



DRAFT OF THE NEW IMPLEMENTING REGULATIONS OF THE CODE OF LAW PRACTICE

(PUBLIC CONSULTATION DRAFT)

Version 2.1

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*This is an unofficial translation provided for guidance. The governing text is the Arabic official text.



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INTRODUCTION TO THE DRAFT



INTRODUCTION TO THE DRAFT

ABOUT THE DRAFT

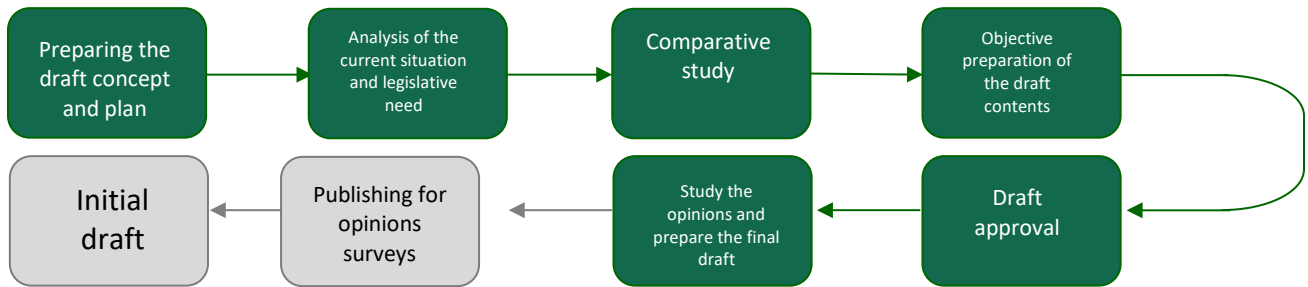
To develop the law profession in the Kingdom and to increase the level of professional competence of practitioners in accordance with best practices to enable the achievement of national goals in developing the justice system and improving the business environment in the Kingdom, the Ministry of Justice, in cooperation with the Saudi Bar Association, has been working on drafting the New Implementing Regulations of The Code of Law Practice. The draft of regulations includes provisions stipulated in: the Implementing Regulations of Licensing Foreign Law Firms and the Rules on the Filing and Consideration of Disciplinary Actions, which will be rescinded with the issuance of this draft.

OBJECTIVES OF THE DRAFT

- 1- To enhance the Kingdom's competitiveness and improve the Kingdom's business environment by strengthening the provision of legal services required by investors and business owners in existing and emerging sectors.
- 2- To raise the professional competence of practitioners, activate the professional and social responsibility of lawyers, and promote compliance with the principles and rules of professional conduct.
- 3- To develop the regulatory framework of the Law profession in accordance with international best practices in regulating the Law profession and other regulated professions.
- 4- To develop the Law profession, raise its professional standards, and support legal innovation in a manner that contributes to achieving the Kingdom's vision and national goals and keeping the profession abreast of the national transformation of other sectors.
- 5- To increase the efficiency of the justice system by raising the level of Law professionalism, facilitating access to legal services, and enabling preventive justice.
- 6- To enable digital transformation and procedural development in licensing and regulating the legal profession.

DRAFT PREPARATION JOURNEY

The draft was prepared according to a methodological plan that took into account "the procedures and controls that must be taken into account when preparing regulatory draft within the Ministry", and it included the following main phases:



DRAFT WORKS

- (6) Main outputs
- Analyzing more than (50) Laws, regulations and circulars.
- Comparing more than (70) items with best international and regional experiences.
- Analyzing more than (30) decisions issued by grievance committees.
- Publishing a questionnaire to study the suggestions of public experts and stakeholders and analyzing the results.
- Organizing (7) workshops and focus groups with stakeholders and related parties.
- Reading and summarizing more than 15 papers and scientific references.

THE MOST SALIENT PROVISIONS INCLUDED IN THE DRAFT

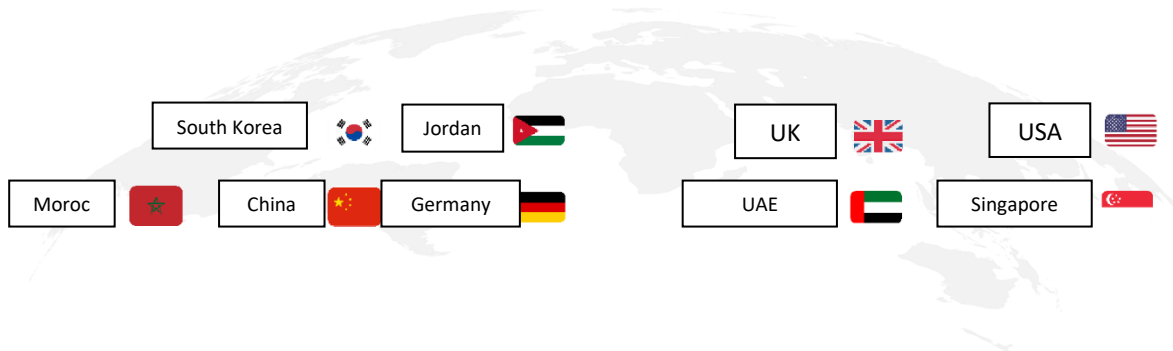
- Licensing requirements for practicing the profession and what is considered acceptable experience in the scope of work.
- Regulating licensing and registration provisions and enabling digitization and procedural developments.
- Lawyer's professional duties and obligations, including his duties to his employees, and the duties of the partner lawyer or stakeholders in the professional company.
- Controls on the provision of legal advice through digital platforms.
- Regulations governing attorney contracts and attorney fees.
- Regulations governing the relationship between lawyers and trainees, and the rights and obligations of trainees and lawyers.
- Provisions relating to non-Saudi consultants.
- Provisions on licensing for representing a private legal person.



