on 30 March 1961, as amended by the protocol established in Geneva on 25 March 1972;
- industrial purpose: any purpose related to industrial activities, in particular the food and cosmetics industries, other than the medical and pharmaceutical industries covered by any activity provided for by this law relating to cannabis and its products, including its cultivation and production.

Article 3

No one may engage in any of the following activities without obtaining an authorisation issued by the National Agency for the Regulation of Cannabis-Related Activities, created under Chapter VII of this law, hereinafter referred to as "the Agency":

- the cultivation and production of cannabis;

- the creation and operation of cannabis nurseries;
- the export of cannabis seeds and young plants;
- the import of cannabis seeds and young plants;
- the processing and manufacture of cannabis;
- the transport of cannabis and its products;
- the marketing of cannabis and its products;
- the export of cannabis and its products;
- the import of cannabis products.

Chapter II

Cultivation and production of cannabis

Article 4

The authorisation for the cultivation and production of cannabis as well as the authorisation for the creation and operation of its nurseries are only granted within the territory falling within the jurisdiction of the provinces, the list of which is fixed by decree.

Article 5

The authorisation for the cultivation and production of cannabis only is granted within the limits of the quantities necessary to meet the needs of manufacturing activities for products for medical, pharmaceutical, and industrial purposes.

Article 6

The authorisation for the cultivation and production of cannabis varieties whose content of the psychoactive substance of tetrahydrocannabinol (THC) exceeds the level set by regulation, can only be granted for the medical and pharmaceutical industries.

Article 7

Obtaining the authorisation for the cultivation and production of cannabis is subject to the presentation of a dossier justifying that the authorisation applicant meets the following conditions:

- is of Moroccan nationality;
- has reached the age of legal majority;
- resides in one of the douars belonging to one of the provinces referred to in article 4 above;
- joins one of the cooperatives specially created for this purpose in accordance with Law No. 112-12 relating to cooperatives promulgated by Dahir No. 1-14-189 of 27 Moharrem, 1436 (21 November 2014), as it has been modified;
- is the owner of the plot of land necessary for this purpose, or has the consent of its owner to cultivate cannabis there, or has a certificate issued by the local administrative authority attesting that he is using the said plot.

Article 8

Authorised Growers and Producers must:

- comply with the specifications established by the Agency in coordination with the government authorities concerned;
- use seeds and young plants certified by the Agency in accordance with the terms and conditions set by regulation;
- deliver the entire harvest to the cooperatives referred to in article 7 above in return for the price fixed in the sales contract provided for in article 10 below.

The specifications must include in particular:

- the standards to be respected for the cultivation and production of cannabis;
- the rules relating to crop rotation including the permitted number of agricultural cycles;
- technical standards relating to the use of fertilisers and pesticides, subject to the laws and regulations in force.

Article 9

When growers and producers are unable to deliver the cannabis crops, in whole or in part, due to damage or loss resulting from force majeure or fortuitous event, they must declare it to the Agency within seven (7) days from the date of the event to allow the Agency to carry out the investigations and the verification necessary to confirm it. The terms of the declaration are set by regulation.

Article 10

The cooperatives must conclude with the companies or other legal entities authorised to proceed with the manufacture, processing or export of cannabis and its products, a sales contract under which the said cooperatives undertake to deliver to the aforesaid bodies the crops supplied to them by the growers and producers.

Delivery is made in the presence of a commission convened by the Agency, made up of representatives of the Agency, the local administrative authorities, and the competent security services. A report is drafted for this purpose by the representatives of the Agency in which are recorded the identity of the parties, the date and place of delivery, the quantity delivered, the identity of the carrier and the destination of the harvest. The minutes are signed by the members of the said commission.

The commission proceeds to the immediate destruction of any excess production which exceeds the quantities covered by the contract concluded between the cooperatives and the aforementioned bodies.

The templates of the sales contract and of the delivery and destruction reports are fixed by regulation.

