

**Kingdom of Saudi Arabia
Bureau of Experts at the Council of Ministers
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Translation of Saudi Laws

- Law of the Judiciary**
- Law of the Board of
Grievances**

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*In the name of God
the Compassionate
the Merciful*

**This translation is provided for guidance.
The governing text is the Arabic text.**

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Law of the Judiciary

Chapter One

Independence of the Judiciary and its Guarantees

Article 1:

Judges are independent and, in the administration of justice, they shall be subject to no authority other than the provisions of *Sharia* and laws in force. No one may interfere with the judiciary.

Article 2:

Judges are not subject to removal from office except in the cases set forth in this Law.

Article 3:

Without prejudice to the provision of Article 49 of this Law, judges may not be transferred to other positions except with their consent or by reason of promotion, in accordance with the provisions of this Law.

Article 4:

Without prejudice to the provision of Article 68 of this Law, judges may not be sued- for acts carried out in the course of performance of their duties- except in accordance with the conditions and rules pertaining to the disciplining of judges.

Chapter Two

Supreme Judicial Council

Article 5:

The Supreme Judicial Council shall be composed of a chairman to be named by royal order and ten members as follows:

- (a) Chief Judge of the Supreme Court.
- (b) Four full-time judges of the rank of chief judge of a court of appeals to be named by royal order.
- (c) Deputy Minister of Justice.
- (d) Chairman of the Bureau of Investigation and Public Prosecution.
- (e) Three members satisfying the conditions required for an appeals judge to be named by royal order.

The term of the Chairman of the Council and the members provided for in paragraphs (b) and (e) shall be four years renewable.

Article 6:

In addition to the other powers provided for in this Law, the Supreme Judicial Council shall:

- (a) attend to judges' personnel affairs such as appointment, promotion, disciplining, assignment, secondment, training, transfer, granting of leaves, termination of service and the like, in accordance with established rules and procedures, in such a way as to guarantee the independence of the judiciary.
- (b) issue regulations relating to judges' personnel affairs upon the approval of the King.
- (c) issue judicial inspection regulations.
- (d) establish courts in accordance with the nomenclatures provided for in Article 9 of this Law, merge or cancel them, determine their venue and subject jurisdiction without prejudice to Article 25 of this Law and constitute panels therein.
- (e) supervise courts and judges and their work within the limits stated in this Law.
- (f) name chief judges of courts of appeals and their deputies from among the appeals judges and chief judges of courts of first instance and their assistants.
- (g) issue rules regulating jurisdiction and powers of chief judges of courts and their assistants.

- (h) issue rules specifying the method of selecting judges as well as procedures and restrictions pertaining to their study leaves.
- (i) regulate the work of Trainee Judges.
- (j) determine equivalent judicial work required to fill judicial ranks.
- (k) make recommendations relating to the Council's established jurisdiction.
- (l) prepare a comprehensive report at the end of each year including achievements, obstacles and relevant recommendations, and bring the same before the King.

Article 7:

Headed by its Chairman, the Supreme Judicial Council shall convene at least once every other month and whenever need arises. Its meeting shall be valid if attended by the majority of members and its decisions shall be taken by majority vote of the Council. In the absence of the Chairman of the Council, the Chief Judge of the Supreme Court shall act on his behalf.

Article 8:

- (1) The Supreme Judicial Council shall have its own budget which shall be issued in accordance with the rules governing issuance of the State budget.
- (2) The Supreme Judicial Council shall have a General Secretariat and the Council shall select the Secretary General from among the judges.
- (3) A sufficient number of researchers, specialists and administrators shall be appointed at the Council. Pursuant to its decision, the Council may seek the assistance of whomever it deems necessary. They shall be supervised by the Chairman of the Council.
- (4) The Council shall issue internal regulations to regulate its work and duties.

Chapter Three
Courts and Jurisdiction
Section One
Hierarchy of Courts

Article 9:

Courts shall consist of the following:

- (1) The Supreme Court.
- (2) Courts of appeals.
- (3) First instance courts, which are:
 - (a) General courts.
 - (b) Penal courts.
 - (c) Family courts.
 - (d) Commercial courts.
 - (e) Labor courts.

Each shall have jurisdiction over matters brought before it in accordance with this Law, the Law of Procedure before *Sharia* Courts and the Law of Criminal Procedure. The Supreme Judicial Council may establish other specialized courts upon the approval of the King.

Section Two

The Supreme Court

Article 10:

- (1) The Supreme Court shall be seated in the City of Riyadh.

- (2) The Chief Judge of the Supreme Court shall be appointed by royal order at the rank of minister, and his services may not be terminated except by royal order. He shall satisfy the conditions required to fill the post of chief judge of a court of appeals. In his absence, the senior most of the chief judges of the Supreme Court panels shall act on his behalf.
- (3) The Supreme Court shall be composed of a chief judge and a sufficient number of judges of the rank of chief judge of a court of appeals. Appointment of members shall be by royal order pursuant to a recommendation by the Supreme Judicial Council.
- (4) Without prejudice to the provision of Article 13 of this Law, the Supreme Court shall exercise its jurisdiction through specialized panels as needed; each of these panels shall be composed of three judges except a penal panel that reviews sentences of death, amputation, stoning or *qisas* (*lex talionis* retribution) for criminal homicide or lesser injuries which shall be composed of five judges and each panel shall have a chief judge.
- (5) Appointment of the chief judge of each of the Supreme Court panels and its members shall be pursuant to a decision by the Supreme Judicial Council upon the

recommendation of the Chief Judge of the Supreme Court.

