

# Law of the Council of Ministers

## Article 1:

The Council of Ministers is a regulatory authority and the King is the Prime Minister.

## Article 2:

The city of Riyadh is the seat of the Council of Ministers. Meetings may also be held in some other location in the Kingdom.

## Article 3:

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

- a Saudi national by birth and descent;
- a person well-known for righteousness and capability;
- of good conduct and reputation, not previously convicted for a crime of immorality or dishonor.

## Article 4:

Prior to the assumption of their duties, the ministers shall take the following oath before the King:

"I swear by God Almighty to be loyal to my religion, then to my King and country. I swear not to reveal any of the State's secrets, to protect its interests and laws, and to perform my duties with sincerity, integrity and fairness."

## Article 5:

The office of minister may not be combined with any other governmental post, unless the need for such an exception arises and the Prime Minister approves it.

## Article 6:

A cabinet minister may not buy, lease, rent directly or through a proxy, or by public auction, any of the properties of the State. A minister also may not sell or offer for rent any of his properties to the government. A minister may not engage in any commercial or financial enterprises. A minister also may not accept board membership in any firm.

Article 7:

The Council of Ministers meetings are presided over by the King, who is the Prime Minister, or by a deputy of the Prime Minister. The resolutions of the Council of Ministers become final after the King's approval.

Article 8:

Cabinet ministers are appointed, relieved of their duties and their resignations accepted, by Royal Decree. Their duties are determined in accordance with Articles 57 and 58 of the Basic Law of Governance.

The By-laws of the Council of Ministers shall stipulate their rights.

Article 9:

The fixed term of the Council of Ministers shall be four years, during which a new council may be formed by Royal Decree. If the term expires before the formation of the new council, the previous council shall remain active until the new council is formed.

Article 10:

A minister is the ultimate authority in running the affairs of his ministry, and he carries out his duties in accordance with rulings of this law as well as other laws and regulations.

Article 11:

- Only a minister shall deputize for another minister in the Council of Ministers and in accordance with a decree issued by the Prime Minister.
- A deputy minister shall assume the responsibilities of the minister in the latter's absence.

## THE FORMATION OF THE COUNCIL OF MINISTERS

Article 12:

The Council of Ministers shall be composed of:

- A Prime Minister;
- Deputy Prime Ministers;
- Ministers with Portfolios;
- Ministers of State appointed as members of the Council of Ministers by Royal Decree.
- Counselors of the King, appointed members of the Council of Ministers by Royal Decree.

Article 13:

The right to attend meetings of the Council of Ministers shall be an exclusive right of its ministers and the Secretary-General of the Council of Ministers. At the request of the Prime Minister, or a minister of the Council, and with the approval of the Prime Minister, a state official or an expert shall be permitted to attend the meetings of the Council of Ministers to present information and explanations. The right to vote belongs exclusively to the ministers.

Article 14:

Any meeting held by the Council of Ministers shall not be considered official without a quorum of at least two-thirds of its members. Resolutions shall not be considered official without majority approval. In case of a tie, the Prime Minister shall cast the deciding vote. In exceptional cases, meetings of the Council of Ministers may be considered official with half of the members in attendance. In such cases, resolutions shall not be considered official without the approval of at least two-thirds of the members in attendance. Such exceptional cases are decided by the Prime Minister.

Article 15:

The Council of Ministers shall not pass a resolution relevant to a Ministry in the absence of the concerned minister or whoever deputizes for him unless it is absolutely necessary.

Article 16:

The deliberations of the Council of Ministers are confidential. Resolutions are public except those deemed classified in accordance with a resolution by the Council of Ministers.

Article 17:

Ministers of the Council shall be tried for violations committed in carrying out official business in accordance with a special law which specifies the violations, the procedures for prosecution and trial and the formation of courts.

Article 18:

The Council of Ministers shall form committees from its members or from others, to study an issue on the agenda of the Council and prepare a special report about it. The By-laws of the Council shall specify the number of committees and the rules of procedure.

## THE FUNCTIONS OF THE COUNCIL OF MINISTERS

Article 19:

While deferring to provisions of the Basic Law of Governance and the Shura Council Law, the cabinet shall draw up the internal, external, financial, economic, educational and defense policies as well as general affairs of the State and shall supervise their implementation. It shall also review the resolutions of the Shura Council. It has the executive power and is the final authority in financial and administrative affairs of all ministries and other government institutions.

