



شعبة الترجمة الرسمية
Official Translation Department

Statute of the Fiqh Academy in the Kingdom of Saudi Arabia

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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.



Statute of the Fiqh Academy in the Kingdom of Saudi Arabia

Article 1

The following words and phrases, wherever mentioned in this Statute, shall have the meanings assigned to them:

Academy: The *Fiqh* (Islamic jurisprudence) Academy in the Kingdom of Saudi Arabia.

Statute: Statute of the Academy.

Higher Commission: Higher Commission of the Academy.

Council: Council of the Academy.

Ministry: Ministry of Islamic Affairs, Endowments, Da'wah and Guidance.

Minister: Minister of Islamic Affairs, Endowments, Da'wah and Guidance.

Chairman: Chairman of the Academy.

Secretary General: Secretary General of the Council.

Article 2

1. Pursuant to this Statute, an academy named "The *Fiqh* Academy in the Kingdom of Saudi Arabia" shall be established.
2. The Academy shall be an academic *fiqh* entity of a corporate personality, with financial and administrative independence. Its headquarters shall be located in the City of Riyadh. It shall be affiliated with the Ministry and overseen by the Minister.

Article 3

The Academy shall aim to achieve the following:

1. Provide *Sharia* rulings on *fiqh* matters pertaining to contemporary issues and complications thereof, as well as to newly arising circumstances and events through collective *ijtihad* (reasoned ruling) without being confined to a particular school of *fiqh*.
2. Facilitate the use of *fiqh* studies in drafting and development of laws and regulations so as to achieve the objectives of *Sharia*.
3. Broaden the scope of interest in *fiqh* and highlight the uniqueness of Islamic *Sharia* and its suitability for all times and places, with moderation being an objective of *Sharia*.



4. Challenge *fatwas* inconsistent with recognized rules of *ijtihad*.
5. Utilize qualified *Sharia* experts in the Kingdom.
6. Complement other *fiqh* academies and *Sharia* bodies as well as other relevant entities so as to create an academic reference and *Sharia* authentication.
7. Strengthen the sense of pride in the Islamic identity and foster its values and objectives.
8. Promote academic research in the fields of Islamic *fiqh*.

Article 4

To achieve its objectives, the Academy may, without limitation, adopt the following:

1. Issue resolutions and *fatwas* of public nature (declining *fatwa* requests from individuals).
2. Conduct research and studies and compile dictionaries and comprehensive *fiqh* encyclopedias pertaining to contemporary issues in various aspects of life.
3. Hold conferences and seminars relevant to its objectives.
4. Issue a refereed academic journal for *fiqh* studies.
5. Publish Academy's work, resolutions and *fatwas* as well as research studies and dissertations in print and electronic forms.
6. Maintain contact and coordination with other local, regional and international *fiqh* academies, institutions, bodies and societies to achieve cooperation between them and the Academy.
7. Exchange scholarly contributions of thoughts relevant to the Academy's work with concerned entities and institutions within the Kingdom and abroad.
8. Create a website dedicated to the Academy and its activities.

Article 5

The Academy shall have a chairman of the rank "Minister" and a vice chairman of the rank "Grade Excellent" appointed by royal order.



Article 6

1. The Chairman shall be in charge of managing the Academy and running its affairs in accordance with this Statute and its regulations as well as resolutions of the Higher Commission. In particular, the Chairman may:
 - a) oversee the Academy's technical, administrative and financial affairs in accordance with approved regulations, plans and programs;
 - b) represent the Academy before government and judicial bodies as well as other relevant institutions and entities within the Kingdom and abroad;
 - c) disburse from allocated budget and follow financial procedures in accordance with laws and bylaws, and
 - d) appoint Academy's personnel in accordance with statutory procedures.
2. The Chairman may, pursuant to his decision, delegate some of his powers to any Academy official he deems fit in accordance with the law.

Article 7

1. The Vice Chairman shall assume the duties of the Chairman in his absence.
2. The Vice Chairman shall assume the duties assigned to him by the Chairman or the Academy regulations.

Article 8

1. The Academy shall have a higher commission consisting of the following:
 - a) Chairman, Chairman.
 - b) Vice Chairman, Vice Chairman and Member.
 - c) Two members of the Board of Senior Ulema appointed by royal order, Members.
 - d) Three specialists in areas relevant to the Academy's disciplines appointed by royal order, Members.
2. The term of members referred to in paragraphs (1-c) and (1-d) of this Article shall be for a period of three Hijri years, renewable once.
3. The membership of the two members referred to in paragraph (1-c) of this Article shall be contingent on their membership in the Board of Senior Ulema.