Article 11

The Agency may deliver cannabis harvests directly to companies or other legal entities authorised to process, manufacture or export cannabis and its products, in accordance with the procedures laid down in the second paragraph of article 10 above, when it finds, in particular through the control system provided for in Chapter VIII of this law, that the conditions for the direct and secure delivery of harvests by cooperatives to the aforementioned bodies have not been met.

Chapter III

Creation and operation of cannabis nurseries and export and import of its seeds and young plants

Article 12

Obtaining authorisation to create and operate cannabis nurseries, authorisation to export or authorisation to import cannabis seeds and young plants is subject to the presentation of a dossier showing that the authorisation applicant satisfies the conditions set out in the first and second bullets of article 7 above, as well as those set out in the legislative and regulatory texts in force relating to the production and marketing of seeds and young plants.

Article 13

Holders of authorisations for the creation and operation of cannabis nurseries, export authorisations and import authorisations for its seeds and young plants must:

- comply with the specifications drawn up by the Agency in coordination with the government authorities concerned, including in particular the standards to be met for carrying out the said operations and the rules for storing cannabis seeds and young plants, in accordance with the standards in force;
- use or import seeds and young plants certified by the Agency in accordance with article 8 above;
- have secure, supervised warehouses for storing cannabis seeds and young plants.

Holders of authorisations to create and operate cannabis nurseries or authorisations to import cannabis seeds and young plants are prohibited from selling said seeds and plants to persons not authorised to cultivate and produce cannabis.

The destruction of any part of the cannabis seeds and young plants, for whatever reason, may only be carried out in the presence of the commission provided for in article 10 above and in accordance with the procedures laid down in the same article.

Chapter IV

Processing, manufacture and transport of cannabis and its products

Article 14

Authorisation to process and manufacture cannabis or authorisation to transport cannabis and its products is subject to the submission of a dossier showing that the authorisation applicant meets the following conditions:

- is established in the form of a company or other legal entity governed by Moroccan law;
- has sufficient qualified material and human resources to carry out its activities;
- has obtained the necessary authorisations to carry out the activities regulated under current legislation.

In addition, the applicant for authorisation to process and manufacture cannabis must undertake to sign the sales contract provided for in article 10 above.

Article 15

Companies and other legal entities authorised to carry out processing and manufacturing must have secure and supervised warehouses to store the cannabis crops they purchase from cooperatives.

The destruction of any part of these harvests, for whatever reason, may only be carried out in the presence of the commission provided for in article 10 above and in accordance with the procedures laid down in the same article.

Article 16

Companies and other legal entities authorised to process, manufacture or transport cannabis and its products are required to comply with the specifications established by the Agency in coordination with the relevant government authorities.

In addition to the rules and conditions laid down by the legislation in force, the specifications must include in particular:

- the rules for processing, manufacturing, packaging and storing cannabis in accordance with the standards in force;
- the standards to be met for transporting cannabis and its products;
- the inputs that may be used in the processing and manufacturing process;
- technical standards and those relating to product quality and efficacy control;
- the conditions and rules to be observed to protect the environment in accordance with the laws and regulations in force;
- the method of packaging the product and preserving its quality;
- the procedures to be followed to guarantee the traceability of the quantities of cannabis received and those that have been processed and manufactured.

Article 17

With the exception of medicinal and pharmaceutical products, the manufacture of products with a tetrahydrocannabinol (THC) content exceeding the level set by regulation is prohibited.

Article 18

Cannabis products, whatever their destination, must be transported in closed packaging or containers in such a way as to prevent any substitution or mixing of their contents with other products. They must be labelled in accordance with the provisions of Chapter VIII of this Law.

Chapter V

Marketing and export of cannabis and its products and import of cannabis products

Article 19

Cannabis and its products which have already been processed, manufactured and imported may only be marketed and exported for medical, pharmaceutical or industrial purposes.