## REGULATORY AFFAIRS

Article 20:

While deferring to Majlis Ash-Shura Law, laws, treaties, international agreements and 'concessions' shall be issued and amended by Royal Decrees after deliberations by the Council of Ministers.

Article 21:

The Council shall study draft laws and regulations on the agenda and vote on them chapter by chapter and then as a whole in accordance with the By-laws of the Council.

Article 22:

Every minister may propose a draft law or regulation related to work of his ministry. Every member of the Council of Ministers may propose what he deems worthy of discussion in the Council of Ministers' meetings after the approval of the Prime Minister.

Article 23:

All laws shall be published in the Official gazette and shall be put into force from the date of its publication unless it is stipulated otherwise.

## EXECUTIVE AFFAIRS

Article 24:

The Council, being the ultimate executive authority, shall have full jurisdiction over all executive and management affairs. The following shall be included in its executive jurisdiction:

- Monitoring the implementation of regulations, By-laws and resolutions.
- Creating and arranging public institutions.
- Following up on the implementation of the general plan for development.
- Forming committees for the oversight of the ministries' and other governmental agencies' conduct of business. Those committees may also investigate any given case. The committees shall submit the findings of their investigations within a set time to the Council, and the Council shall consider these findings. It shall have the right to form committees of inquiry accordingly to make a final conclusion taking into consideration the regulations and stipulations of the By-laws.

## FINANCIAL AFFAIRS

Article 25:

The government shall not contract a loan without the approval of the Council of Ministers and the issuance of a Royal Decree referring to that.

Article 26:

The Council of Ministers shall examine the State budget, vote on each of its chapters and it is then promulgated by Royal Decree.

Article 27:

Any supplement to the budget shall only be made by Royal Decree.

Article 28:

The Minister of Finance and National Economy shall submit the closing account of the State from the previous fiscal year to the Prime Minister to be referred to the Council of Ministers for approval.

## PRESIDENCY OF THE COUNCIL OF MINISTERS

Article 29:

The King, who is Prime Minister, undertakes the guidance and supervision of the general policy of the State and secures guidance, coordination and cooperation among the various governmental agencies. He ensures harmony, continuity and unity in all functions of the Council of Ministers. He supervises the Council of Ministers, the ministries and governmental agencies and monitors the implementation of regulations, By-laws and resolutions.

## THE ADMINISTRATIVE STRUCTURE OF THE COUNCIL OF MINISTERS

Article 30:

The administrative structure of the Council of Ministers shall be comprised of:

- The Office of the Prime Minister.
- The General Secretariat of the Council of Ministers.
- The Commission of Specialists.

The internal charter of the Council of Ministers shall specify the structures of these agencies, their jurisdictions and the manner of the performance of their duties.

Article 31:

The By-laws of the Council of Ministers shall be issued by Royal Decree.

Article 32:

Modification of this Law can only be made in the same manner of its issuance.

*In the name of God, the Most Compassionate, the Most Merciful*

No. A/13

Date: 3/3/1414

With the help of God, we, Fahd Bin Abdulaziz Al-Saud, Monarch of the Kingdom of Saudi Arabia, after reviewing the Basic Law of Governance issued by Royal Decree No. A/90 dated 27/8/1412 H., and having reviewed the Cabinet Law issued by Royal Decree no. 38 dated 22/10/1377 H., having reviewed Majlis Ash-Shura Law issued by Royal Decree No. 1 dated 27/8/1412 H., and having reviewed the Royal Decree No. M/23 dated 26/8/1412 H., we, Fahd Bin Abdulaziz Al-Saud, King of Saudi Arabia, have decreed the following:

1. That the promulgation of the Law of the Council of Ministers is as in the attached text;
2. That this Law supersedes Council of Ministers Law issued by Royal Decree No. 38 dated 22/10/1377 H. and its amendments;
3. That all regulations, orders and decrees in force shall remain valid when this Council of Ministers Law comes into force, until they are amended to conform with it;
4. That this decree shall be published in the Official Gazette and shall come into force ninety (90) days after the formation of Majlis Ash-Shura, as stipulated in the first Royal Decree concerning it.