

Saudi Arabia Council of Ministers Statute

{ Adopted on: 20 Aug 1993 }

{ ICL Document Status: Oct 1993 }

[Part 1 General Provisions]

Article 1

The Council of ministers is an organizational body headed by the King.

Article 2

The headquarters of the Council of Ministers will be in the city of Riyadh. It would be possible for its sessions to be held in other parts of the country.

Article 3

Membership of the Council of Ministers will have to meet the following conditions:

- (a) Must be of Saudi nationality by origin and upbringing.
- (b) Must be known to be of propriety and competence.
- (c) Must not be convicted of a crime in violation of religion and honor.

Article 4

Members of the Council of Ministers will not assume their posts until they have made the following oath: I swear by Almighty God that I will be loyal to my religion and then to my King and country, and that I will not divulge any secrets of state and that I will safeguard its (the State's) interests and rules and carry out my duties sincerely, honestly and loyally.

Article 5

Membership of the Council of Ministers must not be combined with any other governmental post unless the Chairman of the Council of Ministers deems it necessary.

Article 6

While in office, a member of the Council of Minister's will not be allowed to buy or rent any state property directly, through a third party or in a State auction. He will also not be allowed to sell or rent out any of his properties to the government. He must not undertake any commercial or financial work, nor must he accept membership of the board of directors of any company.

Article 7

The sessions of the Council of Ministers are held under the chairmanship of the chairman of the Council of Ministers- the King or any of the deputies of the chairman. Its decisions are final after the King approves them.

Article 8

The appointment of the members of the Council of Ministers or to relieve them of their posts or to accept their resignations will be by royal order. Their responsibilities will be defined in accordance with Article [57](#) and [58](#) of the Basic Law of Government. The internal statute of the Council of Ministers defines their rights.

Article 9

The term (in office) of the Council of Ministers will not exceed four years during which it can be reformed by a royal order. In the event of the period expiring before it is reformed, it will continue to perform its work until it is reformed.

Article 10

The minister is regarded as the direct head and the final point of reference of the affairs of his ministry. He exercises his duties in accordance with the provision of this statute and other rules and regulations.

Article 11

(a) Only another minister can deputize for a minister at the Council of Ministers and (it has to be) in accordance with an order which is issued by the chairman of the Council.

(b) The deputy minister takes over the exercise of the powers of the minister during his absence.

Article 12

The Council of Ministers is composed of:

(a) Chairman of the Council

(b) Deputy Chairman of the Council

(c) Ministers

(d) Ministers of State who are appointed as members of the Council of Ministers by Royal order.

(e) Advisers to the King who are appointed as members of the Council of Ministers by Royal order.

Article 13

Attending the meeting of the Council of Ministers is a right that belongs to its members only and to the secretary-general of the Council. At the request of the chairman or a member of the Council of Ministers and after the approval of the Chairman of the Council an official or expert may be permitted to attend sessions of the Council of Ministers and to present information, and explanations he may have. However, the voting shall remain exclusive to members only.

Article 14

The session of the Council of Ministers will not be considered proper except when two thirds of its members attend the session. Its decisions will not be

effective unless they are adopted by the majority of those attending the meeting. In the event of a tie, the chairman will have the casting vote. In extraordinary cases the convening of the Council of Ministers will be proper when half its members attend. Its decisions will not be legal in this case except with the agreement of two thirds of the members who are present and the chairman has the right to evaluate the extraordinary cases.

Article 15

The Council of Ministers shall not take a decisions on a matter that concerns the work of one of the ministries except in the presence of the minister in charge of that ministry or any one else that acts for him. if necessary.

Article 16

The deliberations of the Council of Ministers take place behind closed doors. As for its decisions they are basically public except for those which are considered to be secret by the Council.

Article 17

Members of the Council of Ministers will be put on trial for offenses they may commit in their official duties, in accordance with a special statute that contains the statement of the offences and defines the procedures of the charges, the trial and the manner in which the body of the court is formed.

Article 18

The Council of Ministers can form committees that include its members or others to discuss a matter that is included on the agenda so that they (the committees) submit a special report on it. The internal statute of the Council of Ministers will decide size and composition of the committee and the work procedure.

[Part 2] The Jurisdiction of the Council

Article 19

Taking into consideration the stipulations of the basic law of government and the statute of the Consultative council, the Council of Ministers will plan the internal, external, financial, economic, educational and defence policies and all the public affairs of the state, and oversee their implementation. It will look into the decrees of the Consultative council. It will have executive power and it will be the point of reference for financial and administrative affairs in all the ministries and other governmental bodies.

[Part 3] Organizational Affairs

Article 20

Taking into consideration the stipulations of the statute of the Consultative council, statutes, international treaties, and agreements and franchises will be

issued and amended in accordance with Royal Decrees after having been studied by the Council of Ministers of Ministers.

Article 21

The Council of Ministers will study draft rules and regulations submitted to it and vote on each article and then vote on the whole draft in accordance with the measures stipulated in the internal statute of the council.

Article 22

Every minister will have the right to propose a draft statute or rule pertaining to his ministry's work. Every member of the Council of Ministers will have the right to propose whatever he believes to be of benefit for discussion at the Council of Ministers after the approval of the chairman.

Article 23

All decrees must be published in the official gazette. They will come into effect as from the date of their publication unless another date is stipulated.

[Part 4] Executive Affairs

Article 24

As the direct executive power, the council will have full control over executive and administrative affairs. The following will come under its executive jurisdictions:

- (1) Monitoring the implementation of statutes, rules and decrees.
- (2) Creation and organization of public services.
- (3) Following up the implementation of the overall development plan.
- (4) Establishment of committees that will investigate the progress of the work of ministries and other governmental bodies or a specific issue. These committees will submit the outcome of their investigations to the council at a time set for them . The council will look into the outcome of their investigations, and may set up committees to investigate (further) in light of the outcome and make a decision regarding the outcome after taking into consideration the stipulations of the statutes and rules. Financial Affairs

Article 25

The government will not be able to sign a loan (agreement) without the approval of the Council of Ministers and the issuance of a pertinent Royal Decree.

Article 26

The Council of Ministers will study the state budget and vote on it chapter by chapter, and it will be issued in accordance with a Royal Decree.

Article 27

Any increase required in the budget can only be made in accordance with a Royal Decree.

Article 28

The Minister of Finance and National Economy will submit the states final accounts of the previous financial year to the Chairman of the Council of Ministers to be referred to the Council of Ministers for approbation.

[Part 5] Chairmanship of the Council

Article 29

The King as Chairman of the Council of Ministers will steer the overall policy of the state. He will be steering, coordinating and (ensuring the) cooperation of the various government bodies, and ensure harmony, continuity and uniformity in the work of the Council. He has the authority to supervise the Council, ministries, and governmental bodies. He will monitor the implementation of statutes, rules and decrees. All the ministries and other governmental bodies have to submit to the chairman of the Council of Ministers within 90 days of the beginning of every financial year a report on the achievements they have made in comparison with what had been stated in the overall development plan during the previous financial year, the difficulties they had faced and their proposals for improved operations in them.

Article 30

The following machinery is included in the administrative formations of the Council:

- (1) The office of the chairman of the Council
- (2) The general secretariat of the Council
- (3) The panel of experts

The internal statute of the Council of Ministers explains the formations and the specializations of these organs and the manner in which they carry out their duties.

Article 31

The internal statute of the Council of Ministers is issued by a royal order.

Article 32

This statute can be amended only by the method in which it was issued.