- Provisions on licensing and practice of the profession for foreign law firms.
- Rules for the control and investigation of disciplinary violations, filing and review of disciplinary actions.
- Cases of revocation or cancellation of licenses and transfers between the two lists (practitioners and non-practitioners).

BENCHMARK STUDIES

The practices subject to comparative study were selected according to several criteria, and experiments in nine (9) countries were selected for comparative study: the United States of America, the United Kingdom, Germany, South Korea, the United Arab Emirates, China, Singapore, the Hashemite Kingdom of Jordan, and the Kingdom of Morocco.



TARGET GROUPS OF THE SURVEY

- Lawyers and foreign law firms.
- Trainees and advocates who represent a private legal person, non-Saudi consultants.
- Professional practitioners and academics.
- Private sector and business executives.
- Public.

SURVEY DURATION

- 20 days.
- To communicate about the Draft via email: LegislationsOffice@moj.gov.sa

DRAFT OF THE NEW IMPLEMENTING REGULATIONS
OF THE CODE OF LAW PRACTICE



DRAFT OF THE NEW IMPLEMENTING REGULATIONS OF THE CODE OF LAW PRACTICE

PART 1: GENERAL PROVISIONS

Article 1:

In this regulation, the following words and phrases shall have the meanings given to them respectively, unless the context otherwise requires:

Law: Code of Law Practice issued by Royal Decree No. (M/38) dated 28/7/1422 AH.

Regulation: The implementing regulations of the Code of Law Practice.

Profession: The Law profession as defined in Article (1) of the Law.

Ministry: Ministry of Justice.

Minister: Minister of Justice.

Authority: Saudi Bar Association.

Competent department: The Competent department in the ministry or the authority.

Licensee: A foreign lawyer and law firm licensed to practice law in accordance with the provisions of the law.

Lawyer: A person licensed to practice law after being registered in the list.

Non-Saudi Consultant: Consultant registered in the Register of Non-Saudi Consultants.

Competent employee: The employee in the competent department assigned to any of the tasks within its competence.

PART 2: LICENSING TO PRACTICE THE LAW PROFESSION

CHAPTER 1: LICENSING REQUIREMENTS

Article 2:

The Ministry shall prepare controls for programs that are equivalent to a bachelor's degree in the specialties of Sharia and Laws.

Article 3:

The acceptable experience in the nature of the work stipulated in paragraph (c) of Article (3) of the Law is to carry out one of the following works:

- 1- Certified training in law firms.
- 2- Judiciary.



- 3- Investigation and Public Prosecution.
- 4- Legal works in the public or private sector in accordance with the controls determined by the competent department in coordination with the Lawyers Registration and Admission Committee.
- 5- Teaching jurisprudence, its principles or Laws in one of the accredited colleges in the Kingdom or its equivalent, in accordance with the controls specified by the competent department in coordination with the Lawyers Registration and Admission Committee.

CHAPTER 2: LICENSING AND ITS PROCEDURES

Article 4:

- 1- Applications for registration in the list of practicing lawyers shall be submitted electronically, accompanied by the documents and papers specified by the competent department.
- 2- The Lawyers Registration and Admission Committee may, in order to achieve its tasks, request any documents or papers necessary to verify the availability of the license conditions, and the applicant must complete them within a period not exceeding (30) days from the date of being notified of this, otherwise the application shall be deemed null and void.
- 3- The lawyer shall be registered in the list of practicing lawyers, and the license to practice the profession shall be issued in accordance with the approved form upon payment of the license fees.
- 4- In the event of rejection, the applicant shall be notified of this, and he may submit a new application after completing the application or addressing the reason preventing acceptance.

Article 5:

The list of practicing lawyers includes the following data:

- 1- Lawyer's name and contact details.
- 2- License number, date, and expiry date.
- 3- The place of practicing the profession.
- 4- Penalties issued against the lawyer, if any, and their causes.
- 5- Any other data specified by the competent department.



The lawyer shall notify the competent department of any change in his data within a period not exceeding (15) days from the date of the change.

Article 6:

The application for license renewal shall be submitted before its expiry for a period no less than (90) days and not exceeding (180) days from the date of its expiry. The application for license renewal shall be submitted in accordance with the provisions and procedures governing its issuance stipulated in the Law and the regulation.

CHAPTER 3: LAWYERS REGISTRATION AND ADMISSION COMMITTEE

Article 7:

The committee shall have a secretary appointed by a decision of its chairman, who shall supervise the committee secretariat, prepare and maintain its minutes and decisions, and prepare the technical and administrative work of the committee and its meetings, and all the work assigned to him by the committee chairman within the limits of his competence.

Article 8:

- 1- The Lawyers Registration and Admission Committee shall be held in the presence of all its members. Its meetings shall be held periodically according to the schedule prepared by the Secretariat or at the invitation of its Chairman when needed. It may be held remotely through approved electronic means.
- 2- The decisions of the Lawyers Registration and Admission Committee shall be issued by a majority, and the member shall have the right to reserve on the decision with clarification of the reasons for the reservation in the committee meeting minutes.

