

**Law of the Board of Grievances** : 6-2007  
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## LAW OF THE BOARD OF GRIEVANCES

Royal Decree NO. M/51  
17 Rajab 1402 – 10 May 1982

### Part One Formation and Jurisdiction of the Board

Article (1)  
The Board of Grievances is an independent administrative judicial commission responsible directly to His Majesty the King. Its seat shall be the City of Riyadh. When needed, branches may be established by a decision of the President of the Board.

Article (2)  
The Board of Grievances consists of a president of the rank of minister, a vice president or more, a number of assistant vice presidents, and members specialized in Shari 'ah and law. Attached to it shall be an adequate number of technical and administrative employees and others.

Article (3)  
The President of the Board shall be appointed and his services terminated by Royal Order. He shall be responsible directly to His Majesty the King. Vice presidents of the President of the Board are appointed and their services terminated by Royal Order upon nomination by the President of the Board.  
The President of the Board shall select the branch heads from members of the Board, taking into consideration the ranks of the branch's personnel.

Article (4)

A committee called "The Administrative Affairs

Committee for Board Members" shall be formed and

it shall consist of the President of the Board or

whomever he deputizes and six members whose

ranks shall not be lower than counselor (B), and

they shall be selected by the President of the Board.

Article (5)

"Administrative Affairs Committee for Board

Members" shall be presided over by the President of

the Board or whomever he deputizes, and its

session shall not be valid unless all members are

present. In case one of them is absent due to the

Committee's reviewing a matter concerning him or

in which he has a direct interest or for any other

reason, he shall be replaced by a member

nominated by the President of the Board, who

satisfies conditions of membership. The

Committee's decisions shall be issued by majority

vote of its members.

Article (6)

The Board shall exercise its powers through circuits

whose number, formation, subject-matter and

venue are determined by decision of the President

of the Board.

Article (7)

The Board of Grievances shall have a general panel

consisting of the President of the Board and all

members in service. Its Jurisdiction and procedures

shall be determined pursuant to a resolution by the

Council of Ministers.

Article (8)

1. The Board of Grievances shall have

jurisdiction to decide the following:

(a) Cases related to the rights provided for in

the Civil Service and Pension Laws for government employees and hired hands, and independent public entities and their heirs and claimants.

(b) Cases of objection filed by parties

concerned against administrative decisions where the reason of such objection is lack of jurisdiction, a deficiency in the form, a violation or erroneous application or interpretation of laws and regulations, or abuse of authority. It is considered as an administrative decision the rejection or refusal of an administrative authority to take a decision that it should have taken pursuant to laws and regulations.

(c) Cases of compensation filed by parties

concerned against the government and independent public corporate entities resulting from their actions.

(d) Cases filed by parties concerned regarding

contract-related disputes where the government or an independent public corporate entity is a party

thereto.

(e) Disciplinary cases filed by the Bureau of

Control and Investigation.

(f) Penal cases filed against suspects who

have committed crimes of forgery as provided for by law, crimes provided for by the Law of Combating Bribery, crimes provided for by Royal Decree no. 43 dated 29/11/77 H, and crimes provided for by the Law of Handling Public Funds issued by Royal Decree No. 77 dated 23/10/95 H and penal cases filed against persons accused of committing crimes and offenses provided for by law, where an order to hear such cases has been issued by the President of

the Council of Ministers to the Board.  
(g) Requests for implementation of foreign

judgments.  
(h) Cases within the jurisdiction of the Board

in accordance with special legal provisions. (1)

(i) Requests of foreign courts to carry out

precautionary seizure on properties or funds inside  
the Kingdom. (2)

2. With Consideration to the rules of  
jurisdiction set forth by law, the Council of Ministers  
may, at its discretion, refer any matters and cases  
to the Board of Grievances for hearing.

Article (9)  
The Board of Grievances may not hear requests  
related to sovereign actions, nor objections filed by  
individuals against judgments or decisions issued by  
courts or legal panels which fall within their  
jurisdiction.

Article (10)  
The Bureau of Control and Investigation shall  
prosecute before the competent circuit the crimes  
and offenses which the Bureau investigates.

