

# Q U I D J U R I S ?

## THE PERIODICAL INFORMATION LETTER OF HAJJI & ASSOCIES LAW FIRM

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### Maritime Law.

The law 15-02 dated November 23<sup>rd</sup>, 2005 decided the dissolution of " L'Office d'Exploitation des Ports – ODEP" which was split into two institutions :

- The « Agence Nationale des Ports – ANP » as a body of authority. ;
- The « Société d'Exploitation des Ports – SODEP »- in charge, concurrently with port operators and exploitants, of commercial missions.

The decree n° 2-06-383 for the application of articles 43, 44, 45, 47 and 56 of the law 15-02 above mentioned was published in the Bulletin Officiel on the 17<sup>th</sup> of August 2006.

### Privatization :

(i) The decree n° 2.06-406 of August 7<sup>th</sup> 2006 concerning the privatization of 20 % of the capital of the company "Régie des tabacs" was published in the Bulletin Officiel of August 17<sup>th</sup> 2006.

The Moroccan government sold one million four hundred twenty three nine hundred and ninety nine actions to the company ALTADIS, for the price of four billion and twenty million dirham (4.020.000.000 DH), that it previously held in the company "Régie des tabacs", which represents 20 % of the capital.

(ii) The decree n° 2-06-407 deciding the transfer, by way of invitation for tender of the entire public participation detained in the capital of "SOMATHES" was published in the Bulletin officiel of August 17<sup>th</sup> 2006.

The Moroccan Government sold, for the price of five hundred and thirty nine million dirham (539.000.000 DH), three million seven hundred forty six and eight hundred and fifty (3.746.850) actions to the Moroccan company HOLMARCOM SA, that is the entire actions and right of vote of the company SOMATHES.

### Public law:

The decree n° 2-06-362 taken for the application of articles 5 and 12 of the law n° 54-05 concerning the delegated management of public services was published in the Bulletin Officiel of September 7<sup>th</sup> 2006.

The legislator did not exactly define the procedures for the **putting into concurrence process** as stated previously in the Quid Juris n° 17 of March and April 2006, the abovementioned decree announced that the forms and methods of this procedure will be set by an Order of the minister of the interior.

Thus, we have to wait for the publication of the Order of the minister of the interior in order to have a more accurate definition of the procedure of **putting into concurrence**.

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