Preparing for a tax audit in Morocco: rights, procedure and documents

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Tax audits are a normal part of business life. The General Tax Code (CGI) governs them through a precise procedure, with deadlines, safeguards and rights of appeal. But these safeguards only work if you know them and assert them in time. If you do not reply to a notification within thirty days, for example, the reassessments become payable and are then very hard to challenge.

This guide sets out your rights as a taxpayer, the main stages of an audit and the mistakes to avoid. It is no substitute for professional support: every audit is different, and the first exchanges often decide the outcome.

What is at stake

- **The back taxes** claimed for the period that is not time-barred. The tax authorities' right of reassessment is in principle **four years** (article 232 of the CGI). It can extend to earlier years where losses or tax credits arising in time-barred years are set off against the period audited (article 232-III).
- **Penalties**: a surcharge of **20%** of the back taxes after reassessment, rising to **30%** for VAT (TVA) and withholding taxes, and to **100%** in cases of bad faith, in particular fraud or deliberate manoeuvres (article 186). Late-payment penalties and surcharges come on top (article 208).
- **The risk of the profit being reconstructed**: where there are serious irregularities, the tax authorities can reject the accounts and determine the tax base themselves (article 213).

Your rights during the audit

Article 212 of the CGI sets out the main safeguards:

- **Advance notice**: the notice of audit is served at least fifteen days before the audit starts. It comes with the taxpayers' charter and specifies the period, the taxes and, where applicable, the items to be audited. The audit must begin within five working days of the date set. If the notice or the charter has not been served, the reassessment procedure is void (articles 220-VIII and 221-IV).
- **Opening minutes**, signed by both parties, a copy of which is given to you.
- **An on-site audit**: documents are presented at the registered office, tax domicile or principal establishment. The inspectors also check that the assets recorded on the balance sheet physically exist. If the accounts are computerised, the audit covers the data and the processing.
- **A limited duration**: no more than three months if the declared turnover for each year audited does not exceed 50 million dirhams (MAD), and six months if any of them exceeds that threshold. Suspensions linked to the procedure for failure to produce documents (article 229) and to requests for information sent to a foreign tax authority are not counted, up to 180 days (article 212-I). Since the Finance Act (Loi de Finances) 2026, where an individual is subject both to an audit of the accounts and to a review of their overall tax position, the single audit is limited to the same durations (article 216-III).
- **An oral, adversarial discussion** of the proposed reassessments before the audit closes, recorded in minutes.
- **The right to be assisted by an adviser** of your choice throughout the audit.

If the audit leads to no reassessment, the tax authorities must inform you. The items audited cannot then be challenged again in a new audit, within the limits set by article 212-II.

The main stages of the procedure

The notification

Within **three months** of the end of the audit, the tax authorities notify you of the **grounds, nature and detailed amount** of the proposed reassessments. Only this letter sets the amount of the reassessments and opens the reassessment procedure (articles 212 and 220).

Your reply: thirty days

You have thirty days from receipt to submit your observations. The notification can be sent to the email address you have given the Directorate General of Taxes (DGI): it then has the same effect as a conventional notification, and the deadline runs from receipt (article 219-II). If you do not reply in time, the taxes are put into collection and can only be challenged under the restricted conditions of article 235

(article 220-I).

The second notification

If the tax authorities consider your observations unfounded, in whole or in part, they notify you within **sixty days** of the grounds for rejecting them and the tax base they intend to use (article 220-II).

Appealing to the commissions

You then have another **thirty days** to refer the matter to the competent commission:

- the commission locale de taxation (local tax commission) (article 225);
- the commission régionale du recours fiscal (Regional Tax Appeals Commission) (article 225 bis);
- or the Commission nationale du recours fiscal (National Tax Appeals Commission) (article 226).