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Part Two  
Law of Members of the Board

Article (11)  
Members appointed to the Board shall fulfill the

following requirements:  
(a) Be a Saudi national.  
(b) Be of good character and conduct.

- (c) Be fully qualified to carry out judicial work.
- (d) Be a holder of a diploma from a college of

Shari'ah in the Kingdom of Saudi Arabia or another

equivalent university diploma.

- (e) Be of the age of not less than twenty two

years.

- (f) Be physically fit for service.

- (g) Not have been sentenced to hadd (Quranic

prescribed punishment), ta'zir (discretionary

punishment), or a crime impinging on integrity, nor

been subjected to disciplinary decision for dismissal

from public office, even if rehabilitated.

Article (12)

Ranks of members of the Board are as follows:

- Trainee of the rank of Judicial Trainee,
- Assistant Counselor (C) of the rank of

Judge (C),

- Assistant Counselor (B) of the rank of

Judge (B),

- Assistant Counselor (A) of the rank of

Judge (A),

- Counselor (D) of the rank of Court Deputy

(B),

- Counselor (C) of the rank of Court Deputy

(A),

- Counselor (B) of the rank of Court Head

(B),

- Counselor (A) of the rank of Court Head

(A),

- Assistant Head of the rank of Appellate

Judge,

- Assistant Head of the rank of Appellate

Chief.

Article (13)

To occupy the ranks of Board membership requires

the qualifications specified for each rank in the Law

of the Judiciary, taking into consideration the

following:

- (a) A Master's degree in the field and a

diploma of legal studies from the Institute of Public Administration are considered to be equivalent to working for four years in similar judicial duties.

(b) A Doctorate degree in the field is equivalent to working for six years in similar judicial duties.

(c) Performing investigative, judicial, and consultative activities in the field shall be equivalent to working in similar judicial duties.

#### Article (14)

Members initially appointed shall undergo a probationary period for one year. The Administrative Affairs Committee for Board Members shall issue a decision of tenure after the end of the probation period and upon proof of suitability of the appointee. Prior to such decision, the Administrative Affairs Committee for Board Members may issue a decision of his dismissal.

#### Article (15)

Except for the Trainee, a Board Member may not be dismissed but must be retired upon reaching the age of seventy. However, should a member lose confidence and respect required for the post, he shall be retired by Royal Order based on a recommendation by the Administrative Affairs Committee for Board Members.

#### Article (16)

Without prejudice to requirements of the provisions of this Law, Board Members shall have the rights and guarantees granted for judges and shall be bound by the same duties as those of judges.

Article (17)

Appointment and promotion to the ranks of Board

members shall be carried out in accordance with procedures specified for appointment and promotion in the judicial cadre. In this respect, the Administrative Affairs Committee for Board Members, with regard to its members, shall have the same powers as those of the Supreme Judicial Council with regard to members of the judicial cadre.

Article (18)

With respect to salaries, allowances, rewards and

benefits, the Board member shall be treated similarly to his counterpart within the ranks of members of the judicial cadre.

Article (19)

Transfer, assignment, and secondment of Board

Members shall be in accordance with the procedures specified set for transfer, assignment, and secondment of the judicial cadre. In this respect, the Administrative Affairs Committee for Board Members, shall have, with regard to Board members, the same powers specified for the Supreme Judicial Council in regard to members of the judicial cadre. In this respect the President of the Board, with regard to Board Members, shall also have the same powers specified for the Minister of Justice with regard to members of the judicial cadre.

Article (20)

The President of the Board shall approve vacations of Members within the limits of the provisions of the

Civil Service Law. As an exception to these provisions, the sick leave a member may have during a period of three years may reach six months with full salary and three months with half salary. It may be extended for three additional months with half salary, subject to the approval of the Administrative Affairs Committee for Board Members.

Article (21)

If a member, due to sickness, fails to resume his work following the expiry of the sick leave specified in the previous article, or if it is proven at any time that he is unable, for health reasons, to perform his duties properly, he shall be retired.

