

Ministry of Interior Circular No. 10/AM/2006

Unofficial Translation

This is related to setting a new mechanism to notify the Ministry of Interior and Municipalities for establishing associations in Lebanon and facilitating this issue as an application for the *Law on Associations* issued in 1909 and its amendments.

First: In Relation to the Establishment of a New Association

The second Article of the *Law on Associations* stipulates the following:

“No permit is initially needed to found an association. However, in all cases the government must be notified of the association after it is founded in accordance with Article 6.”

Therefore, it is enough upon establishment of certain associations (social, cultural, political and others..) that its founders should provide the Ministry of Interior and Municipalities with a notice including the following documents:

- Name of the association and its address.
- Three copies of bylaws of the association signed by its founders and certified with the association’s stamp and it is possible to take the model of other bylaws prepared by the Ministry which are given free of charge to founders.
- The names of the founders (and none of the founders should be under twenty years of age as stipulated by the *Law on Associations*).
- Judicial records [of the founders] that are not more than three months old.

The Ministry of Interior and Municipalities will scrutinize such documents and founders are given a receipt to indicate that the Ministry has taken a notice of the association establishment, without referring the notification to any reference for enquiry. The statement will be by the notification of the Ministry to other references (ministries, departments, unions, etc.)

The Ministry of Interior and municipalities has the right to refuse the delivery of the indicated statement in the following cases:

- If the statement does not include the legally required information.
- If the goals of association are illegal or contrary to the provisions of the law or public order or morals.

In case of rejection of notice for the above stated reasons, the association will be dissolved by a decree issued by the Council of Ministers.

After taking the notice, it is referred to the *Official Gazette* for publication according to the applicable practices.

Second: The Association’s Administrative Body

The seventh Article of the *Law on Associations* stipulates the following:

“An administrative body must be present at the main office of each association and consist of at least two persons...”

The sixth Article of the same Law stipulates the following:

“... the government must be immediately informed of any amendment or change that occurs in the bylaws of the association, its administrative body, or its location..”

We conclude from the above that an association has the full freedom to elect its administrative body. This election is not subject to the monitoring of the Ministry of Interior and Municipalities, as there is no need for the attendance of a representative in the electoral process due to the absence of the legal provision.

In return, based on the Article Six above, the association should deposit with the Ministry of Interior and Municipalities a copy of the minutes of the election signed by the members of the General Assembly in the electoral process according to the applicable practice. According to the said minutes, the association has the right to obtain an official notice issued by the Ministry of Interior and Municipalities with the names of the administrative body members according to data and information in the file.

Third: Amending the Bylaws of Associations

The sixth Article of the *Law on Association* provides the following:

“...the government must be immediately informed of any amendment or change that occurs in the statutes of the association, its administrative body, or its location with the legal effect of such amendment or change being exercised on a third party from the day the government is informed of it.”

Consequently, amendments of association bylaws are not subject to any endorsement whatsoever or for any special norms except for what has been stipulated in the bylaws of an association. However, under the above-mentioned sixth Article, the Ministry of Interior and Municipalities must be notified immediately of any changes. Amendments are considered effective for an association upon their passage; however, they are only effective for third parties from the date that such change has been notified to the Ministry of Interior and Municipalities.

Four: Annual Documents Which Should Be Provided by Associations

The seventh Article of Decree No. 10830 dated 9/10/1962 provides for the following:

“In the first month of every year, each legal association shall provide the Ministry of Interior with a list containing the names of its members and with a copy of its annual budget and from its previous account. This account is subject to the supervision of the competent ministry.

The eighth Article of the same Decree provides for the following:

“Anyone who violates the provisions of the previous article of this Decree will be fined between five hundred and two thousand liras. The fine will be doubled in case it has been repeated.”

Thus, each association should provide, in the first month of each year, the following documents:

- The accounts of the past year.

- The budget of the next year.
- A list of the names of the general body members.

The association will be fined in case it is late in providing such above documents.

Fifth: The Dissolution of Associations

Article 3 of the *Law on Associations* provides the following:

“Founding an associations on any unlawful basis which violates the provisions of laws and public documents or which aims to jeopardize the comfort of the monarchy and integrity of state property, change the form of the current government, or politically discriminate between different Ottoman citizens is not permitted. The attestations of such will be refused and they will be dissolved by decree issued by the Council of Ministers.”

Article 14 of the Law provides the following:

“If an association has been banned by the government or dissolved with the consent and option of its members or by virtue of its internal statutes and a text exists in the statutes regarding its assets, then this is placed in operation. Otherwise, the resolution given by the General Assembly of the association is placed in operation.”

The first Article of Decree No. 10830 provides the following:

“It is prohibited for anyone to continue membership in an association which has been dissolved due to the incarceration of its members for crimes related to the security of the state...”

Article 38 of the *Penal Code* provides the following:

“Any secret association will be dissolved and its funds will be confiscated.”

It is concluded from the above that cases in which it is permissible to dissolve an association are as follows:

- By its General Assembly according to the stated provisions in its bylaws.
- By a criminal court based on the Article 338 of the *Penal Code*.
- By the administrative action in case of violation of Articles 3 or 14 of the *Law on Associations* or Article 1 of Decree of the government if its subject is based on illegal base which comes under the following cases in the Articles 3 and 14 of the *Law on Associations* or the first Article of Decree 10830 as stated above.

Beirut on 19 May 2006

Acting Minister of Interior and Municipalities

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