- (6) There shall be a sufficient number of employees in the Supreme Court such as researchers, specialists, administrators, clerks, registrars and others as needed.

Article 11:

In addition to the powers provided for in the Law of Procedure before *Sharia* Courts and the Law of Criminal Procedure, the Supreme Court shall oversee the proper application of the provisions of *Sharia* and the laws issued by the King which are not inconsistent with *Sharia* in cases within the jurisdiction of the general courts in relation to the following:

- (1) Review of judgments and decisions issued or supported by courts of appeals relating to sentences of death, amputation, stoning, or *qisas* (*lex talionis* retribution) in cases of criminal homicide or lesser injuries.
- (2) Review of judgments and decisions issued or supported by courts of appeals relating to cases not mentioned in the previous paragraph or relating to *ex parte* cases or the like without dealing with the facts of the cases whenever the objection to the decision is based upon the following:

- (a) Violations of the provisions of *Sharia* or laws issued by the King which are not inconsistent with *Sharia*.
- (b) Rendering of a judgment by a court improperly constituted as provided for in the provisions of this Law and other laws.
- (c) Rendering of a judgment by an incompetent court or panel.
- (d) An error in characterizing the incident or improperly describing it.

Article 12:

Each of the Supreme Court panels shall convene headed by its chief judge with all its members attending. If a member is absent or becomes impeded from attending, the Chief Judge of the Supreme Court shall replace him by a member of other Court panels.

Article 13:

- (1) The Supreme Court shall have a general panel headed by the Chief Judge of the Court, with all its judges as members.

- (2) The General Panel of the Supreme Court shall undertake the following:
 - (a) Determining general principles in issues relating to the judiciary.
 - (b) Reviewing matters assigned to it by this Law or other laws.
- (3) The meeting of the General Panel shall not be valid unless attended by at least two thirds of its members, including the Chief Judge or whoever acts on his behalf.
- (4) The decisions of the General Panel shall be taken by majority vote of members present. In case of a tie, the Chief Judge shall have the casting vote, and its decisions shall be final.

Article 14:

If a supreme court panel decides - in connection with a case before it - not to follow a precedent adopted by it or by another panel in the same court, or if a court of appeals panel decides not to follow a precedent established by a supreme court panel, the matter shall be put before the Chief judge of the Supreme Court to refer it to the General Panel of the Supreme Court to decide it.

Section Three Courts of Appeals

Article 15:

- (1) There shall be one or more courts of appeals in each province which shall exercise their work through specialized panels. Each panel shall be composed of three judges with the exception of a penal panel that reviews cases of criminal homicide, amputation, stoning, or *qisas* (*lex talionis* retribution) in a case of criminal homicide or lesser injuries which shall be composed of five judges. The rank of a judge in a court of appeals shall not be lower than the rank of an appeals judge, and each panel shall have a chief judge.
- (2) One or more specialized appeals panels may be established in the counties attached to the province where there is a court of appeals.
- (3) The chief judge of each panel and its members shall be appointed pursuant to a decision by the chief judge of the court of appeals. The chief judge of the court - or a court member deputized by him - shall preside over the panel in the absence of its chief judge.

Article 16:

The courts of appeals panels are:

- (1) Jural panels.
- (2) Penal panels.
- (3) Family panels.
- (4) Commercial panels.
- (5) Labor panels.

Article 17:

Courts of appeals shall review appealable judgments rendered by first instance courts and shall decide, after hearing the statements of litigants, in accordance with the procedures provided for in the Law of Procedure before *Sharia* Courts and the Law of Criminal Procedure.

Section Four
First Instance Courts

Article 18:

First instance courts shall be established in provinces, counties and districts as needed.

Article 19:

General courts in provinces shall consist of specialized panels that include panels for execution and for *ex parte* cases and the like - which are outside the jurisdiction of other courts and notaries public - and to decide on traffic accident cases and violations provided for in the Traffic Law and its Implementing Regulations. Each panel therein shall consist of a single judge or three judges as determined by the Supreme Judicial Council.

Article 20:

A penal court shall be composed of specialized panels as follows:

- (a) Panels for *qisas* (*lex talionis* retribution) and *hadd* ('Qur'anic prescribed punishment') cases.
- (b) Panels for Ta'zir ('discretionary punishment') cases.
- (c) Panels for Juvenile cases.

Each panel shall be composed of three judges except for cases determined by the Supreme Judicial Council which shall be reviewed by one judge.

Article 21:

A family court shall be composed of one or more panels, and each panel shall consist of one or more judges as determined by the Supreme Judicial Council and may include specialized panels as needed.

Article 22:

A commercial court and a labor court shall be composed of specialized panels, and each panel shall consist of one or more judges as determined by the Supreme Judicial Council.