Article (22)

Inspection of work of Board Members, of the rank of counselor (B) and below, shall be conducted by one or more of Board Members entrusted to perform the inspection by the President of Board. Inspection shall be carried out at least once to a maximum of twice a year.

Inspection shall be conducted by a member whose rank is higher than that of the member under inspection, or by a member senior in service if both are of the same rank.

The members' competency assessment shall be based on the following grades: competent, above average, average, below average.

Article (23)

A copy of the observations shall be forwarded, without the competency assessment, to the member concerned for his review and to state his objections regarding them within thirty days.

Article (24)

The President of Board shall form a committee of three Board members to examine the observations and the objections submitted by the member concerned. Whatever observations approved by the Committee shall be kept in the member's file along with the objection. Whatever is not approved shall be removed from the assessment and filed. The Member shall be notified of his competency assessment approved by the Committee.

Article (25)

A member who obtains a grade of below average may complain to the Administrative Affairs Committee within thirty days following the date of his notification of the assessment. The Committee's decision in this respect shall be final.

Article (26)

If a member receives a grade of below average in his competency assessment for three consecutive times, he shall be retired by Royal Order based on a recommendation by the Administrative Affairs Committee.

Article (27)

Regulations stating rules and procedures of inspection shall be issued pursuant to a decision by the President of the Board of Grievances following approval of the Administrative Affairs Committee.

Article (28)

Without prejudice to the impartiality and independence of Board members, the President of Board may supervise all circuits and members, and the head of each circuit may supervise members

subordinate to the circuit.

Article (29)

The head of each circuit may notify members subordinate to the circuit of all actions in violation of their duties or requirements of their jobs, after hearing their statements. Such notice may be verbal or written. In the latter case, a copy shall be forwarded to the Board. The member, in case of his objection to the written notice issued by the Head of the Circuit, may, within two weeks following the date of notification, request an investigation be carried out regarding the incident that led to the notice. A committee of three counselors shall be formed for this purpose by a decision of the President of the Board. After hearing the member's statements, and if it sees fit, the committee may entrust one of the members to perform the investigation. The committee may then either uphold or nullify the notice and notify the President of the Board of its decision. If the violation is repeated or continued after the notice has been upheld, a disciplinary case shall be filed by the committee.

Article (30)

Disciplining of members shall be the jurisdiction of a committee formed pursuant to a decision by the President of the Board. The committee shall be composed of five members from among the Administrative Affairs Committee. It shall be chaired by the member of the highest rank. If they are equal in rank, it shall be chaired by the member senior in service. Should the member standing trial be a

member of the Administrative Affairs Committee, or should he become unable for any reason to take part in the Disciplinary Committee, the President of the Board may assign a Board member who satisfies the conditions of membership of the Administrative Affairs Committee to take over. The session of the Disciplinary Committee shall not be valid unless all members are present, and its decision shall be taken by absolute majority of its members.

Article (31)

The disciplinary action shall be filed pursuant to a request by the President of the Board on his own, or based upon a recommendation by the head of the circuit to which the member belongs. Such request shall not be submitted unless based on a criminal or administrative investigation carried out by one of the counselors assigned by the President of the Board.

Article (32)

A disciplinary action shall be filed in a memorandum containing the accusation and supporting evidence to be submitted to the Disciplinary Committee to issue its decision of summoning the accused to appear before it.

Article (33)

The Disciplinary Committee may conduct whatever investigations it deems necessary, or assign one of its members to carry them out.

Article (34)

If the Disciplinary Committee finds a reason to continue with the trial proceedings with regard to all or some of the accusations, the accused shall be

summoned to appear at a later date. The summons to appear shall include a sufficient statement of the subject matter of the case along with evidence of accusations.

Article (35)

The Disciplinary Committee, when it decides to continue with the trial proceedings, may order the suspension of the accused from carrying out the duties of his job. However, the Committee may at any time reconsider such suspension order.

Article (36)

The disciplinary action shall terminate when the member resigns. Such disciplinary action shall have no impact on the criminal or civil case resulting from the incident itself.