CHAPTER 4: TRANSFER TO THE LIST OF NON-PRACTICING LAWYERS AND LICENSE EXPIRY

Article 9:

- 1- The name of the lawyer shall be transferred from the list of practicing lawyers to the list of non-practicing lawyers in the following cases:
 - A- If he stops practicing the profession for a period exceeding (one year).
 - B- If a final decision is issued against him to be suspended from practicing the profession in accordance with Article (29) of the Law.
 - C- If he does not obtain the basic membership of the Saudi Bar Association as stipulated in Article (21bis) of the Law, or if his membership expires without being renewed.



- 2- The transfer of the lawyer from the list of practicing lawyers to the list of non-practicing lawyers shall be under a decision of the competent department.

Article 10:

- 1- The lawyer who wishes to suspend practicing the profession for a period exceeding (one year) shall submit a request to cancel his license or transfer him to the list of non-practicing lawyers (30) before the date of his suspension.
- 2- The lawyer requesting the suspension shall be transferred to the list of non-practicing lawyers, by a decision from the competent department, in accordance with the following controls:
 - A- The remaining period for the expiry of the license shall be more than (one year) from the date of the suspension request.
 - B- Not to be under investigation or have a disciplinary case considered.
 - C- Attach proof of the completion of works or cases in which he is entrusted or proof of settlement with their owners. In the event that he is a partner or shareholder in a professional company, he must provide proof of the measures taken by the company in this regard and assign the works to the licensed partners or shareholders, taking into account the relevant Laws.
- 3- The lawyer may not stop practicing the profession except in accordance with the procedures stipulated in this article.

Article 11:

- 1- The lawyer whose name is transferred to the list of non-practicing lawyers may request the re-registration of his name in the list of practicing lawyers, except for the lawyer against whom a final decision has been issued to suspend him from practicing the profession, he may not request this until after the expiry of the period of suspension mentioned in the decision.
- 2- The competent department shall consider requests for re-registration in the list of practicing lawyers, unless the lawyer's license is revoked, in which case the provisions and procedures regulating the issuance of the license and registration in the list stipulated in the law and regulations shall be followed.

Article 12:

The license of the lawyer shall be cancelled and his name shall be deleted from the list, by a decision from the competent department, in the following cases:

- 1- The lawyer requested to cancel the license.



- 2- The expiry of the license period without renewing it.
- 3- Issuance of a final court decision or ruling to remove the name from the list and revoke the license.
- 4- Loss of one of the licensing conditions stipulated in the Law in what is not considered a disciplinary violation.
- 5- Lawyer's death.

Article 13:

The competent department shall inform the lawyer whose name has been deleted from the list and whose license has been revoked or transferred to the list of non-practicing lawyers within (30) days from the date of deletion or transfer.

PART 3: PROFESSIONAL DUTIES AND OBLIGATIONS OF THE LAWYER

CHAPTER 1: GENERAL DUTIES

Article 14:

The lawyer shall take an appropriate headquarters to practice the profession of Law within (90) days from the date of license issuance, and he shall notify the competent department of the headquarters' national address and any change that occurs within (15) days from the date of taking the headquarters or the occurrence of the change, and he may take one or more branch of headquarters to practice the profession.

Article 15:

The lawyer shall take the necessary care in supervising his workers as required by the principles of the profession, and in this regard he shall abide by the following:

- 1- To develop internal policies and procedures to ensure compliance with the provisions of the Law, the Regulation, and the Rules of Professional Conduct for Lawyers, and update them periodically.
- 2- To develop an annual work plan for the training and development of his employees in the office, including at a minimum the implementation of a program to prepare its employees for career development in the technical and administrative tracks, and the Ministry, in coordination with the Authority, shall develop models for training plans.

Article 16:

The lawyer shall provide the competent department with an annual report indicating his commitment to the knowledge transfer and training plan, and any data or reports it



requires for the purpose of verifying the lawyer's compliance with the provisions of the Law, the Regulation, and the Rules of Professional Conduct for Lawyers.

Article 17:

- 1- It is not permitted to combine the practice of the profession with the practice of any of the following works:
 - A- Work in the public sector.
 - B- Work in the private sector, and this does not include practicing the profession under an employment contract at professional law firms and companies.
 - C- Membership of the committees referred to in Article (1) of the Law.
- 2- It is permitted to combine the practice of the profession with other professions that do not conflict with the nature of the profession in accordance with the controls approved by the competent department.

Article 18:

- 1- Without prejudice to the relevant Laws and instructions, the lawyer may be a founder, partner or shareholder in any company in which his liability is limited by the share or contribution he provides in its capital, and he may chair and be a member of its boards of directors.
- 2- Taking into account what is stated in Article (17) and what is stated in paragraph (1) of this Article, the lawyer may not manage a commercial company or work for it in an executive work, including working as a managing director or chief executive officer, or take over in the company a work that would be a contract of employment.

Article 19:

- 1- The lawyer shall, when providing any work of the profession through an electronic platform, comply with the following:
 - A- To comply with the provisions of the Law, the Regulation, the Rules of Professional Conduct for Lawyers and the relevant Laws.
 - B- To maintain the privacy of its customers, verify the confidentiality of the data exchanged through the platform, avoid cases of current and potential conflicts of interest, and any action unbecoming the honor of the profession.
 - C- To verify the commitment of the platform, through which he provides his works, that it maintains the confidentiality of his customers' data and not to



misuse it in accordance with the relevant Laws and instructions, and verify the platform's compliance with the relevant commercial Laws.

- 2- The Authority shall prepare an indicative list of approved electronic platforms that meet the requirements mentioned in this Article.

Article 20:

The provisions of Article (16) of the Law shall apply to a lawyer who has accepted a representation or submitted a consultation by himself or by another person in an incident that he has previously been informed of, participated in its study, or expressed his opinion in his capacity as a judge, judicial lieutenant, or member of one of the committees referred to in Article (1) of the Law.