Article 20

The marketing, export and import of medicinal products and non-medicinal pharmaceutical products containing components of cannabis are subject to the provisions of Law No. 17-04 establishing the Medicines and Pharmaceutical Code promulgated by Dahir No 1-06-151 of 30 Chaoual 1427 (22 November 2006) and to the provisions of the Dahir of 12 Rebia II 1341 (2 December 1922), unless they conflict with those of the Law No. 17-04.

Article 21

By way of derogation from the provisions of article 25 and paragraphs 1, 2, and 3 of article 26 of the dahir of 12 rebia II 1341 (2 December 1922), the marketing and export of cannabis and its products, including products containing cannabis components, as well as the import of said products for industrial purposes, are subject to an authorisation issued by the Agency.

In addition to the conditions laid down by the relevant laws and regulations, the marketing authorisation, export authorisation or import authorisation is subject to the submission of a dossier showing that the applicant meets the following conditions:

- is established in the form of a company or other legal entity governed by Moroccan law;
- has sufficient qualified material and human resources to carry out its activities;
- has obtained the necessary authorisations to carry out the activities regulated under the legislation in force.

Article 22

Companies and other legal entities carrying out marketing, export or import activities must have secure and supervised warehouses for the storage of cannabis, its plants, or its products.

The destruction of any part of these products, for whatever reason, may only be carried out in the presence of the commission provided for in article 10 above and in accordance with the procedures laid down in the same article.

Article 23

Companies and other legal entities engaged in marketing, export or import activities must comply with the specifications established by the Agency, in coordination with the government authorities concerned.

In addition to the rules and conditions laid down by the legislation in force, the specifications must include, in particular:

- the rules for storing cannabis, its plants and its products in accordance with the standards in force;
- the standards to be met for transporting the said products, where applicable;
- technical standards and - technical standards and those relating to quality and efficacy control of the said products;
- the conditions and rules to be complied with to protect the environment, in accordance with the laws and regulations in force;
- the method of packaging the product and preserving its quality.

Chapter VI

Granting of authorisations, their period of validity and cases of their refusal and withdrawal

Article 24

Subject to legislation relating to the simplification of administrative procedures and formalities, the Agency will examine the application for authorisation and, where appropriate, invite the interested party to provide, within a time limit which it shall set and which may not be fewer than (10) days, any additional document or information which it considers useful for ruling on the said application.

Notwithstanding any legislative provision to the contrary, the Agency must rule on the said application and notify its decision to the authorisation applicant in writing, by any means proving receipt, within (60) days from the date of receipt of the complete application dossier. Reasons must be given for any refusal.

The absence of a response from the Agency within the aforementioned period is not deemed to be authorisation. In this case, the Agency must immediately notify the applicant for authorisation of its decision in writing, stating the reasons why it was unable to notify the applicant within the aforementioned time limit.

Article 25

The authorisations provided for in article 3 above shall be issued by the Agency to persons fulfilling the conditions laid down in articles 7, 12, 14 and 21 above, as appropriate.

The procedures for issuing these authorisations shall be laid down by regulation.

Article 26

Applications for authorisation may be refused in the following cases in particular:

- if the application dossier contains falsified documents or false information ;
- if the granting of the authorisation is likely to result in imminent risks to health, the environment, and public safety, in particular the risk of cannabis being used in an illicit activity;
- where it is established that the authorisation applicant has repeatedly failed to comply with the conditions laid down by this law in respect of authorisations previously granted to them by the Agency.

Article 27

Each authorisation is valid for a renewable period of 10 years.

The application for renewal of the authorisation is subject to the same conditions as those required for the granting of the authorisation which is the subject of the renewal request.

Article 28

The Agency must be notified of any change affecting the conditions on which the authorisations provided for by this law were granted, within (30) days of the date on which the change occurred.

Article 29

The authorisations referred to in article 3 above may not be assigned, lent, leased, transferred or relinquished to third parties.