Article 23:

A general court in a county or district shall be composed of one or more panels; each panel shall consist of one or more judges as determined by the Supreme Judicial Council. Specialized penal, commercial, labor and family panels may be established, whenever necessary, in the general courts of counties and districts where no specialized courts are established. Said panels shall have the powers of specialized courts.

The Supreme Judicial Council shall determine the cases to be reviewed by the general courts of one judge.

Article 24:

The chief judge, members or judge of each panel shall be appointed pursuant to a decision by the court's chief judge. The chief judge of the court or whomever he deputizes from among the court members- shall preside over the panel in absence of its chief judge.

Section Five
Court Jurisdiction

Article 25:

Without prejudice to the provisions of the Law of the Board of Grievances, the courts shall have jurisdiction to decide all cases in accordance with the rules governing the jurisdiction of courts set forth in the Law of Procedure before *Sharia* Courts and the Law of Criminal Procedure.

Article 26:

- (1) In cases other than those requiring inspection of the site of dispute, courts may not hold their hearings in other than their respective seats. Nevertheless, they may - when necessary- hold their hearings in places other than their usual seats, even if outside their area of

jurisdiction pursuant to a decision by the Supreme Judicial Council.

- (2) If necessary, the Supreme Judicial Council shall, pursuant to a decision issued by it, assign one or more panels to review cases relating to Hajj and Umrah pilgrims. Regulations shall be issued pursuant to a decision by the Council to regulate the work of these panels and determine their venue and subject jurisdictions.

Article 27:

If a case is brought before a court subject to this Law and the same case is also brought before a court of the Board of Grievances or of another authority having jurisdiction to decide on certain disputes, and if both courts insist on reviewing the case, or both decline to do so, a petition shall be submitted to the Conflict of Jurisdiction Committee at the Supreme Judicial Council for designating the competent authority. This Committee shall be composed of three members: a member from the Supreme Court to be selected by the Chief Judge of the Court, a member from the Board of Grievances or from the other authority to be selected by the President of the Board of Grievances or the other authority, as the case may be, and a

member from among the full-time members of the Supreme Judicial Council to be selected by the Chairman of the Council, who shall head this Committee. This Committee shall also have jurisdiction to decide the dispute which arises in respect of execution of two conflicting final judgments, one of which is rendered by a court subject to this Law and the other by a court of the Board of Grievances or the other authority.

Article 28:

In the cases mentioned in Article 27 of this Law, a petition shall be submitted to the Secretariat General of the Supreme Judicial Council. Such petition shall include a sufficient description of the case in which the dispute, abstention or the two conflicting judgments occurred, in addition to particulars related to names of litigants, their respective capacities, places of residence and subject matter of the petition. The petitioner shall file as many copies of this petition as there are litigants, along with the documents supporting his petition. The Chairman of the Conflict of Jurisdiction Committee shall designate one of its members to prepare the case and present it for litigation. The Secretariat shall notify the litigants by serving them with copies of the petition and shall summon them to appear at the hearing set for the preparation of the case.

Following such preparation, the case shall be presented to the Chairman of the Committee, who shall set a hearing before the Committee for the parties to litigate the subject matter of the case.

Article 29:

Filing of the petition to the Committee referred to in Article 27 of this Law shall stay the proceedings of the case in respect of which the petition was submitted. If the petition is submitted after a judgment has been rendered in respect of the case, the Chairman of the Conflict of Jurisdiction Committee may stay the execution of either conflicting judgments or both.

Article 30:

The decision of the Conflict of Jurisdiction Committee on the petition shall be issued by majority vote and shall not be subject to objection.

Chapter Four
Judges
Section One
Appointment and Promotion of Judges

Article 31:

To be appointed as a judge, a candidate shall fulfill the following requirements:

- (a) He shall be of Saudi nationality by descent.
- (b) He shall be of good character and conduct.
- (c) He shall be fully competent to hold the position of a judge in accordance with *Sharia*.
- (d) He shall hold the degree of one of the *Sharia* colleges in the Kingdom or any equivalent degree, provided that, in the latter case, he shall pass a special examination to be prepared by the Supreme Judicial Council.
- (e) He shall not be less than forty years of age if he is to be appointed to the rank of an appeals judge, and not less than twenty two if he is to be appointed to any other rank in the judiciary.
- (f) He shall have not been convicted of a crime impinging on religion or honor or been the subject of a disciplinary action dismissing him from a public office, even if rehabilitated.

Article 32:

Ranks of the judiciary are as follows:

Trainee Judge, Judge C, Judge B, Judge A, Deputy Chief Judge of Court B, Deputy Chief Judge of Court A, Chief Judge of Court B, Chief Judge of Court A, Appeals Judge, Chief Judge of a Court of Appeals, and Chief Judge of the Supreme Court. These positions shall be filled in accordance with the provisions of this Law.

Article 33:

To hold the rank of Trainee Judge, a candidate must, in addition to the requirements listed in Article 31, hold a Bachelor's degree with a general grade not lower than (Good) and with a grade of at least (Very Good) in Islamic jurisprudence (*Fiqh*) and its principles (*Usul al-Fiqh*).