Article 21:

The lawyer shall abide by the provisions of Article (22) of the Law, unless otherwise agreed with the client.

CHAPTER 2: DUTIES OF THE PARTNER LAWYER OR SHAREHOLDER IN THE PROFESSIONAL COMPANY

Article 22:

When establishing a professional company, partner lawyers or shareholders shall notify the competent department and provide it with a copy of the memorandum of association or articles of association, as the case may be, within a period not exceeding (30) days from the incorporation of the company.

Article 23:

It is not permissible for a lawyer to be a partner in more than one professional law firm, and it is not permissible for more than one lawyer to work in one law firm except by forming a company between them, or for one of them to be an employee of the other.

Article 24:

Subject to the relevant Laws, it is not permitted to establish a professional company that combines the practice of Law profession with other professions, unless the percentage of partners or shareholders lawyers exceeds (25%) of the company's capital, and (25%) of its net profits, and after obtaining the ministry approval.

Article 25:

Lawyers who are partners or shareholders in the professional company shall, if the name of one of them is deleted from the list or transferred to the list of non-practicing lawyers, amend the company's articles of association in accordance with the provisions of the



Companies Law, assign cases and consultations supervised by this partner or shareholder to other partner or shareholder lawyers, and notify the competent department of the measures taken within a period not exceeding (30) days from the date of his deletion or transfer of his name.

Article 26:

The partner lawyer or shareholder in a professional company shall immediately inform the competent body in the ministry or the Authority when the unlicensed partners practice the Law profession or violate any of the provisions and controls of the professional companies stipulated in the Companies Law and its regulations, and to stop working in the company in the event of the continuation of the violation. His continuation in the company, even though he is aware of this violation or that it is something he should have known, is considered a professional violation.

Article 27:

It is not permissible for partner lawyers or shareholders of the professional law firm to provide works of the profession to the parties to the conflicts of interest in a single lawsuit or incident unless there is written consent from the parties affected by the lawsuit, and the work can be carried out efficiently and professionally without a conflict of interest as stipulated in the Rules of Professional Conduct for Lawyers.

CHAPTER 3: THE LAWYER'S CONTRACT AND FEES

Article 28:

- 1- The lawyer has the right to receive fees for his work, and he may recover the expenses incurred by him in initiating lawsuits or the work to which he is assigned.
- 2- The lawyer shall, before the start of the agreed work, conclude a written agreement with his client, and the fees shall be due in accordance with this contract.

Article 29:

Jurisdiction in disputes over attorneys' fees shall be as follows:

- 1- If the work between the lawyer and the client is related to a lawsuit pending before the court, the jurisdiction shall be with the court that considered the lawsuit.
- 2- If the work between the lawyer and the client is related to a lawsuit pending before an entity other than the court or is not related to a judicial dispute, it shall be according to the specific jurisdiction of the courts in accordance with the relevant statutory provisions.



Article 30:

- 1- The client must notify his lawyer when he is dismissed, and notify the entity handling the case of this.
- 2- The court competent to consider the fees shall consider the reason for the dismissal of the lawyer.

Article 31:

The estimation of the attorney's fees, in the cases stipulated in Articles (26), (27), and (28) of the Law, shall be made by an expert by order of the competent court, and the following shall be taken into account to estimate the value of the fees due:

- 1- The type and nature of the work, the estimated effort and the skills required to perform it.
- 2- The impact of the contract on the lawyer's relationship with other clients.
- 3- The nature and duration of the professional relationship.
- 4- The lawyer's professional experience and reputation.

PART 4: THE TRAINEE

CHAPTER 1: TRAINEE REGISTRATION

Article 32:

In order to consider the training in law firms as an experience in the nature of work, in accordance with what is stipulated in Paragraph (1) of Article (3) of the regulation, that the trainee must be registered by the lawyer who works for him at the competent department, and that he must pass the minimum level of theoretical training set by the Ministry in coordination with the Authority.

Article 33:

The relationship between the lawyer and the trainee shall be regulated by the employment contract in accordance with the provisions of the Labor Law.

Article 34:

The following is required to register the trainee:

- 1- He must meet the conditions for registration in the list of practicing lawyers, except for the requirement of experience in the nature of the work.
- 2- The lawyer who trains with him or one of the partners in the legal establishment that trains has at least (2) years of experience in practicing the profession.



Article 35:

- 1- The lawyer submits the registration application to the competent department electronically, accompanied with the documents and papers specified by the competent department.
- 2- The applicant shall complete the documents and papers required by the competent department within a period not exceeding (30) days from the date of being notified of this, otherwise the application shall be deemed null and void.

CHAPTER 2: RIGHTS AND OBLIGATIONS OF THE TRAINEE

Article 36:

- 1- To consider the training as an experience in the nature of work, the registered trainee shall comply with the following:
 - A- The Rules of Professional Conduct for Lawyers and the ethics of the profession stipulated in the Law and its implementing regulations and related Laws.
 - B- Implementing the approved training plan and passing the minimum theoretical training referred to in Article (32) of the Regulation.
 - C- The working hours of the lawyer shall not be less than the hours specified by the competent department.
 - D- Following the instructions of the lawyer unless they violate the relevant Laws.
 - E- Not to impersonate a lawyer, or to mislead in the sense that he is a licensed lawyer by any means.
- 2- The competent department may cancel the registration in the event that the trainee violates the obligations mentioned in paragraph (1) of this article.