However, in the event of the death of the grower or producer holding the authorisation or of a substantial change in his legal status before completion of the operation or activity covered by the authorisation, the Agency may, in exceptional circumstances, grant a temporary authorisation to the authorised representative of the authorised holder's successors or to any person with a direct and proven interest, at his request, the authorisation being valid until the harvest has been delivered to the cooperatives.

Article 30

The authorisation may be withdrawn in the following cases:

1. at the request of the person concerned;
2. on the Agency's initiative:
 - in the event of the death of the authorisation holder or a substantial change in his legal status, subject to the provisions of the second paragraph of article 29 above;
 - if the authorisation holder no longer fulfils the conditions on which the authorisation was granted;
 - if the licence holder has not begun to carry out the activity covered by the licence by the end of the period set for this purpose in the specifications;
 - if the activity covered by the authorisation is suspended, without good reason, for a continuous period exceeding two years;
 - in the event of failure to comply with the provisions of this law or other legislation relating to the use of narcotics, or in the event of failure to fulfil one of the obligations provided for by this law or by the specifications;
 - if the person concerned is in one of the cases of incompatibility provided for in article 36 below.

The authorisation may only be withdrawn by the Agency, in the cases provided for in paragraph 2 of the first subparagraph above, after giving formal notice to the person concerned in writing, by any means proving receipt, for the purpose of submitting his observations within a period of (30) days from receipt of the formal notice.

Notification of the decision to withdraw the authorisation to the party concerned entails a ban on carrying out the activity or operation covered by the authorisation. The Agency shall take all necessary measures to end the said operation or activity.

Chapter VII

National Agency for the Regulation of Cannabis-Related Activities

Section I. - Establishment, name and purpose

Article 31

A public establishment with legal personality and financial autonomy is hereby created under the name "National Agency for the Regulation of Cannabis-Related Activities".

The head office of the Agency is located in Rabat. Regional and provincial branches of the Agency may be created by decision of its Board of Directors.

Article 32

The Agency is subject to State supervision, the purpose of which is to ensure that the competent bodies of the Agency comply with the provisions of this law, in particular those relating to the missions assigned to it and, in general, to ensure the application of legislation and regulations concerning public establishments.

The Agency is also subject to State financial control applicable to public companies and other bodies in accordance with the legislation in force.

Article 33

Subject to the powers vested in the government authorities, public establishments and other bodies concerned, by virtue of the laws and regulations in force, the Agency ensures the implementation of the State's strategy in the field of the cultivation, production, manufacture, processing, marketing and export of cannabis and the import of its products for medical, pharmaceutical and industrial purposes.

To this end, the Agency is responsible for the following tasks:

- granting, renewing and withdrawing licences in accordance with the provisions of this law;
- ensuring that the provisions of this law are applied in coordination with the competent public authorities;
- ensuring record keeping of cannabis stocks and providing the competent international body with the assessments and information requested in application of the Kingdom of Morocco's international commitments, in consultation with the various competent government authorities;
- inspecting cultivated plots, cannabis manufacturing and processing units, and storage warehouses to ensure compliance with the provisions of this law;
- giving its opinion on draft legislation and regulations relating to its area of responsibility, which are submitted to it by the government;
- ensuring coordination between the government departments and the institutions concerned in order to assist and frame the provision of advice to the public sector and to professionals involved in the production sectors, in terms of techniques and farm management, production, valuation and marketing of cannabis, in particular by researching national and international markets;
- contributing to the protection of the national product in coordination with the government departments and the institutions concerned;
- cooperating, under the terms of agreements, with research centres and public and private, national and international bodies working in the field of cannabis, in particular for the certification of seeds and young plants;
- drawing up specifications and guides to good practice;
- ensuring coordination between the government departments and the institutions concerned in order to provide growers and producers with advice on combating plant diseases;
- ensuring the monitoring on the field of all cannabis-related operations;
- ensuring coordination between the government departments and the bodies concerned in order to encourage rural women, on the basis of the gender approach, to carry out the activities governed by this law;