Article 34:

To hold the rank of Judge C, a candidate shall have spent at least three years at the rank of Trainee Judge.

Article 35:

To hold the rank of Judge B, a candidate shall have spent at least one year at the rank of Judge C or worked in

comparable judicial positions for at least four years, or taught the subject of Islamic jurisprudence or its principles at a college in the Kingdom for four years at least or have obtained a Master's degree from the High Judicial Institute or from a *Sharia* college in the Kingdom in the field of Islamic jurisprudence or its principles or have obtained the Legal Studies Diploma from the Institute of Public Administration from among holders of a degree from a *Sharia* college in the Kingdom with a general grade not lower than (Good) and with a grade of at least (Very Good) in Islamic jurisprudence and its principles.

Article 36:

To hold the rank of Judge A, a candidate shall have spent at least four years at the rank of Judge B, or worked in comparable judicial positions for at least eight years, or taught the subject of Islamic jurisprudence or its principles at a college in the Kingdom for at least eight years or have obtained a Doctoral degree from the High Judicial Institute or from a *Sharia* college in the Kingdom in the field of Islamic jurisprudence or its principles.

Article 37:

To hold the rank Deputy Chief Judge of Court B, a candidate shall have spent at least three years at the rank of

Judge A, or worked in comparable judicial positions for at least eleven years, or taught the subject of Islamic jurisprudence or its principles at a college in the Kingdom for at least eleven years.

Article 38:

To hold the rank of Deputy Chief Judge of Court A, a candidate shall have spent at least two years at the rank of Deputy Chief of Court B, or worked in comparable judicial positions for at least thirteen years, or taught the subject of Islamic jurisprudence or its principles at a college in the Kingdom for at least thirteen years.

Article 39:

To hold the rank of Chief Judge of Court B, a candidate shall have spent at least two years at the rank of Deputy Chief Judge of Court A, or worked in comparable judicial positions for at least fifteen years, or taught the subject of Islamic jurisprudence or its principles at a college in the Kingdom for at least fifteen years.

Article 40:

To hold the rank of Chief Judge of Court A, a candidate shall have spent at least two years at the rank of Chief Judge of Court B, or worked in comparable judicial positions for at least seventeen years, or taught the subject of Islamic jurisprudence or its principles at a college in the Kingdom for at least seventeen years.

Article 41:

To hold the rank of Appeals Judge, a candidate shall have spent at least two years at the rank of Chief Judge of Court A, or worked in comparable judicial positions for at least nineteen years, or taught the subject of Islamic jurisprudence or its principles at a college in the Kingdom for at least nineteen years.

Article 42:

To hold the rank of Chief Judge of a Court of Appeals, a candidate shall have spent at least two years at the rank of Appeals Judge.

Article 43:

The Master's degree or diploma provided for in this Law shall be equivalent to a four-year service in comparable judicial positions, and the Doctoral degree provided for in this Law shall be equivalent to a six-year service in comparable judicial positions.

Article 44:

- (1) The probation period for a trainee judge shall be two years from the date of assuming his position pursuant to a decision by the Supreme Judicial Council to appoint him to this position. If, during this period, he is deemed unfit for the judiciary, the Supreme Judicial Council shall issue a decision to dismiss him from the judiciary.
- (2) A newly appointed judge shall be under probation for one year, and if he is not proven fit during this period, his service shall be terminated by royal order.
- (3) A judge appointed for the first time shall be given an allowance equivalent to a three-month salary.

Article 45:

Without prejudice to the provisions of this Law, a member of the judiciary shall enjoy the rights and guarantees provided for in the Civil Service Law and Retirement Law and shall observe the duties provided for in the Civil Service Law which do not conflict with the nature of judicial positions.

Article 46:

With the exception of trainee judges and persons appointed under probation, a member of the judiciary may not be dismissed except for reasons provided for in paragraphs (f), (h), (g) of Article 69 of this Law and in accordance with procedures provided for therein.

Article 47:

Appointment and promotion in the judiciary shall be by royal order pursuant to a decision by the Supreme Judicial Council stating that the legal requirements are satisfied on a case by case basis. In promotion, the Council shall take into consideration the order of absolute seniority. If candidates are equal in seniority, priority shall be given to the most competent, based on the proficiency reports. In case of equal proficiency or in the absence of such proficiency reports, priority shall be

given on the basis of age seniority. A member of the judiciary under evaluation may not be promoted unless he has been at least twice evaluated at his current rank and received a proficiency rating not lower than average in the last two reports prior to promotion.

Article 48:

Salaries of members of the judiciary of all ranks shall be in accordance with the Salary Scale of Judges.

Section Two

Transfer, Secondment and Leaves of Judges

Article 49:

Members of the judiciary may not be transferred or assigned within the judiciary except pursuant to a decision by the Supreme Judicial Council. Nor may they be transferred, assigned or seconded outside the judiciary except by royal order pursuant to a decision by the Supreme Judicial Council specifying the remuneration due to the assigned or seconded judge. The period of assignment or secondment shall be one year renewable for another year. However, the Chairman of the Supreme Judicial Council may, in exceptional cases, assign a

member of the judiciary to another position within or outside the judiciary for a period not exceeding three months per year.