Which commission has jurisdiction depends on the nature of the dispute and on turnover. The local tax commission deals in particular with the single professional contribution (CPU), property income and gains, other income and gains, and registration duties (droits d'enregistrement). The regional commission deals with investment income and gains, and with audits of the accounts where turnover for each year audited is below 10 million dirhams. The national commission deals with audits where turnover for at least one year reaches 10 million dirhams, reviews of overall tax position, the joint audit under article 216-III whatever the turnover, and abuse of law. If you do not appeal, the notified tax base becomes final. The commissions' decisions can then be challenged in court within sixty days of notification, by the taxpayer as well as by the tax authorities (article 242). This appeal does not suspend payment: collection can only be stayed against sufficient guarantees. You therefore need to plan for the cash cost of litigation.

The accelerated procedure

In certain situations, an accelerated procedure applies (article 221). Its deadlines are the same as under the normal procedure, but the tax is assessed as soon as the second notification is issued, without waiting for the commission's decision. It covers in particular:

- the sale or cessation of the business;
- safeguard proceedings (since the Finance Act 2026), and court-ordered reorganisation or liquidation;
- a declared temporary cessation of business;
- the sale of securities;

- withholding taxes of an employer ceasing business;
- a change of legal form that takes the business outside the scope of corporate income tax (IS) or personal income tax (IR) or creates a new legal entity, the taxpayer leaving Morocco, or the taxpayer's death.

Documents: what is expected

The following must be kept for **ten years** at the place of taxation and presented during the audit (article 211):

- copies of sales invoices;
- supporting documents for expenses and investments;
- the accounting books and inventories;
- customer and supplier records;
- any document required by law.

Two obligations deserve particular attention (article 210). The first has applied in full since the Finance Act 2026 removed the reference to an implementing regulation for accounts kept in electronic format:

- businesses that keep their accounts electronically must also present their records **in electronic form**, and those required to keep their accounts in electronic format must hand over a **copy of the accounting entries file**;
- businesses that carry out transactions with related companies outside Morocco must make **their transfer pricing documentation** available from the start of the audit.

You need to know what this file contains, and what it allows the tax authorities to cross-check, **before** you hand it over.

The penalties for failing to produce documents are:

- a fine of **2,000 dirhams**, with, where applicable, a daily penalty of 100 dirhams up to 1,000 dirhams (article 191-I);
- **50,000 dirhams per financial year** where electronic accounts are not presented in that format (article 191 bis);
- an **ex officio assessment** after two successive fifteen-day periods (article 229).

The mistakes we see most often

1. **Receiving the notice of audit and doing nothing** until the inspectors arrive, when the fifteen days' notice is there precisely so you can prepare.
2. **Handing over documents in no particular order**, or computer files you have not checked, without knowing what they reveal.
3. **Replying late**, or with a mere objection in principle, without figures, arguments or documents.
4. **Signing a partial agreement without assessing** its effect on other years and other taxes.
5. **Overlooking the second notification** and missing the deadline for appealing to the commission.
6. **Not taking the opportunity to put incomplete invoices right** during the adversarial procedure (article 11-III).

How we can help

We step in as soon as you receive the notice. We:

- analyse the period and the taxes concerned, and carry out an initial review of the sensitive areas;
- organise the handover of documents and support you during the on-site work and the adversarial discussion;
- draft your replies to the notifications, with legal arguments and figures, on time;
- represent you before the commissions and support you in negotiating any settlement (accord à l'amiable, article 221 ter), which is possible only after the first notification, is limited to questions of fact, is irrevocable and requires you to waive all rights of appeal;
- draw lessons from the audit to protect the following years.

Have you received a notice of audit, or do you want to be ready for one? See our tax and legal team and contact the firm straight away: the deadlines run from receipt.

Sources

- Code général des impôts, édition 2026 (in French) (tax.gov.ma), articles 11-III, 186, 191, 191 bis, 208, 210, 211, 212, 213, 220, 221, 225, 225 bis, 226, 229, 232, 235 et 242.
- Charte du contribuable en matière de contrôle fiscal (in French), publiée par la DGI et jointe à l'avis de vérification (article 212-I du CGI).

A question on this topic?

The Adyel & Associés teams in Casablanca support businesses and their directors with all their tax, accounting and payroll obligations. Let's talk about your situation.

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