

Basic Law, Kingdom of Saudi Arabia

Royal Decree No. A/90

27/8/1412 AH

By the Help of God,

We, Fahd bin Abdul Aziz, the King of the Kingdom of Saudi Arabia, consistent with the public interest, and in view with the development of the State in different fields, in addition to our enthusiasm to achieve our prospected objectives, we ordered the following:

First: Issue the Basic System of Governance according to the context herein below.

Second: Act in accordance with all the systems, orders, and resolutions that are currently adopted, until they are amended pursuant to the Basic System of Governance.

Third: The Basic System of Governance shall be published in the official journal and shall be enforceable as of the date of its publication.

Chapter 1 General Principles

Article 1 The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; God's Book and the Sunnah of His Prophet, God's prayers and peace be upon him, are its constitution, Arabic is its language and Riyadh is its capital.

Article 2 The state's public holidays are Id al-Fitr and Id al-Adha. Its calendar is the Hegira calendar.

Article 3 The state's flag shall be as follows: (a) It shall be green. (b) Its width shall be equal to two-thirds of its length. (c) The words "There is but one God and Mohammed is His Prophet" shall be inscribed in the center with a drawn sword under it. The statute shall define the rules pertaining to it.

Article 4 The state's emblem shall consist of two crossed swords with a palm tree in the upper space between them. The statute shall define the state's anthem and its medals.

Chapter 2 Monarchy

Article 5

(a) The system of government in the Kingdom of Saudi Arabia is that of a monarchy. (b)

Rule passes to the sons of the founding King, Abd al-Aziz Bin Abd al-Rahman al-Faysal Al Sa'ud, and to their children's children. The most upright among them is to receive allegiance in accordance with the principles of the Holy Koran and the Tradition of the Venerable Prophet. (c) The King chooses the Heir Apparent and relieves him of his duties by Royal order. (d) The Heir Apparent is to devote his time to his duties as an Heir Apparent and to whatever missions the King entrusts him with. (e) The Heir Apparent takes over the powers of the King on the latter's death until the act of allegiance has been carried out.

Article 6 Citizens are to pay allegiance to the King in accordance with the holy Koran and the tradition of the Prophet, in submission and obedience, in times of ease and difficulty, fortune and adversity.

Article 7 Government in Saudi Arabia derives power from the Holy Koran and the Prophet's tradition.

Article 8 [Government Principles] Government in the Kingdom of Saudi Arabia is based on the premise of justice, consultation, and equality in accordance with the Islamic Shari'ah.

Chapter 3 Features of the Saudi Family

Article 9 The family is the kernel of Saudi society, and its members shall be brought up on the basis of the Islamic faith, and loyalty and obedience to God, His Messenger, and to guardians; respect for and implementation of the law, and love of and pride in the homeland and its glorious history as the Islamic faith stipulates.

Article 10 The state will aspire to strengthen family ties, maintain its Arab and Islamic values and care for all its members, and to provide the right conditions for the growth of their resources and capabilities.

Article 11 Saudi society will be based on the principle of adherence to God's command, on mutual cooperation in good deeds and piety and mutual support and inseparability.

Article 12 The consolidation of national unity is a duty, and the state will prevent anything that may lead to disunity, sedition and separation.

Article 13 Education will aim at instilling the Islamic faith in the younger generation, providing its members with knowledge and skills and preparing them to become useful members in the building of their society, members who love their homeland and are proud of its history.

Chapter 4 Economic Principles

Article 14 All God's bestowed wealth, be it under the ground, on the surface or in national territorial waters, in the land or maritime domains under the state's control, are the property of the state as defined by law. The law defines means of exploiting, protecting, and developing such wealth in the interests of the state, its security and economy.

Article 15 No privilege is to be granted and no public resource is to be exploited without a law.

Article 16 Public money is sacrosanct. The state has an obligation to protect it and both citizens and residents are to safeguard it.

Article 17 Property, capital, and labor are essential elements in the Kingdom's economic and social being. They are personal rights which perform a social function in accordance with Islamic Shari'ah.

Article 18 The state protects freedom of private property and its sanctity. No one is to be stripped of his property except when it serves the public interest, in which case fair compensation is due.

Article 19 Public confiscation of money is prohibited and the penalty of private confiscation is to be imposed only by a legal order.

Article 20 Taxes and fees are to be imposed on a basis of justice and only when the need for them arises. Imposition, amendment, revocation and exemption is only permitted by law.

Article 21 Alms tax is to be levied and paid to legitimate recipients.

Article 22 Economic and social development is to be achieved according to a just and scientific plan.

Chapter 5 Rights and Duties

Article 23 [Islam] The state protects Islam; it implements its Shari'ah; it orders people to do right and shun evil; it fulfills the duty regarding God's call.

Article 24 [Holy Places] The state works to construct and serve the Holy Places; it provides security and care for those who come to perform the pilgrimage and minor pilgrimage in them through the provision of facilities and peace.

