



شعبة الترجمة الرسمية  
Official Translation Department

## **Law of the Bureau of Investigation and Public Prosecution**

Royal Decree No. M/56  
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**Translation of Saudi Laws**



**NOTE:**

The translation of Saudi laws takes the following into consideration:

- Words used in the singular form include the plural and vice versa.
- Words used in the masculine form include the feminine.
- Words used in the present tense include the present as well as the future.
- The word “person” or “persons” and their related pronouns (he, his, him, they, their, them) refer to a natural and legal person.



## **Law of the Bureau of Investigation and Public Prosecution**

### **Part 1: Establishment, Composition, and Jurisdiction of the Bureau**

#### **Article 1**

Pursuant to this Law, an agency named "The Bureau of Investigation and Public Prosecution" reporting to the Minister of Interior shall be established and it shall have a budget of its own.

Its headquarters shall be in the City of Riyadh. When necessary, branches shall be established inside or outside its headquarters.

#### **Article 2**

The Bureau shall be composed of a president, one or more vice-presidents, and a sufficient number of members.

#### **Article 3**

1. The Bureau shall have the following powers, in accordance with the law and as specified by the regulations:
  - a) Investigating crimes;
  - b) Taking action with respect to investigations by filing cases or taking no action;
  - c) Prosecuting before judicial bodies;
  - d) Petitioning for the appeal or reversal of judgments;
  - e) Supervising the execution of criminal sentences;
  - f) Monitoring and inspecting prisons, detention centers, and any place where criminal sentences are executed, as well as hearing the complaints of prisoners and detainees, ensuring the legality of their imprisonment or detention and the legality of keeping them in prison or in detention centers after the expiry of the period, and taking the necessary measures to release those imprisoned or detained without a legitimate cause and enforcing the law against those responsible for such action. The person overseeing prisons and detention centers shall be informed of any relevant observations, and provided with a report on the condition of prisoners and detainees every six months.
  - g) Any other powers conferred upon it by the law, regulations issued pursuant to this Law, resolutions of the Council of Ministers, or High Orders.
2. The regulations shall specify the method by which the Bureau shall exercise its powers.
3. The regulations shall specify the transitional provisions which are deemed



necessary for the Bureau to exercise its powers.

4. The Council of Ministers may, by a resolution of its own, assign the Bureau to conduct investigations and prosecution in connection with crimes which the law stipulates that investigation and prosecution thereof shall be conducted by other government bodies.

#### **Article 4**

1. A board named the "Bureau's Board" shall be formed and it shall be composed of the following:
  - a) President of the Bureau, Chairman.
  - b) Vice-president of the Bureau, Vice-chairman.
  - c) Five Bureau members of the rank "Head of Investigation and Prosecution Circuit (B)" and above. Appointment of the vice-chairman and members shall be approved by the person overseeing prisons and detention centers upon the recommendation of the Bureau's President.
2. The Bureau's Board shall be chaired by the President of the Bureau or his Vice-president. Board meetings shall not be valid unless attended by six members including the chairman of the meeting. In the absence of any of them, if the Board is deliberating on a matter concerning him or in which he has direct interest, or for any other reason – he shall be replaced by another person nominated by the person in charge, upon the recommendation of the President of the Bureau from amongst those eligible for the membership of the Bureau's Board. The Board's decisions shall be issued by absolute majority of its members. In case of a tie, the chairman of the meeting shall have the casting vote.
3. The Bureau's Board shall have the following powers, in addition to the powers stipulated in this Law and its regulations:
  - a) Forming one or more circuits to review indictments in cases where the death penalty, amputation, stoning, or *qisas* in cases requiring capital punishment or less are sought, as well as any decision referred to it by the President. Each circuit shall be composed of three members.
  - b) Reviewing matters relating to investigation and prosecution, pursuant to an order by the person overseeing prisons and detention centers as well as matters referred to it by the President of the Bureau.
  - c) Preparing the Bureau's annual report enclosed with its observations and suggestions regarding its work progress and its views with respect to the laws and procedures it applies. It shall submit the same to the person overseeing prisons and detention centers who shall in turn bring it before the King enclosed with his views thereon.



## **Part 2: Bureau Members and Staff**

### **Article 5**

Members of the Bureau shall enjoy judicial capacity and total independence, and they shall not be subject, in conducting their work, except to the provisions of Sharia and applicable laws, and no one shall interfere in their work.