Article 9

The Higher Commission shall issue resolutions necessary to achieve Academy objectives. To this end, it may:

1. set the Academy's general policies in accordance with objectives provided for in this Statute;
2. set plans and programs for the implementation of the Academy's general policies;
3. approve the Academy's organizational structure, bylaws and regulations defining the rights and duties of Council members, in preparation for endorsement by the King;
4. accept gifts, subsidies, grants, donations, endowments and bequests that are consistent with Academy objectives;
5. oversee investment of Academy surplus funds in areas consistent with Academy objectives;
6. approve the Academy's draft general budget and balance sheet and submit the same for completion of necessary procedures;
7. approve the annual report, in preparation for submission to the King; and
8. propose amendments to this Statute.

Article 10

The Higher Commission shall convene at least once every four months upon a call by the Chairman. The meeting shall be valid if attended by at least two-thirds of its members including the Chairman or the Vice Chairman. Its resolutions shall pass by majority vote of attending members. In case of a tie, the chairman of the meeting shall have the casting vote.

Article 11

1. The Academy shall have a council consisting of the Chairman, the Vice Chairman, fifty full members and ten non-full members with no right to vote.
2. A member shall:
 - a) be a Saudi national;
 - b) be specialized in *fiqh* and its principles or known for distinction in a *Sharia* discipline; and



- c) be not less than 30 years of age.

Article 12

The Council shall be the research body of the Academy and may, in particular, undertake the following:

1. Discuss items on the agenda and take necessary actions.
2. Take necessary actions regarding *fiqh* research and studies approved by specialized Council committees.
3. Approve topics for conferences and seminars held by the Academy, through specialized Council committees.

Article 13

1. The Council shall be presided over by the Chairman or the Vice Chairman in the absence of the Chairman.
2. Members of the Council shall be appointed and reappointed by royal order upon nomination by the Minister.
3. The Council term shall be five Hijri years starting from the date of issuance of the royal order appointing its members. The formation of a new Council shall be prior to the end of said term.

Article 14

The Council shall have a Secretary General of the rank "Grade 15" to be in charge of preparing Council sessions and their agenda and supervising the drafting of minutes. He shall also assume the duties of the Secretariat of the Higher Commission.

Article 15

1. The Council shall convene at least once every four months upon a call by the Chairman. The call shall indicate meeting date and agenda.
2. A Council meeting shall be valid if attended by at least two-thirds of its full members, including the Chairman or the Vice Chairman. Board resolutions shall pass by majority vote of attending full members. In case of a tie, the chairman of the meeting shall have the casting vote.



3. Council sessions shall be held at the headquarters of the Academy. The Council may resolve to hold its meetings at another location within the Kingdom.
4. The Council may invite scholars, experts and specialists to attend any Council meeting without the right to vote.

Article 16

1. Membership of the Council shall terminate by royal order upon a resolution by the Higher Commission.
2. If the seat of a Council's full member becomes vacant, the Higher Commission may appoint a non-full member to fill such vacancy.

Article 17

1. The Council shall form, from amongst its members, standing committees to address matters within its jurisdiction. It may form ad hoc committees to review any item on its agenda.
2. The committee formation resolution shall name its chairman and members and determine its powers.
3. Academy committees, pursuant to a decision by the Chairman, may seek the assistance of experts from a wide variety of scientific and practical fields that serve the Academy.

Article 18

Academy employees shall be subject to civil service laws and the Labor Law shall apply to its workers.

Article 19

1. The Academy shall have an independent annual budget.
2. Academy revenues shall comprise the following:
 - a) Funds allocated for it in the State budget.
 - b) Gifts, subsidies, grants, donations, endowments and bequests.
 - c) Investment returns generated from surplus financial resources other than funds referred to in paragraph (2-a) of this Article.



- d) Revenues generated from its activities.
- e) Movable and immovable properties received from other entities.

Article 20

The Academy's bylaws shall govern the powers of its departments and the conduct of Council sessions and committees' work as well as other Academy's financial, administrative and technical matters.

Article 21

This Statute shall be published in the Official Gazette and shall enter into force 30 days from its date of publication.