Article 50:

Pursuant to his decision, the Chairman of the Supreme Judicial Council shall permit judges to take their leaves in accordance with relevant provisions.

Section Three
Duties of Judges

Article 51:

A judge may not engage in commerce or work or hold a position inconsistent with the independence and dignity of the judiciary. The Supreme Judicial Council may decide to prevent a judge from engaging in any work the performance of which, in its opinion, conflicts with the duties of the position and the proper performance thereof.

Article 52:

Judges may not disclose deliberations.

Article 53:

A judge shall reside in the locality of his place of work. The Supreme Judicial Council may, in view of exceptional circumstances, give a judge permission to reside temporarily in a different locality near his place of work.

Article 54:

A judge may not absent himself from work, nor may he discontinue working for a non-emergency reason before obtaining written permission to do so.

Section Four
Inspection of Judges' Work

Article 55:

- (1) A department for judicial inspection shall be formed at the Supreme Judicial Council, consisting of a head, an assistant and a sufficient number of full-time judges to be selected by the Council from among judges of courts of appeals and first instance courts.
- (2) The Judicial Inspection Department shall undertake the following:

- (a) Inspection of the work of judges of courts of appeals and first instance courts in order to gather information which would lead to determining their level of proficiency and the extent to which they are keen to perform their duties.
- (b) Investigating complaints submitted by judges or against them in matters relating to their jobs after they are referred to the Department by the Supreme Judicial Council.

Inspection and investigation referred to in (a) and (b) of this paragraph shall be carried out by a member of the judiciary of a rank higher than that of the judge under investigation or whose work is being inspected, or by a member senior to him, if both are of the same rank. The investigation and inspection shall be carried out at the Judicial Inspection Department or at the court as may be determined by the Chairman of the Supreme Judicial Council.

- (3)** Inspection of members of the judiciary shall be carried out at least once and not more than twice a year.

Article 56:

The following ratings shall be used in evaluating the proficiency of a judge:

Distinguished, Above Average, Average, Below Average

Article 57:

- (1) The Judicial Inspection Department shall notify the judge concerned of the report and his proficiency rating as well as all that is kept in his file, and he may file with the Inspection Department his objection to the same within thirty days from the notification date, unless there is an acceptable excuse.
- (2) The Judicial Inspection Department shall refer the objection along with a memorandum stating its views to the Supreme Judicial Council within fifteen days from the filing date.

The Council shall decide on the objection after perusal of the documents and shall notify the objecting petitioner, in writing, of the Council's decision. Said decision shall be deemed final.

Section Five

Disciplining of Judges

Article 58:

Without prejudice to the impartiality and independence of the judiciary and the right of the Supreme Judicial Council to supervise courts, judges and their work, the chief judge of each court shall have the right to supervise the judges of his court and notify them of all acts violating their duties or requirements of their positions after hearing their statements. The notification may be made verbally or in writing, and in the latter case, a copy of the notification shall be sent to the Supreme Judicial Council. The judge may object to the notification- in writing- before the Council within fifteen days from the notification date. If the violation is repeated or continued, he shall be subjected to a disciplinary trial.

Article 59:

Disciplining of judges shall be the responsibility of a panel to be formed at the Supreme Judicial Council of three judges from among full-time Council members. Decisions of said panel shall be taken by majority vote but shall not be final except with the approval of the Council.

Article 60:

The head of the Judicial Inspection Department or his designee shall file the disciplinary action before the Disciplinary Panel upon request by the Chairman of the Supreme Judicial Council either on his own or upon the suggestion of the chief judge of the court to which the judge belongs. Such request shall not be filed except in accordance with a criminal or administrative investigation carried out by a judge whose rank shall be not lower than an Appeals Judge, to be assigned by the Chairman of the Supreme Judicial Council.

The initial pleading of the case shall include the violation and its supporting evidence. The Panel shall issue its decision to summons the judge to appear before it.

The Disciplinary Panel may- with the approval of the Supreme Judicial Council- carry out the investigations it deems necessary and may assign any of its members to carry out such investigations.

Article 61:

If the Disciplinary Panel finds grounds to initiate trial proceedings for all or some of the violations, it shall summon the judge to appear at a suitable time. The writ of summons

shall include a sufficient statement of the subject matter of the case and the evidence of the violation.

Article 62:

When the Disciplinary Panel decides on the initiation of trial proceedings, it may, upon the approval of the Supreme Judicial Council, order suspension of the judge from performing his duties until the end of the trial. The Panel may at any time reconsider the suspension order.

Article 63:

The disciplinary action shall end upon the resignation of the judge. The disciplinary action shall have no effect on the criminal or civil suit arising from the incident itself.

Article 64:

The hearings of the Disciplinary Panel shall be confidential. The Disciplinary Panel shall render its judgment after it has heard the defense of the defendant judge, who may submit his defense in writing or empower a member of the judiciary to defend him. The Panel shall always have the right to summon him to appear in person. If he does not appear in person or empower somebody on his behalf, a judgment by

default may be rendered after ascertaining that he was properly notified.