Article 25 [World Peace] The state strives for the achievement of the hopes of the Arab

and Islamic nation for solidarity and unity of word, and to consolidate its relations with friendly states.

Article 26 [Human Rights] The state protects human rights in accordance with the Islamic Shari'ah.

Article 27 [Welfare Rights] The state guarantees the rights of the citizen and his family in cases of emergency, illness and disability, and in old age; it supports the system of social security and encourages institutions and individuals to contribute in acts of charity.

Article 28 [Work] The state provides job opportunities for who-ever is capable of working; it enacts laws that protect the employee and employer.

Article 29 [Science, Culture] The state safeguards science, literature and culture; it encourages scientific research; it protects the Islamic and Arab heritage and contributes toward the Arab, Islamic and human civilization.

Article 30 [Education] The state provides public education and pledges to combat illiteracy.

Article 31 [Health Care] The state takes care of health issues and provides health care for each citizen.

Article 32 [Environment, Nature] The state works for the preservation, protection, and improvement of the environment, and for the prevention of pollution.

Article 33 [Armed Forces] The state establishes and equips the Armed Forces for the defence of the Islamic religion, the Two Holy Places, society, and the citizen.

Article 34 [Military Service] The defence of the Islamic religion, society, and country is a duty for each citizen. The regime establishes the provisions of military service.

Article 35 [Citizenship] The statutes define the Regulations governing Saudi Arabian nationality.

Article 36 [Arrest] The state provides security for all its citizens and all residents within its territory and no one shall be arrested, imprisoned, or have their actions restricted except in cases specified by statutes.

Article 37 [Home] The home is sacrosanct and shall not be entered without the permission of the owner or be searched except in cases specified by statutes.

Article 38 [Punishment, nulla poena] Penalties shall be personal and there shall be no crime or penalty except in accordance with the Shari'ah or organizational law. There shall be no punishment except for acts committed subsequent to the coming into force of the organizational law.

Article 39 [Expression] Information, publication, and all other media shall employ courteous language and the state's regulations, and they shall contribute to the

education of the nation and the bolstering of its unity. All acts that foster sedition or division or harm the state's security and its public relations or detract from man's dignity and rights shall be prohibited. The statutes shall define all that.

Article 40 [Communication] Telegraphic, postal, telephone, and other means of communications shall be safeguarded. They cannot be confiscated, delayed, read or listened to except in cases defined by statutes.

Article 41 [Residents' Duties] Residents of the Kingdom of Saudi Arabia shall abide by its laws and shall observe the values of Saudi society and respect its traditions and feelings.

Article 42 [Asylum, Extradition] The state shall grant the right to political asylum when the public interest demands this. Statutes and international agreements shall define the rules and procedures governing the extradition of common criminals.

Article 43 [Royal Courts] The King's Court and that of the Crown Prince shall be open to all citizens and to anyone who has a complaint or a plea against an injustice. Every individual shall have a right to address the public authorities in all matters affecting him.

Chapter 6 The Authorities of the State

Article 44 The authorities of the state consist of the following: the judicial authority; the executive authority; the regulatory authority. These authorities cooperate with each other in the performance of their duties, in accordance with this and other laws. The King shall be the point of reference for all these authorities.

Article 45 The source of the deliverance of fatwa in the Kingdom of Saudi Arabia are God's Book and the Sunnah of His Messenger. The law will define the composition of the senior ulema body, the administration of scientific research, deliverance of fatwa and it's (the body of senior ulema's) functions.

Article 46 The judiciary is an independent authority. There is no control over judges in the dispensation of their judgements except in the case of the Islamic Shari'ah.

Article 47 The right to litigation is guaranteed to citizens and residents of the Kingdom on an equal basis. The law defines the required procedures for this.

Article 48 The courts will apply the rules of the Islamic Shari'ah in the cases that are brought before them, in accordance with what is indicated in the Book and the Sunnah, and statutes decreed by the Ruler which do not contradict the Book or the Sunnah.

Article 49 Observing what is stated in Article 53, the courts shall arbitrate in all disputes

and crimes.

Article 50 The King, or whoever deputizes for him, is responsible for the implementation of judicial rulings.

Article 51 The authorities establish the formation of the Higher Council of Justice and its prerogatives; they also establish the seniority of the courts and their prerogatives.

Article 52 The appointment of judges and the termination of their duties is carried out by Royal decree by a proposal from the Higher Council of Justice in accordance with the provisions of the law.

Article 53 The law establishes the seniority of the tribunal of complaints and its prerogatives.

Article 54 The law establishes the relationship between the investigative body and the Prosecutor-general, and their organization and prerogatives.

Article 55 The King carries out the policy of the nation, a legitimate policy in accordance with the provisions of Islam; the King oversees the implementation of the Islamic Shari'ah, the system of government, the state's general policies; and the protection and defence of the country.