Article 37:

The registered trainee may submit all the work of the profession, including representation and attending investigation sessions, under a power of attorney from the lawyer and under his supervision and responsibility and by signing the memorandums submitted to the court, unless the client requires the lawyer to do so by himself.

CHAPTER 3: OBLIGATIONS OF THE TRAINING LAWYER

Article 38:

The lawyer shall supervise his trainee, and work to develop him, and in order to do so shall:



- 1- Transfer knowledge and develop a training plan that includes practical and theoretical aspects. The Ministry, in coordination with the Authority, develops models for training plans.
- 2- Take the necessary to ensure that the trainee adheres to the Rules of Professional Conduct for Lawyers, and to the professional ethics stipulated in the Law, regulation and the relevant Laws.
- 3- Supervise the work carried out by the trainee, and take responsibility for all the work provided by the trainee to practice the profession on his behalf.

PART 5: NON-SAUDI CONSULTANT

Article 39:

Without prejudice to the provisions of Article (3) of the Law, the licensee may not seek the assistance of a non-Saudi consultant to work for him unless he is registered in the register of non-Saudi consultants.

Article 40:

To accept the registration of the non-Saudi consultant based on obtaining a license to practice the profession under the provisions of any other foreign law, as stipulated in paragraph (1/A) of Article (41) of the Law, that the standards of the license are not less than the standards required to practice the profession in the Kingdom.

Article 41:

The licensee shall submit an application for the registration of the non-Saudi consultant in the register of non-Saudi consultants electronically accompanied by the employment contract, and proof of the fulfillment of the registration conditions.

Article 42:

- 1- The register of non-Saudi consultants includes: the name of the consultant, his nationality, his contact details, the licensee he works for, his contact details, and any data specified by the competent department.
- 2- The licensee shall notify the competent department of any change in the data of the registrant in the register of non-Saudi consultants working for him within a period not exceeding (15) days from the date of the change.

Article 43:

- 1- The non-Saudi consultant registered in the Register of Non-Saudi Consultants shall abide by the Rules of Professional Conduct for Lawyers and the ethics of the



profession stipulated in the Law, its implementing regulations and the relevant Laws.

- 2- The competent department may delete the name of the non-Saudi consultant from the register of non-Saudi consultants in the event that he violates the obligations mentioned in paragraph (1) of this article.

Article 44:

- 1- The licensee shall notify the competent department of the end of the contractual relationship with the person registered in the register of non-Saudi consultants within a period not exceeding (15) days from the date of its end.
- 2- The registration of the non-Saudi consultant shall be canceled within (30) days from the date of termination of the contractual relationship unless he submits an application to register another licensee during this period in accordance with Article (41) of the Regulation.

PART 6: NON-LAWYERS AUTHORIZED TO REPRESENT

CHAPTER 1: REPRESENTATION BY AMBASSADORS OF STATES AND REPRESENTATIVES OF PUBLIC AUTHORITIES

Article 45:

Without prejudice to Article (18) of the Law, the representation of ambassadors of states in the Kingdom whose power of attorneys are issued by a competent authority shall be accepted.

Article 46:

A public legal person shall be represented by his chairman, or by any of his employees authorized by an official memorandum to the relevant tribunal, provided that the employee is a Saudi national.

CHAPTER 2: Represent a Private Legal Person

Article 47:

The employees of the legal departments of the private legal person shall be considered as a legal representative of the private legal person, after authorizing them from the competent department, under a power of attorney from the authorized person, and a special register shall be established for them in the competent department.

Article 48:



The application for licensing to represent the private legal person shall be submitted electronically, accompanied with the documents and papers specified by the competent department.

Article 49:

The following is required for licensing to represent the private legal person :

- 1- He must have a bachelor's degree in the specialization of Islamic Sharia, or a bachelor's degree in the specialization of Laws from one of the Kingdom's universities, or the equivalent of either of them.
- 2- He must be employed by a private legal person under an employment contract in accordance with the provisions of the Labor Law.

Article 50:

- 1- The person licensed to represent the private legal person is obligated to the following:
 - A- The Rules of Professional Conduct for Lawyers and the ethics of the profession stipulated in the Law and its Implementing Regulations and related Laws.
 - B- Not to represent a person other than the private legal person who is authorized to represent him.
 - C- Not to impersonate a lawyer, or mislead in the sense that he is a licensed lawyer by any means.
- 2- The competent department may revoke the license of the person licensed to represent the private legal person and delete him from the register in the event of a violation of the obligations mentioned in paragraph (1) of this article.

Article 51:

The license of the person licensed to represent the private legal person shall be terminated under a decision by the competent department in the following cases:

- 1- The termination of the employment contract with the private legal person.
- 2- Issuing a decision to revoke his license and remove him from the register.
- 3- Death of the Licensee.

PART 7: FOREIGN LAW FIRM

CHAPTER 1: CONDITIONS AND PROCEDURES FOR LICENSING A FOREIGN LAW FIRM

Article 52:



Subject to the provisions of Article (45) of the Law, in order to obtain the license, the foreign law firm must not have been subjected to a final judgment for a crime prejudicial to honor or integrity, or a final decision for a serious professional violation in any country in which the profession is practiced, unless at least five years have elapsed since the end of the execution of the judgment or decision.

Article 53:

In achieving the minimum stipulated in paragraph (3) of Article (45) of the Law, the following shall be observed:

- 1- The country in which the foreign law firm has representation or partnerships is required to be an economically developed country in accordance with relevant considered international indicators and standards.
- 2- It is required for the acceptance of representation or partnership in the state or region that such representation or partnership entitles him to practice the profession in that state or region, and that the foreign law firm has a headquarters in that state or region in which the number of employees engaged in work of a legal nature is not less than (3).