Article 65:

Judgment rendered in the disciplinary action shall include the grounds upon which it is based, and such grounds shall be stated upon pronouncing the judgment in a confidential session. The judgment shall not be subject to appeal.

Article 66:

The disciplinary penalties which may be imposed on the judge shall be reprimand and termination of service.

Article 67:

Execution of the penalty of termination of service shall be pursuant to a royal order and the penalty of reprimand shall be in accordance with a decision by the Chairman of the Supreme Judicial Council.

Article 68:

In cases where a judge is caught in a criminal act, the matter shall, upon arrest and detention of the judge, be

reported to the Supreme Judicial Council within the following twenty four hours. The Council may decide whether the judge shall continue to be detained or whether he shall be released on or without bail. The judge may request that his statements be heard before the Council, upon bringing the case before it. The Council shall specify the term of detention in the decision ordering either detention or the continuation thereof. The aforementioned procedures shall be observed whenever the continuation of detention is deemed necessary after the expiration of the term fixed by the Council. Except in the foregoing cases, the judge may not be arrested nor may investigation proceedings be instituted against him except with the permission of the Council. Detention of judges and execution of punishments restraining their freedom shall be implemented in separate places.

Section Six

Termination of Service of Judges

Article 69:

The service of a judge shall terminate for one of the following reasons:

- (a) Reaching seventy years of age.

- (b) Death.
- (c) Acceptance of his resignation.
- (d) Acceptance of his request for retirement in accordance with Civil Retirement Law.
- (e) Being unfit for the judiciary in accordance with Article 44 of this Law.
- (f) Inability to perform his duty after expiration of his sick leave or if it appears at any time that he is unable to perform his duty properly due to his sickness.
- (g) Obtaining below average grade in the proficiency report for three consecutive times.
- (h) Termination of his service for disciplinary reasons.

Article 70:

In cases other than death and retirement for having reached the statutory age, or for being proven unfit during the probation period with respect to a trainee judge, the service of a judge shall be terminated by royal order pursuant to a decision by the Supreme Judicial Council.

Chapter Five
Ministry of Justice

Article 71:

- (1) Without prejudice to the provisions of this Law, the Ministry of Justice shall be entrusted with administrative and financial supervision of courts and notaries public.
- (2) The Ministry of Justice shall submit proposals or projects to promote the administration of justice.
- (3) There shall be established at the Ministry of Justice a research center to be formed of a sufficient number of specialized members, the qualification of each shall not be less than a university degree and shall undertake to publish select judgments with the approval of the Supreme Judicial Council.

Article 72:

The Deputy Minister of Justice shall be selected from among practicing or former judges provided that the rank of each is not be less than the rank of Chief Judge of Court B or has previously assumed such rank and shall be appointed in the Excellent Grade.

Chapter Six
Notaries Public
Section One
Notaries Public and their Jurisdiction

Article 73:

Establishment of notaries public and determination of their jurisdiction and formation shall be pursuant to a decision by the Minister of Justice. The head of each office shall supervise the notaries public under his authority.

Article 74:

Notaries public shall have jurisdiction to authenticate contracts and record declarations other than endowments and wills. Some of such jurisdictions may be entrusted to others in accordance with regulations to be issued by the Minister of Justice upon the approval of the Supreme Judicial Council.

Article 75:

In localities with no notaries public, the function of the notary public shall be entrusted to the court of that locality. Said court shall have the jurisdictions and powers of the notary public within the court's venue jurisdiction.

Section Two
Appointment and Inspection of Notaries Public

Article 76:

To be appointed as a notary public, a candidate shall satisfy the requirements provided for in paragraphs (a), (b), (c), (d) and (e) of Article 31 of this Law.

Article 77:

Regulations issued by agreement between the Minister of Justice and the Minister of Civil Service with regard to determination of qualifications required for various ranks of notaries public shall remain in effect. Said Ministers may amend such Regulations in accordance with the provisions of this Law.

Article 78:

Without prejudice to the provisions of this Law, notaries public shall be subject to all provisions applicable to civil service employees.

Article 79:

Notaries public shall be subject to judicial inspection in accordance with the provisions of this Law.

Section Three

Power of Documents Issued by Notaries Public

Article 80:

Documents issued by the notaries public under the powers provided for in Article 74 of this Law shall have dispositive power and shall be admitted as evidence in courts without additional proof. Such documents may not be contested except on grounds of being in violation of requirements of *Sharia* or law or being forged.

Chapter Seven

Employees of Courts and Notaries Public

Article 81:

Registerers, recorders, researchers, process servers, interpreters, experts, secretaries and the like shall be deemed assistants to the judiciary. The Minister of Justice, after agreement with the Chairman of the Supreme Judicial Council,

shall issue the regulations stating the rules and procedures regulating their work.

Article 82:

Without prejudice to the provisions of the Civil Service Law relating to appointment conditions, persons to be appointed as assistants to the judiciary and employees of courts shall pass an examination, the procedures and conditions of which shall be determined pursuant to a decision by the Minister of Justice after agreement with the Chairman of the Supreme Judicial Council.