Article 56 The King is the head of the Council of Ministers; he is assisted in carrying out his duties by members of the Council of Ministers, in accordance with the provisions of this and other laws. The Council of Ministers establishes the prerogatives of the Council regarding internal and external affairs, the organization of and co-ordination between government bodies. It also establishes requirements to be fulfilled by ministers, their prerogatives, the manner of their questioning and all issues concerning them. The law on the Council of Ministers and its prerogatives is to be amended in accordance with this law.

Article 57

(a) The King appoints and relieves deputies of the prime minister and ministers and members of the Council of Ministers by Royal decree. (b) The deputies of the prime minister and ministers of the Council of Ministers are responsible, by expressing solidarity before the King, for implementing the Islamic Shari'ah and the state's general policy. (c) The King has the right to dissolve and reorganize the Council of Ministers.

Article 58 The King appoints those who enjoy the rank of ministers, deputy ministers and those of higher rank, and relieves them of their posts by Royal decree in accordance with the explanations included in the law. Ministers and heads of independent departments are responsible before the prime minister for the ministries and departments which they supervise.

Article 59 The law defines the rules of the civil service, including salaries, awards,

compensations, favors and pensions.

Article 60 The King is the commander-in-chief of all the armed forces. He appoints officers and puts an end to their duties in accordance with the law.

Article 61 The King declares a state of emergency, general mobilization and war, and the law defines the rules for this.

Article 62 If there is a danger threatening the safety of the Kingdom or its territorial integrity, or the security of its people and its interests, or which impedes the functioning of the state institutions, the King may take urgent measures in order to deal with this danger And if the King considers that these measures should continue, he may then implement the necessary regulations to this end.

Article 63 The King receives Kings and Heads of State. He appoints his representatives to states, and he receives the credentials of state representatives accredited to him.

Article 64 The King awards medals, as defined by regulations.

Article 65 The King may delegate prerogatives to the Crown Prince by Royal decree.

Article 66 In the event of his travelling abroad, the King issues a Royal decree delegating to the Crown Prince the management of the affairs of state and looking after the interests of the people, as defined by the Royal decree.

Article 67 The regulatory authority lays down regulations and motions to meet the interests of the state or remove what is bad in its affairs, in accordance with the Islamic Shari'ah. This authority exercises its functions in accordance with this law and the laws pertaining to the Council of Ministers and the Consultative Council.

Article 68 [Consultative Council] A Consultative Council is to be created. Its statute will specify how it is formed, how it exercises its powers and how its members are selected.

Article 69 The King has the right to convene the Consultative Council and the Council of Ministers for a joint meeting and to invite whoever he wishes to attend that meeting to discuss whatever matters he wishes.

Article 70 International treaties, agreements, regulations and concessions are approved and amended by Royal decree.

Article 71 Statutes are to be published in the Official Gazette and take effect from the date of publication unless another date is specified.

Chapter 7 Financial Affairs

Article 72

(a) The statute explains the provisions concerning the state's revenue and its entry in the state's general budget. (b) revenue is entered and spent in accordance with the rules specified in the statute.

Article 73 Any undertaking to pay a sum of money from the general budget must be made in accordance with the provisions of the budget. If it is not possible to do so in accordance with the provisions of the budget, then it must be done in accordance with Royal decree.

Article 74 The sale, renting or use of state assets is not permitted except in accordance with the statute.

Article 75 The statutes will define the monetary and banking provisions, the standards, weights and measures.

Article 76 The law will fix the state's financial year and will announce the budget by way of a Royal decree. It will also assess the revenues and expenditure of that year at least one month before the start of the financial year. If, for essential reasons, the budget is not announced and the new financial year starts, the budget of the previous year will remain in force until the new budget is announced.

Article 77 The competent body will prepare the state's final statement of account for the passing year and will submit it to the head of the council of ministers.

Article 78 The same provisions will apply both to the budgets of the corporate bodies and their final statements of account and to the state's budget and its final statement of account.

Chapter 8 Control Bodies

Article 79 All the state's revenues and expenditures will come under subsequent control and all the state's movable and immovable funds will be controlled in order to confirm the good use of these funds and their preservation. An annual report will be submitted on this matter to the head of the Council of Ministers. The law will define the competent control body and its obligations and prerogatives.

Article 80 government bodies will come under control in order to confirm the good performance of the administration and the implementation of the statutes. Financial and administrative offenses will be investigated and an annual report will be submitted on this matter to the head of the Council of Ministers. The law will define the competent body in charge of this and its obligations and prerogatives.

Chapter 9 General Provisions

Article 81 The implementation of this law will not prejudice the treaties and agreements signed by the Kingdom of Saudi Arabia with international bodies and organizations.

Article 82 Without violating the content of Article 7, no provision of this law whatsoever may be suspended unless it is temporary such as in a time of war or during the declaration of a state of emergency. This temporary suspension will be in accordance with the terms of the law.

Article 83 This law may only be amended in the same way as it was promulgated.