Article 54:

For the purposes of calculating the period stipulated in paragraph (2) of Article (45) of the Law, the years of establishment of the senior foreign law firm shall be considered in the event of a merger or acquisition.

Article 55:

The partner representing the foreign law firm in the Kingdom, as stipulated in paragraph (4) of Article (45) of the Law, shall meet the following conditions:

- 1- To be licensed to practice the Law profession in accordance with the provisions of the law or any other foreign law regulating the practice of Law profession.
- 2- To have experience in the nature of the work for a period of not less than (10) years, and (3) years of which must be after obtaining a license to practice Law profession.
- 3- Not to have been subjected to a final judgment in a crime prejudicial to honor or integrity, or a final decision in a serious professional violation in any country in which he practices the profession, unless at least five years have elapsed since the end of the execution of the judgment or decision.

Article 56:



In the event that it is not possible to nominate a partner or there is a desire to replace him, the foreign law firm must nominate an alternative partner to whom the conditions and requirements for nominating the partner stipulated in the Law and Regulation apply, provided that this does not affect the fulfillment of the foreign law firm for the period stipulated in paragraph (4) of Article (45) of the Law.

Article 57:

The foreign law firm submits the license application electronically, accompanied by the following:

- 1- Authorize its legal representative to submit an application for a license to practice the profession in the Kingdom.
- 2- Its license documents at the head office, and its license documents at its other branches.
- 3- License to practice the profession for the partner who represents the foreign law firm in the Kingdom, and proof of his partnership and previous experience.
- 4- A declaration that no final judgment or decision has been issued against it or against the partner it represents in crimes prejudicial to honor or integrity or serious professional violations.
- 5- Obtaining a license from the competent entity to grant foreign investment licenses in the Kingdom.

Article 58:

- 1- It is not permitted for the foreign law firm to practice the profession before registering in the membership of the Saudi Bar Association, and to take a headquarters to practice the profession.
- 2- The foreign law firm shall notify the competent department when the requirements stipulated in paragraph (1) of this article are completed before practicing the profession.

Article 59:

The register of foreign law firms includes the following data:

- 1- The name of the foreign law firm, its license, and its contact details.
- 2- The form taken by the foreign law firm to practice the profession, and the basic data of the partners, if any, and their contact details.
- 3- License number, date, and expiry date.



- 4- The address of the headquarters for practicing the profession.
- 5- Any other data specified by the competent department.

The foreign law firm shall notify the competent department of any change in its data within a period not exceeding (15) days from the date of the change.

Article 60:

The application for license renewal shall be submitted before its expiry for a period no less than (90) days and not exceeding (180) days from the date of its expiry. The application for license renewal shall be submitted in accordance with the provisions and procedures governing its issuance stipulated in the Law and the regulation.

Article 61:

If the Lawyers Admission and Registration Committee stipulated in Article (5) of the Law rejects the license application or its renewal, the applicant of license or its renewal may file a grievance against the rejection of his application with the Board of Grievances within (60) days from the date of being notified of the committee's decision.

CHAPTER 2: THE REGULAR FORM OF THE FOREIGN LAW FIRM AND THE SCOPE OF PRACTICE

Article 62:

If the foreign law firm takes the form of a professional company with one or more Saudi lawyers registered in the list of practicing lawyers, the company must comply with the following:

- 1- One of the Saudi partners must have experience in the nature of the work for a period of not less than (7) years.
- 2- One of the Saudi partners or shareholders shall be a director of the company, and a non-Saudi director may be appointed as a director, provided that the representation of the Saudi partners or shareholders licensed to practice the profession in the Board of Directors or the Board of Directors, as the case may be, is not less than (one quarter) of the votes represented in the Board.

Article 63:

It is required for the practice of providing consultations related to the Saudi Laws by the foreign law firm, which takes the form mentioned in paragraph (2) of Article (50) of the Law, that the consultation is provided by a lawyer registered in the list of practicing lawyers, in which the following conditions are met:



- 1- To work for the foreign law firm under an employment contract in accordance with the provisions of the Labor Law.
- 2- To have experience in the nature of the work for a period of not less than (3) years after obtaining the license.

CHAPTER 3: OBLIGATIONS OF THE FOREIGN LAW FIRM

Article 64:

In order to achieve its obligations stipulated in Article (52) of the Law, the foreign law firm shall comply with the following:

- 1- The number of Saudis practicing works of a legal nature in the foreign law firm shall not be less than the localization rates specified for Saudi law firms and professional companies in accordance with the Laws and Decisions regulating this.
- 2- The foreign law firm shall develop an annual work plan for the transfer of knowledge and training, which shall include at a minimum the commitment of the foreign law firm to the following:
 - A- Provide (20) training hours annually for each worker in the foreign law firm who carries out work of a legal nature.
 - B- Approve a policy for the secondment of Saudi workers to the headquarters of the foreign law firm or its branches.
 - C- Implement a program to prepare Saudi workers for career development in the technical and administrative tracks.
 - D- Implement a program to train university graduates and recent graduates in jobs of a legal nature.
 - E- Contribute to the establishment or sponsorship of scientific and professional conferences, seminars and events in the Kingdom.
 - F- Actual involvement of Saudi employees in the work of foreign law firm units and departments and in its projects in the Kingdom.
- 3- The value of consultancy work transferred outside the Kingdom shall not exceed (30%) of the value of the total consultancy work of the foreign law firm in the year. Consultancy related to non-Saudi Laws for a service related to work outside the Kingdom shall not be taken into account in calculating this percentage.