- compiling statistics on the cultivation, production, manufacture and processing of cannabis and submitting them to the relevant government authorities;
- proposing actions and measures aimed at putting an end to the illicit use of cannabis, and raising awareness of the economic, social, health and environmental risks involved;
- contributing to the development of alternative crops and non-agricultural activities for the benefit of the population of the provinces concerned, with a view to ending the illicit cultivation of cannabis;
- carrying out, in collaboration with the research centres and public and private bodies concerned, studies and research relating to cannabis and to publish applied research work;
- contributing to raising awareness of the Kingdom's efforts in the field of the legal uses of cannabis and its derivatives and to strengthen bilateral, regional and international cooperation in this field;
- ensuring coordination between the government departments and the institutions concerned, with a view to framing and encouraging the professional organisation of the cannabis industry;
- draw up an annual report on the Agency's activities.

Section II. - Administrative and management bodies

Article 34

The Agency shall be administered by a Board of Directors and managed by a director general.

Article 35

Besides its Chairman, the Agency's Board of Directors shall comprise representatives of the State, establishments and bodies concerned by the Agency's area of activity, a list of which shall be laid down by regulation.

The Chairman of the Board may invite to Board meetings, in an advisory capacity, any natural or legal person from the public or private sectors whose presence they consider useful.

Article 36

The status of member of the Agency's Board of Directors, employee of the Agency, civil servant or employee seconded to it or placed at its disposal is incompatible with the exercise of operations and activities subject to the authorisation system. It is also incompatible with being a partner, shareholder or member in one of the bodies applying for authorisation, in accordance with this law.

Article 37

The Board of Directors has all the powers and duties necessary for the administration of the Agency. To this end, it shall exercise, in particular, the following powers:

- draws up the Agency's strategy within the framework of the guidelines laid down by the government ;
- sets the Agency's action programme;
- approves the Agency's organisational chart, which sets out its central and decentralised structures and their responsibilities;
- approves the special status of the Agency's staff, which lays down the conditions of recruitment, the system of remuneration and allowances, and the career paths of the staff

- establishes the regulation setting the rules and procedures for awarding the Agency's contracts in accordance with the rules and principles laid down by the regulations in force;
- sets the conditions for issuing loans and for resorting to other forms of credit and financing;
- sets the prices of services provided by the Agency to third parties;
- sets the annual budget and the multi-year forecasts;
- approves the accounts and decides on the allocation of results;
- approves the annual report drawn up by the director general of the Agency;
- decides on the acquisition, sale or lease of real estate in favour of the Agency in accordance with regulations in force;
- decides on the acceptance of gifts, bequests and subsidies from any private-sector body granted to the Agency, provided that they do not affect the decisions of the Agency.

The Board of Directors may delegate powers to the director general of the Agency to deal with specific matters.

Article 38

The Board of Directors shall be convened by its Chairman, either on his own initiative or at the request of one-third of its members, at least twice a year:

- before 30 June to approve the financial statements for the year ended;
- before 30 November, to examine and approve the budget and the forecast programme for the following financial year.

The Board of Directors may also meet as often as required, in accordance with the same procedures set out in the first paragraph above.

The Board of Directors may only validly deliberate if two thirds of its members are present.

If this quorum is not reached at the first meeting, a second meeting is convened within the following fifteen (15) days. In this case, the Board shall deliberate without a quorum being required.

The Board takes its decisions by a majority of the votes of the members present. In the event of a tie, the Chairman shall have the casting vote.

Article 39

Subject to the provisions of article 41 below, the Board of Directors may set up any committee from among its members and determine its composition, tasks, and operating procedures.