### **Article 6**

Without prejudice to the provisions of this Law, members of the Bureau shall enjoy the rights and guarantees provided for in the Civil Service Law and the Retirement Law, and they shall be committed to all duties stipulated in the Civil Service Law.

### **Article 7**

A member of the Bureau may not combine his job with commercial activities or any other profession or work inconsistent with the independence of the Bureau's work and its dignity. The Bureau Administration Committee may decide to bar a member of the Bureau from practicing any work it deems in conflict with the duties of the job and its proper performance.

### **Article 8**

Members of the Bureau shall not disclose any confidential information they may become aware of due to the nature of their work, even after leaving the service.

### **Article 9**

1. The titles of the members of the Bureau shall be as follows:
  - Attendant Investigator.
  - Investigator "C".
  - Investigator "B".
  - Investigator "A".
  - Deputy Head of an Investigation and Prosecution Circuit "B".
  - Deputy Head of an Investigation and Prosecution Circuit "A".
  - Head of an Investigation and Prosecution Circuit "B".
  - Head of an Investigation and Prosecution Circuit "A".
  - Appeals Prosecutor.
  - Head of Investigation and Prosecution Circuits.
2. Bureau members shall be treated with regards to salaries, allowances, remuneration, and benefits as their counterparts in the judiciary in accordance with the approved table for equating Bureau positions with judicial positions.



### **Article 10**

The President of the Bureau shall be appointed at the rank of “Minister” pursuant to a royal order upon the nomination of the person overseeing prisons and detention centers from amongst those eligible for the position of Head of Investigation and Prosecution Circuits, at least.

Appointments for the positions of other Bureau members as well as their transfer to other agencies shall be pursuant to a royal order, based on a decision by the Bureau's Board and the recommendation of the person overseeing prisons and detention centers.

### **Article 11**

Subject to the provisions of this Law, the Council of Ministers shall specify the requirements of the positions of the Bureau as well as determining how to deal with its members and other staff in matters of appointment, promotion, transfer, secondment, lending of services, assessment of job performance, inspection, and all that is related to the status of their employment.

### **Article 12**

The service of a Bureau member shall be terminated by any of the following:

- a) Reaching the age of 65. The Bureau's Board may extend a member's service beyond said age for a period of one year, renewable for similar periods, the aggregate of which shall not exceed five years.
- b) Death.
- c) Acceptance of resignation.
- d) Acceptance of a request for retirement pursuant to the Law of Civil Service Retirement.
- e) Incompetence shown during the probation period.
- f) Inability to assume his duties upon the lapse of a sick leave, or if it is established at any time that he cannot properly perform his duties due to illness.
- g) Receiving a grade lower than average in the performance evaluation report for three consecutive times.
- h) Termination of service for disciplinary reasons.

### **Article 13**

In cases other than death, reaching the retirement age, and incompetence shown by the member during the probation period, the service of the Bureau member shall be terminated by royal order pursuant to a decision by the Bureau Administration Committee and the request of the Minister of Interior.



### **Part 3: Disciplining Bureau Members**

#### **Article 14**

Members of the Bureau may only be tried pursuant to the conditions and rules concerning their discipline.

#### **Article 15**

Disciplining of Bureau members shall be vested with the "Disciplinary Board" Circuit. Such Circuit shall be formed by the Bureau's Board and it shall be composed of three members to be named pursuant to a decision by the President of the Bureau. Its decisions shall be passed by majority vote and shall not become final except upon the approval of the Bureau's Board.

#### **Article 16**

The Head of Investigation and Prosecution Circuit or Circuits shall have, after hearing their statements, the right to warn department investigators of any violations of their duties or the requirements of their jobs. This warning shall be verbal or in writing. In the latter case, a copy of the warning shall be sent to the Minister of Interior by the President of the Bureau, and the investigator shall have the right to object within 15 days from the date of notification thereof, requesting an investigation of the incident that led to the issuance of the warning. A committee for this purpose shall be formed of the President of the Bureau and a Deputy Head of an Investigation and Prosecution Circuit "A", or of the Vice-president of the Bureau and a Deputy Head of an Investigation and Prosecution Circuit "B". This committee, after hearing the statements of the objecting investigator, shall entrust to one of its members the task of carrying out an investigation if it deems so necessary. It may affirm the warning or consider it null and void, and it shall inform the Minister of Interior of its decision. If the violation is repeated or continued after affirmation of the warning by the Committee, disciplinary action shall be filed.