Article 65:

The foreign law firm shall, upon request, provide the competent department with the approved financial statements, an annual report showing its commitment to the



knowledge transfer and training plan, and any data or reports for the purpose of verifying the firm's statutory obligations.

CHAPTER 4: TEMPORARY LICENSING

Article 66:

The granting of the temporary license is limited to providing consultations for specific or specialized projects that the Kingdom needs, and in which similar expertise is not sufficiently available in the Kingdom. The following provisions and procedures shall be observed in the temporary license:

- 1- The foreign law firm shall not be granted more than one temporary license per year, except for an exceptional need after obtaining the Minister approval.
- 2- An application for a temporary license shall be submitted to the Ministry electronically after obtaining a license from the competent entity to grant foreign investment licenses in the Kingdom. The foreign law firm requesting the temporary license shall meet the license conditions of the foreign law firm, except for the conditions related to residence and the conditions and requirements related to taking a regular form to practice the profession in the Kingdom.
- 3- A letter from the project owner requesting a contract with a foreign law firm, and evidence that the project is a specific or specialized project, must be submitted with the application for a temporary license.

Article 67:

The temporarily licensed foreign law firm shall comply with the following:

- 1- Taking the necessary measures to ensure the compliance of the lawyer and his employees working in the project with the Rules of Professional Conduct for Lawyers, the ethics of the profession stipulated in the law, its implementing regulations and the relevant Laws, and the professional Laws in the country in which it is licensed to practice the Law profession.
- 2- Not to provide any service outside the scope of the license granted to it.
- 3- Assigning at least (10%) of the project works of a legal nature to a Saudi licensed to practice the profession, and the percentage shall be calculated by the value of the works.
- 4- Submitting a report to the competent department at the end of the project indicating the services provided, and any data specified by the competent department.

PART 8: DISCIPLINE THE LAWYER



CHAPTER 1: CONTROL OF PROFESSIONAL VIOLATIONS

Article 68:

Complaints and reports shall be submitted to the competent department in accordance with the approved forms and procedures.

Article 69:

The competent department shall supervise, inspect, and control violations, and verify complaints and reports. In the exercise of its functions, it shall have the following powers:

- 1- Entering the premises of practicing the profession, to verify the licensee's compliance with the Laws and Instructions.
- 2- Reviewing the papers, documents and licenses necessary to verify the licensee's compliance with the Laws and Instructions.
- 3- Requesting the statement of the licensee of the violation attributed to it, and hearing the statements of the complainant and any related party when necessary.

Article 70:

The competent employee shall abide by integrity and confidentiality, abide by the approved manuals and procedures in his work, and refrain from any work in which there is a conflict of interest.

Article 71:

The person licensed to practice the Law profession shall enable the competent employee to perform his work in accordance with the powers vested in him.

Article 72:

- 1- The competent employee shall prepare a report of the violation in accordance with the approved form, including: the data of the violator, the description of the violation, the date of the incident, the relevant evidence and presumptions, and the recommendation of referral to investigation or preservation.
- 2- The competent department decides to refer the licensee to investigation or preservation in the event of failure to identify a violation that requires referral to investigation.

CHAPTER 2: INVESTIGATION AND PROSECUTION OF PROFESSIONAL VIOLATIONS

Article 73:



- 1- The competent department shall undertake the investigation of violations, and shall abide by the guarantees of the investigation, including: confronting the investigator with the violation attributed to him, and enabling him to present his defense.
- 2- The investigation shall be conducted in presence, or remotely -orally or in writing- through approved electronic means as determined by the competent department.
- 3- If the licensee abstains from investigating, or does not attend even after notifying him, the competent department shall prove this, and the violation shall be referred to the Disciplinary Committee.

Article 74:

The competent department shall, after investigating and studying the violation or when the investigation is not possible, decide one of the following:

- 1- Conservation in case of insufficient evidence, and informing the licensee and the referring entity of this.
- 2- Refer the violation to the Disciplinary Committee to impose the disciplinary penalty.

Article 75:

The prosecution shall be carried out before the Disciplinary Committee by employees and consultants with experience and competence who meet the conditions for registration in the list of practicing lawyers. A decision shall be issued naming them by the Minister or his authorized representative.

CHAPTER 3: DISCIPLINARY COMMITTEE

Article 76:

The Disciplinary Committee shall have a secretary named by a decision of the Minister, who shall supervise the secretariat of the Committee, prepare and maintain its minutes and decisions, and prepare the technical and administrative work of the Committee and its meetings, and all the work assigned to him by the Chairman of the Disciplinary Committee within the limits of his competence.

Article 77:

A one (or more) substitute member shall be named by a decision of the minister to replace the member of the basic disciplinary committee in his absence or resignation.

Article 78:



The Disciplinary Committee shall be convened at the request of its Chairman as needed, and it may be convened remotely through approved electronic means.

Article 79:

The disciplinary committee may, if the interest so requires during the investigation or consideration of the lawsuit, order -by a reasoned decision- the temporary suspension of the licensee from practicing the profession for a period not exceeding (90) days, renewable for a similar period.

Article 80:

- 1- A member of the Disciplinary Committee shall step down and refrain from considering the case in the event of a conflict of interest, including:
 - A- If he is related or in-law to the fourth degree to the licensee or the complainant.
 - B- If there is a dispute, enmity or affection between him and the licensee or the complainant, it is likely that he will not be able to judge without bias.
- 2- If the member has a reason to be prevented from considering the disciplinary lawsuit and does not comply with this, any of the parties to the lawsuit may request his prevention, and the request shall be decided by the minister or whoever he authorizes by a final decision.