Article 83:

Provision of the Civil Service Law shall apply – when not inconsistent with the provisions of this Law – to court employees and notaries public. Employees of each court and notaries public shall be under the supervision of their administrative head, and all shall be subject to the supervision of the chief judge of the court or the head of the notaries public as the case may be.

Chapter Eight

General and Transitional Provisions

Article 84:

All appointments and promotions in the judiciary shall be effected within the appropriations made in the budget and the provisions thereof.

Article 85:

This Law shall supercede the Law of the Judiciary issued by Royal Decree No. M/64 dated 14/07/1395 H.

**LAW OF
THE BOARD OF GRIEVANCES**

Chapter One

Formation of the Board

Article 1:

The Board of Grievances is an independent administrative judicial body reporting directly to the King and its seat shall be the City of Riyadh.

The Board's judges and judgments shall enjoy the guarantees provided for in the Law of the Judiciary and shall observe the duties provided for therein.

Article 2:

The Board of Grievances consists of a president of the rank of minister, one or more vice presidents and a sufficient number of judges in addition to the necessary number of researchers, specialists, administrators and the like.

Article 3:

The Board's vice presidents are appointed by royal order from among those satisfying the requirements for assuming the rank of Chief Judge of an Appeals Court.

Chapter Two

Administrative Judicial Council

Article 4:

A council named “Administrative Judicial Council” shall established at the Board and shall consist of the following:

- President of the Board of Grievances, Chairman.
- President of the High Administrative Court, Member.
- The most senior vice president of the Board, Member.
- Four judges of the rank of an Appeals Judge to be named by royal order, Members.

Article 5:

Without prejudice to the jurisdictions of the Administrative Judicial Council provided for in this Law, the Administrative Judicial Council shall, in relation to the Board of Grievances, assume the powers of the Supreme Judicial Council provided for in the Law of the Judiciary. The Chairman of the Administrative Judicial Council shall, in relation to the Board of Grievances, have the powers of the Chairman of the Supreme Judicial Council.

Article 6:

The Administrative Judicial Council, presided over by its Chairman, shall convene at least once every other month and whenever necessary. Its session shall not be valid unless attended by at least five of its members, and its decisions shall be issued by majority vote of the Council. In the in absence of the Chairman of the Council, the Chairman of the High Administrative Court shall act on his behalf.

Article 7:

The Council shall have a general secretariat, and the secretary general shall be selected from among the judges.

Chapter Three
Courts of the Board
Section One
Hierarchy of Courts

Article 8:

Courts of the Board of Greivances consist of the following:

- (1) The High Administrative Court.
- (2) The Administrative Courts of Appeal.

(3) The Administrative Courts.

Administrative courts of appeal shall be formed of a chief judge and a sufficient number of judges whose rank shall not be less than the rank of an Appeals Judge.

Administrative courts shall consist of a chief judge and a sufficient number of judges. The Administrative Judicial Council may establish other specialized courts with the approval of the King.

Article 9:

Courts shall exercise their jurisdictions through specialized panels formed as follows:

- (1) Panels of the High Administrative Court, three judges.
- (2) Panels of the Administrative Court of Appeal, three judges.
- (3) Panels of the Administrative Court, three judges and may consist of one judge.

Panels of the Administrative Courts of Appeal and the Administrative Courts shall be formed by the Administrative Judicial Council pursuant to a recommendation by the courts' chief judges.

Section Two
High Administrative Court

Article 10:

- (1) The seat of the High Administrative Court shall be the City of Riyadh and shall be formed of a chief judge and a sufficient number of judges of the rank of Chief Judge of an Appeals Court.
- (2) The Chief Judge of the High Administrative Court shall be named by royal order; his rank shall be that of Minister; and his service may not be terminated except by royal order. He shall satisfy the requirements for the rank of Chief Judge of an Appeals Court. In his absence, the most senior judge shall act on his behalf. Members of the High Administrative Court shall be named by royal order pursuant to a recommendation by the Administrative Judicial Council.
- (3) The High Administrative Court shall have a general panel presided over by the Chief Judge of the court and membership of all its judges. In his absence, the most senior of its judges shall act on his behalf. The panel's meeting shall be presided over by the chief judge or whoever acts on his behalf. Its session shall not be valid

unless attended by at least two thirds of its members, including the chief judge or whoever acts on his behalf. Its decisions shall be issued by majority vote of its members.

- (4) If a high administrative court panel, when reviewing an appeal, decides to depart from a precedent established in a previous judgment rendered by it or by another court panel, it shall bring the appeal before the chairman of the court to refer it to the general panel of the court to decide it.

Section Three

Jurisdiction of Courts

Article 11:

The High Administrative Court shall have jurisdiction to review appeals against judgments of administrative courts of appeals if the grounds of appeal are any of the following:

- (a) Violation of provisions of Sharia or laws not inconsistent therewith or an error in application or interpretation thereof, including violation of a precedent established in a judgment rendered by the High Administrative Court.

- (b) Being rendered by an incompetent court.
- (c) Being rendered by a court not constituted in accordance with the Law.
- (d) An error characterizing the incident or in describing it.
- (e) Deciding a dispute in contradiction with another judgment previously rendered in connection with the litigants.
- (f) Conflict of jurisdiction among the Board's courts.

