

No. 16495

**FRANCE
and
MOROCCO**

Agreement concerning coverage by the Automobile Insurance Funds (with annex). Signed at Rabat on 15 July 1975

Authentic text: French.

Registered by France on 28 February 1978.

**FRANCE
et
MAROC**

Accord en matière de recours aux Fonds de Garantie automobile (avec annexe). Signé à Rabat le 15 juillet 1975

Texte authentique: français.

Enregistré par la France le 28 février 1978.

[TRANSLATION—TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO CONCERNING COVERAGE BY THE AUTOMOBILE INSURANCE FUNDS

The Government of the French Republic and the Government of the Kingdom of Morocco,

Considering the increase in the number of nationals of each of the two States who proceed with their motor vehicles to the territory of the other State,

Deeming it necessary that the risks which may result should be covered under comparable conditions, by their respective Automobile Insurance Funds, where the victims are nationals of or persons having their principal place of residence in the territory of the other State,

Have agreed as follows:

Article 1. French nationals and persons having their principal place of residence in the European or overseas departments of the French Republic or in those Overseas Territories where the legislation relating to the Insurance Fund is applicable shall be entitled to coverage by the Moroccan Insurance Fund, and Moroccan nationals and persons having their principal place of residence in Morocco shall be entitled to coverage by the French Insurance Fund, on a basis of effective reciprocity and in accordance with the modalities established for the different situations covered in the annex to this Agreement which shall form an integral part thereof.

The said annex may be amended by a simple exchange of notes, particularly when changes in the relevant legislation or regulations of either Contracting Party so require.

Article 2. For the purposes of this Agreement, only accidents caused by motor vehicles travelling on the ground, including motor cycles, and by trailers or semi-trailers of such vehicles shall be covered if they occurred:

- In the case of the French Republic: in the European or overseas departments or in those Overseas Territories where the French legislation relating to the Automobile Insurance Fund is applicable;
- In the case of the Kingdom of Morocco: in Moroccan territory.

Article 3. Compensation payable by the French Insurance Fund to Moroccan nationals having their principal place of residence in Morocco, and compensation payable by the Moroccan Insurance Fund to French nationals having their principal place of residence in France, shall be paid in the country of residence of the person entitled to compensation.

¹ Came into force on 1 June 1977, i.e., the first day of the second month that followed the date of the last of the notifications by which the Parties informed each other (on 10 December 1976 and 28 April 1977) of the completion of the necessary constitutional requirements, in accordance with article 4.

There shall be no restrictions on the transfer of compensation payable by the French Insurance Fund to persons having their principal place of residence in Morocco, or on the transfer of compensation payable by the Moroccan Insurance Fund to persons having their principal place of residence in the European or overseas departments of the French Republic or in those Overseas Territories where the French legislation relating to the Insurance Fund is applicable.

The right of transfer provided for above shall extend, with no limitation as to amount, to compensation paid by the French Insurance Fund to Moroccan nationals having the status of residents of France or by the Moroccan Insurance Fund to French nationals having the status of residents of Morocco, where such persons subsequently re-establish residence in their country of origin.

Article 4. Each Contracting Party shall notify the other of the completion of the constitutional requirements for the entry into force of this Agreement. The Agreement shall take effect on the first day of the second month following the date of the last notification.

This Agreement is concluded for an indefinite period.

It shall apply retroactively for the benefit of victims of accidents occurring since 1 January 1970 which have been reported to the Insurance Funds as at the date of signature of this Agreement and to accidents occurring on or after 1 January 1975. It may be denounced at any time by either Contracting Party and denunciation shall take effect one year after the date of receipt of notice of denunciation by the other Contracting Party.

DONE at Rabat on 15 July 1975, in duplicate.

For the Government
of the French Republic:
JEAN PIERRE FOURCADE

For the Government
of the Kingdom of Morocco:
ABDELKADER BENSLIMANE

ANNEX

In accordance with articles 1, 2 and 3 of the Agreement concerning coverage by the Automobile Insurance Funds, French nationals and persons having their principal place of residence in the European or overseas departments of the French Republic or in those Overseas Territories where the legislation relating to the Insurance Fund is applicable shall, on the one hand, be entitled to coverage by the Moroccan Insurance Fund; Moroccan nationals and persons having their principal place of residence in the territory of the Kingdom of Morocco shall, on the other hand, be entitled to coverage by the French Insurance Fund, on a basis of effective reciprocity.

Consequently:

1. The French and Moroccan Insurance Funds shall be responsible, under the conditions laid down by national regulations and by the present Agreement, for the payment of compensation granted to victims or their dependants or assignees as a result of accidents involving bodily injury.
2. Material damage shall not create an entitlement to compensation by the French and Moroccan Insurance Funds.