Article 40

The director general of the Agency shall be appointed in accordance with the legislative texts relating to appointment to senior positions. They shall have all the powers and duties necessary for the management of the Agency. To this end, they:

- execute the decisions of the Board of Directors and deals with the matters delegated to him by the said Board;

- grant, renew and withdraw all authorisations and documents relating to the Agency's area of competence;
- ensure the management of the Agency's departments and coordinate their activities;
- conclude the agreements referred to in article 33 of this law;
- represent the Agency in dealings with all public and private bodies and any third party, and takes all conservatory measures;
- represent the Agency in legal proceedings and may bring any legal action to defend the interests of the Agency and inform the Board of Directors thereof;
- present an annual report on the Agency's activities to the Board of Directors;
- attend meetings of the Board of Directors or any of its committees in an advisory capacity.

The director general may delegate, under his responsibility, some of his powers and duties to staff or officials occupying positions of responsibility within the Agency.

Article 41

By way of derogation from the provisions of paragraph 2 of the first subparagraph of article 40 above, authorisations shall be granted, renewed or withdrawn by a committee set up for this purpose by the Agency's Board of Directors, whose composition and operating procedures it shall determine, if the applicant for or holder of the authorisation is a spouse, descendant or relative up to the fourth degree of kinship of one of the members of the Board, of an employee of the Agency or of an official or employee seconded to it or placed at its disposal.

Members of the Agency's Management Board, employees and officials or employees seconded to or placed at the disposal of the Agency who have a family relationship, as determined above, with the applicant for authorisation or the person concerned by its renewal or withdrawal may not attend meetings of the said Committee.

Section III. - The Agency's budget

Article 42

The Agency's budget shall comprise:

1) - Revenue:

- income from activities and services rendered by the Agency;
- subsidies from the State, local authorities and any public or private body;
- parafiscal charges on its behalf;
- repayable advances from the Treasury or local authorities;
- income from loans authorised in accordance with the laws and regulations in force;
- donations and legacies;
- miscellaneous resources.

2) - Expenditure :

- capital expenditure;
- operating expenditure;
- repayment of advances and authorised loans;
- any other expenditure relating to the Agency's activities.

Section IV. - **Agency staff**

Article 43

The human resources of the Agency shall consist of:

- employees recruited in accordance with the conditions laid down in its staff regulations;
- officials or employees seconded to it or placed at its disposal.

Chapter VIII

Control system

Section I. - **Traceability of cannabis and record keeping**

Article 44

The Agency must ensure the monitoring of the traceability of cannabis during all stages of its production, processing, manufacture, marketing, and export and import of its products, in particular in order to ensure that it is not used in an illicit activity and that illicitly produced cannabis is not used in licit activities.

Article 45

The Agency must keep the following registers

- the register of authorisations;
- a register of the various activities and operations relating to cannabis;
- the register of cannabis stocks.

Authorisation holders must keep registers in which must be recorded, in particular, the authorised activities, the date on which they were carried out, the quantities of cannabis, its seeds, young plants and products set by the Agency.

The said registers must be kept for a period of ten (10) years and presented for each inspection.

The template for these registers and the procedures for keeping them shall be laid down by regulation.

Section II. - **Labelling and packaging of cannabis products**

Article 46

The labelling of any cannabis product intended for medical, pharmaceutical or industrial purposes must include the following information:

- the number of the authorisation(s);

- the name and quantity of the material used;
- the name of the consignor and consignee.

This information must be clearly visible, easily legible and indelible. They must be affixed to the product and its packaging, as appropriate, without prejudice to any other information required by current legislation on the labelling and presentation of poisonous and narcotic substances and, where applicable, by any other specific provisions applicable to the product concerned.

Article 47

The words "produit de cannabis" or the related logo laid down by regulation shall be affixed to any product obtained in accordance with the provisions of this law.

Article 48

When describing or advertising a product, it is forbidden to use the wording or logo referred to in article 47 above, if the said product has not been obtained in accordance with the provisions of this law.

Chapter IX

Investigation and detection of infringements, penalties, and final provisions

Article 49

Besides judicial police officers, customs officers and water and forestry officers, infringements of the provisions of this law will be investigated and recorded by agents of the Agency appointed by it for this purpose and sworn in in accordance with the legislation in force.