#### **Article 17**

The disciplinary action shall be filed pursuant to an order of the Minister of Interior upon the recommendation of the President of the Bureau. This action shall not be filed except upon an investigation conducted by a member of the Bureau designated by the Minister of Interior based on the recommendation of the President of the Bureau. The member of the Bureau who is designated to perform the investigation shall be of a rank higher than that of the member under investigation or senior to him in service, if both are of the same rank.

#### **Article 18**

The disciplinary action shall be filed in a memorandum incorporating the charge and supporting evidence, and it shall be submitted to the Disciplinary Board to issue its decision to summon the accused to appear before the Board.



### **Article 19**

In situations where the accused is caught in the criminal act, the case, upon arresting and detaining the member of the Bureau, shall be referred to the Bureau Administration Committee within the following 24 hours. The Committee may decide whether to continue detaining the accused or to release him with or without bail, and the member of the Bureau may request the hearing of his statements before the Committee upon presenting the matter thereto. The Committee shall determine the period of detention in the decision issued concerning detention or its continuation. The aforementioned procedures shall be observed whenever it is determined to continue preventive detention after the expiry of the period decided by the Board. Except for the foregoing, a member of the Bureau may not be arrested, subject to investigation procedures, or a criminal suit be brought against him without obtaining the permission of said Committee. Members of the Bureau shall be detained and punishments restricting their freedom shall be executed in separate facilities.

### **Article 20**

The Disciplinary Board may conduct the investigations it deems necessary, and it may designate one of its members for the task. If the Disciplinary Board finds it appropriate to proceed with trial procedures on all or part of the alleged charges, the accused shall be summoned to appear with sufficient notice. The summons shall include an adequate statement of the subject matter of the lawsuit and the prosecution evidence.

### **Article 21**

The Disciplinary Board, upon deciding to proceed with trial procedures, may order suspension of the accused from performing his duties. The Board may at any time reconsider the suspension order.

### **Article 22**

The disciplinary action shall terminate upon resignation of the member of the Bureau, and the disciplinary action shall have no effect on the criminal or civil suit resulting from the same incident.

### **Article 23**

The Disciplinary Board's hearings shall be held in closed sessions. The Disciplinary Board shall deliver its judgment after hearing the defense of the accused member of the Bureau who may submit his defense in writing and authorize one of the members of the Bureau to defend him. The Board shall have the right, at any time, to demand his appearance in person. If he fails to appear or fails to authorize someone on his behalf, the judgment may be delivered in his absence, after verifying the validity of his summons.

### **Article 24**

The judgment in the disciplinary action shall include the grounds thereof. Said





grounds shall be read upon pronouncing the judgment in a closed hearing.

#### **Article 25**

Disciplinary punishments that may be imposed on a member of the Bureau are: reprimand and termination of service.

#### **Article 26**

Decisions of the Disciplinary Board shall be reported to the person overseeing prisons and detention centers, a royal order shall be issued to implement the penalty of termination of service, and a decision shall be issued by the person overseeing prisons and detention centers, upon the recommendation of the President of the Bureau, to implement the penalty of reprimand.

### **Part 4: General Provisions**

#### **Article 27**

Without prejudice to the provisions of this Law and its regulations, the Minister of Interior shall oversee the Bureau and take the procedures and measures or forward to the competent authorities the recommendations or drafts that ensure an appropriate standard of investigation and prosecution. The President of the Bureau shall supervise all Bureau departments and circuits of investigation and prosecution as well as all the investigators and staff therein.

#### **Article 28**

The Council of Ministers shall issue the necessary implementing regulations for this Law, based on the recommendation of the Minister of Interior. These regulations shall determine the cases which members of the Bureau may not handle, investigate, prepare, or issue decisions thereon, and they shall also determine the areas where expertise is required within the scope of the Bureau's work, as well as the rights of experts, their duties, and the procedures for disciplining them.

#### **Article 29**

This Law shall supersede any provisions that contradict therewith.

#### **Article 30**

This Law shall be published in the Official Gazette, and it shall enter into force as of its publication date.