

Law of the Provinces

The Custodian of the Two Holy Mosques, King Fahd Bin Abdulaziz Al-Saud, issued on Sunday 27th Shaban 1414H a Royal Decree embodying the Law of the Provinces. The following is the text of the decree:

In the name of God, the Most compassionate, the Most Merciful

No. A92

Dated: 27/081412H

With the help of God, We, Fahd Bin Abdulaziz Al-Saud, Monarch of the Kingdom of Saudi Arabia, having taken into consideration the public interest and the wish to improve the standard of Government Institutions' performance and modernization in various provinces, have ordered the following:

1. The promulgation of the Law of the Provinces in the attached form,
2. That this Law shall come into force within a period not exceeding one year effective from the date of its publication,
3. That this Law shall be published in the Official Gazette.

THE LAW OF PROVINCES

Article 1:

The aim of this Law is to improve the standard of the administrative work and the development in the provinces of the Kingdom. It is also aimed at maintaining security and order, and guaranteeing citizens' rights and freedom within the framework of the Sharia.

Article 2:

The provinces of the Kingdom and governmental seat of each province shall be formed according to a Royal Decree upon the recommendation of the Interior Minister.

Article 3:

Administratively, every province shall consist of a number of governorates (of "class A" or class B"), districts and centers (of "class A" or "class B"). Full consideration shall be given to the factors of demography, geography, security, environment and communications. The

organization of a governorate shall be carried out according to a Royal Decree upon the recommendation of the Interior Minister. Establishment of an affiliation of districts and centers shall take effect upon the Interior Minister's decision, as proposed by the emir of the province. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 4:

For each province, an emir with the rank of minister shall be appointed. A deputy at the highest (excellent) rank shall assist the emir and deputize for him during periods of absence. The appointment and the relief of the emir and his deputy shall be made by Royal Decree upon the recommendation of the Interior Minister.

Article 5:

The Emir of the Province shall be answerable to the Interior Minister.

Article 6:

An emir and his deputy, prior to assuming their duties, shall take the following oath before the King:

“In the name of God Almighty, I swear that I will be loyal to my religion, then to my King and Country, will not reveal any of the State's secrets and will protect its interests and laws. I will perform my work in honesty, trust, sincerity and fairness.”

Article 7:

Every emir shall assume the administration of the region according to the general policy of the State in compliance with provisions of this Law and other laws and regulations. In particular, he is expected to do the following:

- Maintain security, order and stability, and take necessary measures in accordance with this Law and other laws and regulations,
- Implement rulings of the courts upon acquiring their final dispositions,
- Guarantee human rights and freedom, refrain from any action which affects such rights and freedom except within the limits provided by the Sharia and the Law,
- Work for social and economic development and public works of the province,
- Work for the development and improvement of public services in the province,
- Administer governorates, districts and centers, and supervise governors, directors and districts and heads of centers, and ascertain their capabilities to perform assigned duties,
- Protect State property and assets and prevent their usurpation,

- Supervise governmental institutions and their employees in the province and ensure proper performance of their work in honesty and loyalty with consideration of their affiliation with various ministries and service,
- Have direct contact with ministers and head of agencies to discuss affairs of the province and improve the performance of affiliated institutions and to advise the Interior Minister accordingly,
- Submit annual reports to the Interior Minister on the efficiency of public services and other affairs of the province as defined by the executive provisions in this Law. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 8:

An annual meeting, attended by emirs of provinces and presided over by the Interior Minister, shall be held to discuss the affairs of the provinces. A report to this effect shall be forwarded to the Prince Minister by the Interior Minister.

Article 9:

At least two meetings shall be held every year for governors and directors of districts to discuss affairs of the province. The meeting shall be presided over by the emir, who shall submit a report to the Interior Minister. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 10:

- Upon the recommendation of the Interior Minister, one deputy or more with a rank not less than Grade 14 shall be appointed for every province following a decision by the Council of Ministers.
- Every "Class A" governorate shall have a governor with a rank not less than Grade 14. Upon recommendation of the Interior Minister, he shall be appointed by an order issued by the Prime Minister. The governorate shall have a deputy with a rank not less than Grade 12. He shall be appointed by a decision of the Interior Minister upon the recommendation of the emir of the province.
- Every "Class B" governorate shall have a governor with a rank not less than Grade 12. He shall be appointed by a decision of the Interior Minister upon the recommendation of the emir of the province.
- Every "Class A" district shall have a director with a rank of not less than Grade 8. He shall be appointed by a decision of the Interior Minister upon the recommendation of the governor.

- Every “Class B” district shall have a director with a rank of not less than Grade 5. He shall be appointed by a decision of the emir of the province. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 11:

Emirs of provinces, governors of governorates and directors of districts shall reside in their work areas. They shall not be allowed to leave without permission from their direct superiors. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 12:

The governors, directors of districts and heads of centers shall assume their responsibilities within their jurisdictions and within the assigned limits of their powers. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 13:

Governors shall manage their governorates within their limits of powers as provided in Article 7, excluding clauses (f), (i) and (j). They shall supervise the work of subordinate directors and heads of centers, and ascertain their ability to perform their duties. They shall provide the Emir of the province with periodic reports about the efficiency of public services and other affairs of their governorates, as defined by the Executive Regulations of this Law. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 14:

Every ministry or governmental organization, having services in a province, shall appoint for its organs in the province a director with a rank not less than Grade 12. He shall be directly affiliated with the central institution, and coordinate his work with the emir of the province.

Article 15:

A council, called the Council of the Province, shall be established at every provincial seat.