Article (37)

Hearings of the Disciplinary Committee shall be confidential. The Disciplinary Committee shall render its judgment after hearing the defense of the member against whom the case is filed. He may submit his defense in writing or delegate someone else to defend him. The Committee may at any time summon him in person. Should he fail to appear or delegate someone, a judgment may be rendered by default after verifying the correctness of his summons.

Article (38)

In a disciplinary action, the judgment rendered shall contain the grounds on which it was based. Its grounds shall be read when the judgment is delivered in a confidential hearing. Judgments of the Disciplinary Committee shall be final and not subject

to appeal.

Article (39)

The disciplinary punishments which may be inflicted upon the member are reprimand and forced retirement.

Article (40)

Judgments of the Disciplinary Committee shall be reported to the President of the Board. A Royal Order shall be issued for the implementation of the punishment of forced retirement, and a decision by the President of Board to implement the punishment of reprimand.

Article (41)

In flagrante delicto cases, when a member is arrested and detained, the matter shall be brought before the Administrative Affairs Committee within the following twenty four hours. The Committee shall decide whether to continue detention or to release him with or without bail. The member may request that his statements be heard before the Committee when the matter is presented to it. The Committee shall determine the period of detention in the decision issued for detention or continuation thereof. The aforementioned procedures shall be observed whenever the continuation of the preventive detention is considered, after the expiry of the period decided by the Committee. Except for the above, a member may not be arrested, and no investigation procedure shall be initiated nor a criminal action be filed against him unless there is permission from the mentioned Committee. The detention of members

and the implementation of punishments that restrict their freedom shall be carried out in separate places.

Article (42)

Services of a Board Member shall terminate for one

of the following reasons:

- (a) Acceptance of resignation.
- (b) Acceptance of his request for retirement in

accordance with the Retirement Law.

- (c) Reasons provided for in Articles 14, 15,

21, and 26.

- (d) Death.

Article (43)

Except for the two cases of death and reaching retirement age, the services of a Board member shall terminate by Royal Order, based on a recommendation by the Administrative Affairs Committee of Board Members.

Part Three

General Provisions

Article (44)

Without prejudice to the provisions stated in this Law, the President of the Board shall have the authority and jurisdiction of a minister as provided for in the law and its implementing decisions regarding all members, employees, and hired hands of the Board. He is the authority for whatever is communicated by the Board to different ministries and other bodies, as well as supervising the administration of the Board, its branches and departments, and progress of work in the Board.

Article (45)

By a decision, the President of Board shall determine the authorities and powers of the heads of

branches.

Article (46)

The Vice President shall act instead of the President in case of his absence and shall assist him in the duties that he entrusts him with.

Article (47)

At the end of every year, the President of the Board shall bring before His Majesty the King a comprehensive report of the Board's activities including his observations and recommendations. At the end of every year, he shall also classify, print and publish in volumes the judgments rendered by the Board's Circuits and a copy thereof shall be attached with the report.

Article (48)

Subject to the provisions of Article (16) of this Law, Board's employees, other than members, shall be governed by the Civil Service Law and its Regulations.

Article (49)

Rules of litigation and procedures before the Board of Grievances shall be issued pursuant to a resolution by the Council of Ministers.

Article (50)

Law of the Board of Grievances issued by Royal Decree no. 2/13/8759 dated 17/9/1374H and decisions issued for its implementation shall be nullified, and Article (17) of the Law of Combating Bribery issued by Royal Decree no. 15 dated 7/3/1383H shall be nullified, and resolutions of the Council of Ministers no. 735 for the year 1391H, no. 1230, for the year 1393H, and no. 111 for the year 1398H related to the determination of bodies that

conduct the investigation of forgery cases and hearing them shall be nullified, and Articles (14) to (30) of the Employees Disciplinary Law issued by Royal Decree no. M/7 dated 1/2/1391 H regarding the Disciplinary Commission shall be nullified, and any provision inconsistent with the provisions of this Law shall be nullified.

Article (51)

This Law shall be published in the Official Gazette and shall come into force one year after the date of its publication.