The agent who finds the infringement draws up a report, the original of which will be sent without delay to the competent public prosecutor and a copy to the Agency.

The agent who has established the offence may seize plants whose cultivation, production, manufacture, processing, use, possession or marketing constitutes an offence under the provisions of this law, as well as objects and things that were used or were intended to be used in the offence and sums of money derived therefrom, as well as the documents needed to prove the offences.

The agent who has carried out the seizure shall draw up a detailed report, the original of which shall be sent without delay to the competent public prosecutor and a copy to the Agency.

The reports drawn up by the Agency's agents to ascertain infringements of the provisions of this law shall be deemed to be reliable until proven otherwise by any means of evidence.

Seized objects shall be made available to the Public Prosecutor.

The agents may, if necessary, request the assistance of the public force in accordance with the legislation in force.

The aforementioned agents shall also carry out checks on documents and on the spot to ensure compliance with the provisions of this law and the texts adopted for its application by the authorisations holders and shall draw up a report on the control operations which they shall forward to the Agency.

The Agency may mobilise all available technical means, on a national or international scale, for the remote detection of infringements.

Article 50

The penalties and surety measures provided for in the aforementioned dahir bearing Law No. 1-73-282 of 28 rabii II 1394 (21 May 1974) shall apply in the case of cultivation, production, processing, manufacture, transport, marketing, export of cannabis or its products, seeds or young plants or their import without a valid authorisation issued by the Agency.

Article 51

Without prejudice to more serious criminal sanctions, is punished by imprisonment of three (3) months to two years and a fine of 5,000 to 100,000 dirhams whoever:

- grows cannabis outside the areas referred to in article 4 above or exceed the surface areas covered by the authorisation;
- provides misleading data and information on which the authorisation was granted; or
- continues, knowingly, to be in one of the cases of incompatibility provided for in article 36 of this law;
- has not handed over the entire harvest to the cooperatives referred to in article 7 of this law;
- has not declared the damage to or loss of their cannabis crop within the time limit set out in article 9 of this law;
- has destroyed the cannabis crop, its seeds, young plants or products without regard to the provisions of this law.

In addition, the court shall order the seizure of plants grown outside the authorised perimeters and areas, harvests not delivered to cooperatives and any sums of money derived therefrom.

Article 52

Whoever prevents the agents referred to in article 49 from carrying out their duties as set out in this law, or who hinders them in doing so, shall be punished by imprisonment of between six (6) months and one year and a fine of between 10,000 and 20,000 dirhams, or by one of these two penalties only.

Article 53

Without prejudice to more serious criminal penalties, any natural or legal person who does not have secure and supervised warehouses for the storage of cannabis crops, seeds, young plants or products in accordance with the provisions of Articles 13, 15 and 22 of this law shall be liable to a fine of between 20,000 and 100,000 dirhams.

Article 54

Without prejudice to the penalties laid down by Law No. 13-83 on the repression of fraud involving goods and Law No. 17-97 on the protection of industrial property, is liable to a fine of 5,000 to 50,000 dirhams whoever:

- uses seeds or young plants not certified by the Agency;
- fails to keep the registers provided for in paragraph 2 of article 45 above;
- fails to label and package cannabis products in accordance with articles 46 and 47 of this law;
- infringes the prohibition laid down in articles 13 (2nd paragraph), 17 or 48 of this law.

Article 55

In the event of a repeat offence, the penalties provided for in articles 50 to 54 above will be doubled.

A repeat offender is anyone who, having previously been convicted of one of the offences provided for in this law by a judgment that has acquired the force of res judicata, commits a similar offence less than five years after the expiry of the sentence imposed on them or its limitation period.

Article 56

This law comes into force from the date of its publication in the "Official Gazette". However, the provisions requiring the enactment of regulatory texts for their application shall only come into force after the publication of the said texts in the Official Gazette.