Article 12:

Administrative courts of appeals shall be entrusted with reviewing appealable judgments rendered by the administrative courts and shall decide after hearing the litigants in accordance with legal procedures.

Article 13:

Administrative courts shall have jurisdiction to decide the following:

- (a) Cases relating to rights provided for in civil service, military service and retirement laws for employees of the Government and entities with independent

corporate personality or their heirs and their other beneficiaries.

- (b) Cases for revoke of final administrative decisions issued by persons concerned when the appeal is based on grounds of lack of jurisdiction, defect in form or cause, violation of laws and regulations, error in application or interpretation thereof, abuse of power, including disciplinary decisions and decisions issued by quasi-judicial committees and disciplinary boards as well as decisions issued by public benefit associations - and the like - relating to their activities. The administrative authority's refusal or denial to make a decision required to be made by it in accordance with the laws and regulations shall be deemed an administrative decisions.
- (c) Tort cases initiated by the persons concerned against the administrative authority's decisions or actions.
- (d) Cases related to contracts to which the administrative authority is party.
- (e) Disciplinary cases filed by the competent authority.
- (f) Other administrative disputes.
- (g) Requests for execution of foreign judgments and arbitral awards.

Article 14:

Courts of the Board of Grievances may not review cases related to sovereign acts, nor appeals against judgments rendered by courts- not subject to this Law- within their jurisdiction, or against decisions issued by the Supreme Judicial Council and the Administrative Judicial Council.

Article 15:

Without prejudice to the provision of Article 27 of the Law of the Judiciary Law, if a case is filed for the same subject matter before one of the Board's courts and before any other authority having jurisdiction to decide certain disputes, and if both the Board's court and the other authority insist on reviewing the case or both decline to do so, a request for designating the competent body shall be submitted to the Conflict of Jurisdiction Committee, which shall be formed of three members: a member from the High Administrative Court to be named by the Chief Judge of the Court, a member from the other authority to be named by the head of said authority, and a member from the Administrative Judicial Council to be named by the Chairman of the Council who shall chair this Committee. Said Committee shall also have the power to decide disputes arising in relation to execution of two contradicting final judgments, one of them rendered by a court of the Board

and the other by the other authority. It shall decide these cases in accordance with the provisions and procedures provided for in the Law of the Judiciary.

Chapter Four

Appointment of Board Judges and All their Service Affairs

Article 16:

Ranks of judges of the Board are those provided for in the Law of the Judiciary. With respect to salaries, allowances, rewards and benefits, Board judges shall be treated as their counterparts in the Law of the Judiciary.

Article 17 :

Appointment, promotion, transfer, assignment, training, secondment, approval of their leaves, inspection of their work, discipline, removal from office and termination of the service of Board judges shall be in accordance with procedures specified in the Law of the Judiciary.

Chapter Five

General Provisions

Article 18:

Without prejudice to the provisions provided for in this Law, the President of the Board shall have administrative and financial supervision over the Board and shall have the powers of a minister provided for in the Law of the Judiciary and its implementing regulations and decisions, regarding the Board's employees. He shall be the authority on matters issued by the Board, in this respect, to ministries and other bodies.

Article 19:

Without prejudice to the provision of Article 6 of this Law, vice presidents shall carry out duties entrusted to them by the President. In case of his absence or if the position becomes vacant, the most senior of the vice presidents shall assume the position of the President.

Article 20:

At the end of each year, the Administrative Judicial Council shall prepare a comprehensive report on the Board's work, including achievements, impediments, and

recommendations. The President of the Board shall bring said report before the King.

Article 21:

An office for technical affairs shall be formed at the Board of a head and a number of judges, specialists and researchers to be in charge of providing opinions, preparing research papers and studies and the like of matters requested by the President of the Board. At the end of each year, the office shall classify the judgments rendered by the courts of the Board, then print and publish them in volumes, and a copy thereof shall be submitted along with the report.

Article 22:

- (1) Without prejudice to the provisions of this Law, the Board's employees - other than judges - shall be governed by the Civil Service Law. The employees of each court shall be under the supervision of their administrative head, and all shall be monitored by the chief judge of the court.
- (2) Without prejudice to the provisions of the Civil Service Law, a person appointed as an assistant to the judiciary shall have passed an examination, the procedures and

requirements of which shall be determined pursuant to a decision by the Administrative Judicial Council

Article 23:

All appointments and promotions in the judiciary at the Board shall be effected within the appropriations made in the budget and the provisions thereof.

Article 24:

In exception to provision of this Law, any judge qualified to hold the rank of an Appeals Judge may, during the five years following the entry into force of this Law, be assigned to assume the duties of the rank of Chief Judge of a Court of Appeals.

Article 25:

The Law of Pleadings before the Board of Grievances shall specify rules of pleadings and procedures before it.

Article 26:

This Law shall supercede the Law of the Board of Grievances issued by Royal Decree No. (M/51) dated 17/07/1402 H.

**For comments and inquiries please write to the following
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