

## THE NEW SAUDI EMERGENCY LAW: UNDERSTANDING THE CHANGES

Aligned with Vision 2030, the New Saudi Emergency Law introduces a reformed legal framework to address modern-day threats, including pandemics, cyberattacks, and environmental disasters; it expands the scope of emergencies, grants enhanced powers to authorities, and imposes stricter criteria for declaring emergencies following a Royal Decree. It also emphasizes transparency, oversight, and accountability, ensuring a balanced use of authority while also highlighting implications for businesses.



Like many countries, Saudi Arabia has issued a separate emergency law to address and manage unforeseen crises. This new law aims to handle contemporary challenges, enhance national security, and streamline emergency response protocols. In this article, we will explore the key provisions, implications, and the broader Saudi Emergency Law impact.

## Earlier Regulatory Regime

Before examining the new law, it's crucial to understand the context of emergency related issues in Saudi Arabia; Emergency regulatory systems have been invoked at different times to address specific crises, such as natural disasters or public health emergencies. These diverse and separate directives often granted authorities special powers to take swift and decisive action to protect public safety and order related to particular events.

However, with evolving threats and new technologies, it became evident that a more robust and comprehensive legal framework was necessary. Recent global events, including pandemics, cyber-attacks, and geopolitical tensions, underscored the need for a modernized emergency law that could effectively respond to these challenges.



## Key Provisions in the New Saudi Emergency Law 2024

The New Saudi Emergency Law introduces several critical provisions that mark a departure from the old framework:

### Expanded Scope of Emergencies

The definition of "emergency" has been broadened to encompass a wider range of situations, including cyberattacks, pandemics, biological warfare, economic crises, and environmental disasters. This expanded scope reflects the evolving nature of global threats and challenges. By addressing these modern threats, the law ensures that Saudi Arabia is better equipped to handle diverse emergencies efficiently and in a streamlined manner to protect the interests of all affected parties.

### Enhanced Saudi Arabia Emergency Powers

The new law grants the enforcement authorities' broader powers during emergencies, including the ability to enforce curfews, restrict movement, control the flow of information and communication, implement price controls and rationing, commandeer private resources for public use, and suspend the force of certain laws and regulations.

These enhanced powers enable swift and decisive action to protect public safety and order, ensuring that the government can respond effectively to various emergencies. This includes measures such as securing critical infrastructure, maintaining public order, and ensuring the availability of essential goods and services.

### Stricter Regulations on Emergency Declarations

The law imposes stricter Saudi Emergency Law compliance guidelines on the declaration of a state of emergency, requiring clear criteria and procedures to be followed to ensure that emergency powers are used judiciously and only when necessary. The power and authority to declare emergency rests with the King only and declaration of emergency will require issuance of a Royal Decree.

This ensures that the declaration of an emergency is based on objective and transparent criteria, preventing the misuse of emergency powers and maintaining public trust in the government's actions. The Law restricts publication of any information related to emergency event that is marked as 'confidential'.

## Increased Accountability and Oversight

The law establishes a robust oversight mechanism to monitor the exercise of emergency powers, with independent bodies tasked with reviewing government actions and ensuring compliance. Additionally, the law promotes transparency by mandating public disclosure of information related to emergency measures.

Furthermore, it establishes clear coordination mechanisms between government agencies and local authorities, ensuring a unified and efficient response to emergencies. This includes the formation of oversight committees, regular audits of emergency measures, and the publication of detailed reports on the implementation and impact of emergency actions.

## Impact on Contracts and Agreements

The Law requires the agencies tasked with preparing rules and directives enforceable during the emergency period to address and resolve issues impacting continuation of rights and obligations under contracts.



## Impact of Saudi Emergency Law on Businesses and Individuals

The New Saudi Emergency Law has significant implications for businesses and individuals operating in Saudi Arabia. Key considerations include:

- **Business Continuity Planning:** Businesses should develop comprehensive emergency response plans to mitigate the impact of potential disruptions. These plans should address issues such as supply chain disruptions, workforce shortages, and cybersecurity threats. By preparing for emergencies, businesses can ensure the continuity of their operations and minimize the impact of crises on their activities and employees. This involves conducting risk assessments, establishing contingency plans, and training employees on emergency procedures.
- **Compliance with Emergency Regulations:** Businesses must stay informed about emergency regulations and directives issued by authorities. Compliance with these regulations is essential to avoid penalties and legal consequences. This includes understanding the specific requirements of the emergency law, adhering to government directives, and maintaining open communication with regulatory authorities to ensure compliance and address any issues that may arise.
- **Data Privacy and Cybersecurity:** With the increased focus on cybersecurity threats, businesses should strengthen their data protection measures. Implementing robust cybersecurity practices can help safeguard sensitive information and mitigate the risk of cyberattacks. This involves investing in advanced security technologies, conducting regular security audits, and developing incident response plans to quickly address any breaches and protect critical data.





## Implementation and Enforcement

The implementation of the New Saudi Emergency Law involves several key steps:

- Government Agencies:** Various government bodies, including the Ministry of Interior and the National Security Council, are tasked with enforcing the law. They will work closely with local authorities to ensure compliance. This involves establishing clear lines of communication and coordination between different government entities, conducting regular training for emergency responders, and ensuring that all agencies are prepared to act swiftly and efficiently during emergencies.
- Monitoring and Compliance:** Strict monitoring mechanisms will be put in place to ensure compliance with the law. Penalties for non-compliance include fines, imprisonment, and other legal repercussions. This includes establishing compliance monitoring teams, conducting regular inspections and audits, and providing channels for reporting violations of emergency measures. Additionally, the government will ensure that enforcement actions are fair and transparent, maintaining public trust in the emergency response system.



## Future Implications

The New Saudi Emergency Law is expected to have significant long-term implications:

- Alignment with Vision 2030:** The law aligns with Saudi Vision 2030 by enhancing national security and resilience, thus creating a stable environment for economic and social development. By addressing contemporary challenges, the law supports the Kingdom's broader goals of diversification and modernization. This includes fostering a secure and stable environment that attracts investment, promotes innovation, and supports sustainable development.
- Potential Amendments:** As the global landscape continues to evolve, the law may undergo further amendments to address new challenges and emerging threats. This ongoing process will ensure that the legal framework remains relevant and effective in safeguarding the nation's security and well-being. The government is committed to continuously reviewing and updating the law to reflect changes in the global and national context, ensuring that it remains responsive to new risks and challenges.

## Conclusion

The New Saudi Emergency Law marks a significant stride towards a more secure and resilient Saudi Arabia. By broadening the scope of emergencies to encompass contemporary challenges and granting authorities enhanced powers, the law aims to safeguard the nation and its citizens. However, it is crucial to balance public safety with rights of individuals. The law's emphasis on accountability, oversight, and human rights protection is a positive development.

As Saudi Arabia navigates evolving challenges, the New Emergency Law provides a framework for effective crisis management while upholding fundamental freedoms. Ensuring transparency and public trust will be essential for the successful implementation of this new legal framework. By fostering a culture of preparedness, resilience, and cooperation, Saudi Arabia can effectively navigate future emergencies and continue its journey towards a secure and prosperous future.