Article 16:

The council of a province shall be composed of:

- The emir of the province as chairman of the council,
- The deputy emir of the province as vice-chairman of the council,

- The deputy of the governmental seat,
- Heads of governmental institutions in the province as specified by a resolution to be issued by the Prime Minister upon the recommendation of the Interior Minister,
- A minimum of ten men of knowledge, expertise and specialization to be appointed from among the inhabitants by an order issued by the Prime Minister after their nomination by the emir of the province and the approval by the Interior Minister -- Their terms of office shall be four years and shall be renewable. (Amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 17:

It is stipulated that every member of the Council shall be:

- A Saudi national by birth and descent,
- A person well-known for righteousness and capability,
- Not younger than 30 years of age,
- A resident of the province.

Article 18:

A member shall be entitled to submit written proposals to the head of the provincial council on matters pertaining to the council's jurisdiction. Every proposal shall be listed by the chairman on the council's agenda for consideration.

Article 19:

A member shall not attend discussions of the (provincial) council or its committees if the subject of discussion might concern his personal gain or might benefit individuals for whom his testimony is not acceptable, or individuals who have appointed him as guardian, proxy or representative.

Article 20:

A (provincial council) member who wishes to resign shall submit his request to the Interior Minister through the emir of the province. His resignation shall not be considered valid until it is approved by the Prime Minister upon a proposal of the Interior Minister.

Article 21:

In cases other than those mentioned in the Law, an appointed (provincial council) member may not be dismissed during the term of his membership without the Prime Minister's order after a proposal of the Interior Minister.

Article 22:

When the place of any appointed (provincial council) member has become vacant for any reason, a successor shall be appointed within three months, effective from the beginning of vacancy. The term of the new member shall be equal to the remaining period of his predecessor's term in accordance with Article 16, Clause (e) of this Law.

Article 23:

The council of a province shall consider whatever might improve the standard of services in the province, particularly:

- Defining needs of the province and proposing their inclusion in the State's Development Plan,
- Defining useful projects and putting them in an order of priority, and proposing their endorsement in the annual budget of the State,
- Studying urban plans for villages and towns of the province, and following up the implementation of all allocations to the province from the development plan and the budget,
- Following up and coordinating the implementation of all allocations to the province from the development plan and the budget.

Article 24:

The council of a province shall propose any work needed for the public interest of the population in the province, encourage citizens to participate in that work and submit the proposal to the Interior Minister.

Article 25:

A provincial council is prohibited from considering any topic outside its jurisdiction as provided by terms of this Law. Its decisions shall be null and void if its powers are misused. The Minister of the Interior shall issue a decision to this effect.

Article 26:

The council of a province shall convene every three months in ordinary sessions upon invitation by its chairman. If he considers it necessary, the chairman is entitled to summon the council to an extraordinary session. The session shall include one or more meetings which are held upon a single summons. The Session may not be adjourned until all issues on the agenda are taken into consideration and discussed.

Article 27:

Those members who are mentioned in Article 16, Clauses (c) and (d) of this Law must attend meetings of the provincial council as part of their official duties. They should attend in person or appoint substitutes when they cannot attend. Regarding members mentioned in Clause (e) of the said Article, un-excused non-attendance at two successive sessions by a member shall be grounds for his dismissal from the council. In this case, he shall not be re-appointed before two years have elapsed effective from the date of the decision for dismissal.

Article 28:

Meetings of a provincial council shall not be official unless at least two thirds of its members are present. Its resolutions shall be adopted by an absolute majority of votes of the council's members. In case of a tie vote, the chairman shall cast the deciding vote.

Article 29:

A provincial council, in case of need, may form special committees to consider any topics within its powers. It may seek the assistance of experienced people and specialists. It may also invite others to attend the council's meetings and participate in discussion without having the right to vote.

Article 30:

The Minister of Interior may invite a council to convene under his chairmanship anywhere he deems suitable. He may chair any meeting he attends.

Article 31:

A provincial council may not convene without an invitation from its chairman or his deputy, or without an order issued by the Interior Minister.

Article 32:

The chairman of a council shall submit a copy of the resolution to the Minister of Interior.

Article 33:

The chairman of a provincial council shall inform ministries and governmental services of any resolutions concerning them which are passed by the council.

Article 34:

Ministries and governmental institutions shall take into consideration resolutions passed by a provincial council in accordance with provisions of Article 23, Clauses (a) and (b) of this Law. If a ministry or a governmental institution does not agree to consider one of these resolutions, it shall explain the reasons to be provincial council. In case of dissatisfaction, the council shall refer the matter to the Interior Minister for reconsideration by the Prime Minister.

Article 35:

Every ministry or institution with services in a province shall immediately inform the provincial council of projects which were decided upon in the budget for the province, together with its allocation from the development plan.

Article 36:

Any minister or head of institution may seek the opinion of a provincial council on matters pertaining to his jurisdiction in the province. The council shall forward its opinion in this regard.

Article 37:

The Council of Ministers, upon a proposal of the Interior Ministry, shall set the remuneration of the chairman of a provincial council and its members, taking into account the cost of transportation and accommodation. (As amended by the Royal Decree A/21, dated 30/3/1414 H).

Article 38:

A provincial council can be dissolved only on an order by the Prime Minister following the recommendation of the Interior Minister. New members shall be appointed within three months effective from the date of the dissolution. During this period, members mentioned in Article 16, Clauses (c) and (d) of this Law, shall perform the duties of the council under chairmanship of the emir of the province.

Article 39:

A secretariat for a provincial council shall be set up at the governmental seat of the province to prepare its agenda, send timely invitation, record discussions carried out during the sessions, count votes, prepare the minutes of sessions, draft decisions, and perform necessary work for the monitoring of the council's sessions and the registration of all decisions.

Article 40:

The Interior Minister shall issue the necessary regulations to implement this Law.