Article 81:

The Disciplinary Committee, in order to exercise its functions, shall take the following:

- 1- Request to obtain the necessary documents and papers from the licensee and the relevant authorities.
- 2- Request to inform the relevant parties of the violation, and interrogate the licensee.
- 3- Seek the assistance of experts and specialists it deems appropriate to express an opinion or attend its meetings.

CHAPTER 4: DISCIPLINARY LAWSUIT

Article 82:

The procedures for considering and litigating the lawsuit shall be in writing, and the Disciplinary Committee may - on its own initiative or at the request of the competent department or the licensee - hear what the licensee has verbally in presence or remotely through approved electronic means.



Article 83:

Disciplinary hearings shall be confidential, and the Disciplinary Committee shall prepare for each of its hearings a record that includes the data of the lawsuit, its parties, and a summary of what was done in it.

Article 84:

If the disciplinary committee or the competent department deems that the violation under investigation or consideration involves a crime, it shall be reported to the competent entity, and the disciplinary committee shall decide what it deems necessary to proceed with the disciplinary lawsuit.

Article 85:

The Disciplinary Committee shall issue its decision on the disciplinary lawsuit within (60) days from the date of its filing, and it may be extended for a similar period when needed.

Article 86:

The decision of the disciplinary committee to impose the penalty must include: the details of the violator, the description of the violation and the evidence to prove it, the reasoning of the decision, and the answer to the violator defenses.

Article 87:

The disciplinary lawsuit shall lapse in the following cases:

- 1- Issuance of a final decision by the Disciplinary Committee against the violator.
- 2- The death of the lawyer, the loss of his capacity, or the expiry of his legal personality.
- 3- Removal of the licensee from the list by a final decision of the Registration and Admission Committee, unless his name is re-registered.

CHAPTER 5: DISCIPLINARY SANCTIONS AND THEIR EFFECTS

Article 88:

The transfer of the lawyer name to the list of non-practicing lawyers, or the re-registration of his name in the list of practicing lawyers after his removal from it, shall not prevent the filing of the disciplinary lawsuit against him for what he committed.

Article 89:



The lawyer name shall be written off the list of practicing lawyers and his license shall be cancelled by a decision of the disciplinary committee if the lawyer is sentenced to a limit or a penalty for a crime prejudicial to honor or integrity.

Article 90:

- 1- The lawyer whose name has been written off the list of non-practicing lawyers, and whose license has been revoked because of a judgment against him, or a penalty for a crime prejudicial to honor or integrity, may request the Lawyers Registration and Admission Committee to re-register his name in the list after the lapse of (5) years from the end of the judgment execution.
- 2- The Lawyers Registration and Admission Committee shall consider the re-registration application and verify the availability of the conditions of the license in accordance with the approved electronic forms and procedures, and shall decide on the application, and in the event of rejection, it may return the application after the lapse of (1) year from the rejection of its application.
- 3- The procedure mentioned in paragraph (1) of this Article shall apply to the lawyer whose name has been written off the list under a final disciplinary decision by the Disciplinary Committee if he requests the re-registration of his name in the list after the lapse of the period mentioned in Article (36) of the Law.

Article 91:

In the event that a final disciplinary decision is issued against him for suspension, the lawyer shall comply with the following:

- 1- Informing the Lawyers Registration and Admission Committee of the work and outstanding cases with him and the contracts concluded with his clients, the rights and obligations resulting therefrom, the procedures he will take to settle them with their owners, and the period required for that, provided that in all cases it does not exceed (60) days.
- 2- After the expiry of the specified period referred to in paragraph (1) of this article, the lawyer shall provide proof that he has settled the outstanding works and cases with him, and the works and cases that he has not settled. In the event that he is a partner or shareholder in a professional company, he shall provide proof of the procedures taken in the company in this regard and assign the works to the licensed partners or shareholders, taking into account the relevant Laws.
- 3- If the lawyer does not provide proof that he has settled the outstanding works and cases with him, the Ministry may write to the courts, the Board of Grievances and the competent entities to report on the cases considered by them, in which the suspended lawyer is delegated, to deal with them.



- 4- If the suspended lawyer does not comply with the procedures stipulated in this article, he shall be referred to the investigation to complete the disciplinary procedures in his regard.

CHAPTER 6: IMPERSONATING A LAWYER

Article 92:

The following is considered a form of impersonating a lawyer and practicing the profession in violation of the provisions of the Law in accordance with the provisions of Article (37) of Law:

- 1- Practicing the profession without obtaining a license to practice it, unless it is one of the categories excluded under Article (18) of the Law.
- 2- The practicing of the profession by a lawyer after his cessation, suspension from practicing, or revocation of his license.
- 3- Taking a place to practice the profession without obtaining a license.
- 4- Describing or declaring himself as a lawyer without obtaining a license.
- 5- Providing legal consultations through electronic platforms without being a lawyer.

Part 9: FINAL PROVISIONS

Article 93:

The notification and access shall be in accordance with the provisions of the Law and the regulation through electronic means approved by the ministry.

Article 94:

The competent department shall, after obtaining the Minister's approval, issue the procedural manuals and forms necessary to work under the Law and the Regulation.

Article 95:

The regulation shall be published in the Official Gazette, and shall be effective from the date of its publication.

-END OF DRAFT-

