



**Bureau of Experts at the Council of Ministers  
Official Translation Department**

## **Statute of the General Authority for Foreign Trade**

Council of Ministers Resolution No. 741  
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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 General Authority for Foreign Trade

### Article 1: Definitions

In this Statute, the following words and phrases shall have the meaning assigned thereto:

**GAFT:** General Authority for Foreign Trade.

**Board:** GAFT's board of directors.

**Statute:** Statute of the General Authority for Foreign Trade.

**Governor:** GAFT's governor.

**Member:** A member of the Board.

**Trade Remedies:** Matters relating to anti-dumping agreements and countervailing and preventive measures of the World Trade Organization (WTO).

### Article 2: Establishment

1. GAFT shall have a public legal personality and financial and administrative independence and shall report to the Minister of Commerce.
2. GAFT shall be headquartered in the city of Riyadh and may establish branches within the Kingdom.

### Article 3: GAFT Objectives

GAFT aims to promote the Kingdom's standing and protect its interests in foreign trade in order to develop its national economy.

### Article 4: GAFT Powers and Duties

GAFT shall assume the powers and duties necessary to achieve its objectives, including the following:

1. Setting relevant policies, strategies, plans, and programs in coordination with relevant agencies.
2. Representing the Kingdom in the WTO and assuming relevant powers and



- duties, including:
- a) participating in bilateral negotiations with countries seeking to accede to the WTO in coordination with the competent government agencies;
  - b) following up on the fulfillment of the Kingdom's commitments towards the WTO;
  - c) monitoring the fulfillment of other member countries' commitments towards the WTO;
  - d) coordinating between the various agencies in the Kingdom with regard to international trade;
  - e) following up on the settlement of commercial disputes to which the Kingdom is party which are brought before the WTO; and
  - f) coordinating stances and policies with WTO member countries.
3. Supervising the duties of Saudi negotiating teams and their technical teams, and coordinating and approving offers, negotiation stances, and matters related to the WTO, free trade agreements, and bilateral, regional, and international agreements.
  4. Facilitating the entry of the Kingdom's exports into foreign markets and its access to new markets, and addressing any challenges arising therefrom, in coordination with relevant government agencies.
  5. Undertaking duties and responsibilities relating to trade remedies, and protecting the Kingdom's interests locally and internationally.
  6. Providing the competent authority with proposals relating to customs tariffs for completion of required procedures.
  7. Managing the Kingdom's international relations in foreign trade in coordination with relevant agencies.
  8. Overseeing commercial attachés.
  9. Overseeing joint business councils with other countries.
  10. Raising awareness of the government and private sectors regarding the Kingdom's foreign trade commitments and any changes thereto.
  11. Representing the Kingdom in regional and international organizations and forums relating to foreign trade.
  12. Holding relevant conferences, seminars, and meetings, in accordance with applicable procedures.



13. Conducting studies and research, preparing reports, establishing databases relating to GAFT's activities, and exchanging information with local, regional, and international bodies. This shall include studying the economic impact of concluding free trade agreements with countries and economic groups, in coordination with relevant agencies.
14. Proposing and amending laws and regulations relating to GAFT's jurisdiction in accordance with applicable statutory procedures.

#### **Article 5: Board of Directors**

1. GAFT shall have a board of directors composed of the Minister of Commerce, as chairman, and the following members:
  - a) GAFT's governor.
  - b) A representative from the Ministry of Economy and Planning.
  - c) A representative from the Ministry of Energy.
  - d) A representative from the Ministry of Industry and Mineral Resources.
  - e) A representative from the Ministry of Commerce.
  - f) A representative from the Ministry of Investment.
  - g) A representative from the Ministry of Foreign Affairs.
  - h) A representative from the Ministry of Environment, Water, and Agriculture.
  - i) A representative from the Ministry of Finance.
  - j) A representative from the Ministry of Transport and Logistic Services.
  - k) A representative from the Saudi Food and Drug Authority.
  - l) A representative from the Zakat, Tax, and Customs Authority.
  - m) A representative from the Saudi Export Development Authority.
  - n) Four independent members with relevant experience and qualification, appointed pursuant to an order by the Prime Minister upon the recommendation of the Board's Chairman; their membership shall be for a term of three years, renewable once.
2. The rank of representatives of government agencies must not be lower than Grade 15, or its equivalent.

#### **Article 6: Board Powers**

The Board shall be GAFT's highest authority and shall oversee the



management of GAFT and the conduct of its affairs. It shall, subject to this Statute, set its general policies and take the decisions necessary to achieve its objectives, and shall, in particular, have the following powers:

1. Approving GAFT's general policies, plans, and programs, and monitoring the implementation thereof.
2. Proposing and submitting to the Board a national strategy for foreign trade and overseeing its implementation upon Board approval.
3. Forming the Saudi negotiating team and its technical teams and defining their duties, powers, and responsibilities; adopting negotiation stances in foreign trade; and completing necessary statutory procedures.
4. Approving the Kingdom's participation in technical and negotiating committees and teams and the Kingdom's support of proposals and offers of trading countries within the WTO and other international organizations, in accordance with applicable statutory procedures.
5. Setting regulations to oversee commercial attachés, without prejudice to applicable laws.
6. Setting rules to regulate the supervision of joint business councils, without prejudice to applicable laws.
7. Approving GAFT's financial and administrative regulations and other internal regulations, provided that the financial regulations and the financial provisions in the administrative regulations are approved in coordination with the Ministry of Finance.
8. Approving GAFT's organizational structure.
9. Establishing GAFT's branches in the Kingdom.
10. Proposing the establishment of commercial attachés and completing necessary statutory procedures.
11. Approving GAFT's draft budget, final accounts, and annual report as well as auditor's report, prior to their submission in accordance with applicable statutory procedures.
12. Appointing an external auditor, or more, and a comptroller.
13. Reviewing periodic reports submitted by the Governor on GAFT's activities, overseeing the executive management and evaluating its performance, and



taking necessary action thereon.

14. Approving the conclusion of agreements, protocols, and contracts in accordance with applicable statutory procedures.
15. Approving fees for certain services rendered by GAFT.
16. Accepting gifts, aids, grants, bequests, and endowments, in accordance with applicable laws.
17. Approving GAFT's performance indicators.
18. Taking the necessary decisions to implement the provisions of this Statute.

The Board may form standing or ad hoc committees from among its members or others to carry out certain tasks. The formation decision of each committee shall designate its chairman and members and determine its powers and duties. A committee may seek the assistance of non-members in the performance of its duties, unless the Board decides otherwise.

The Board may delegate certain powers to its Chairman or to any of its members or GAFT's employees.

#### **Article 7: Board Meetings**

1. Board meetings shall be held at GAFT's headquarters and shall be presided by its Chairman or his designee from among the representatives of government agencies. The Board may convene at any other venue designated by the Chairman.
2. The Board shall convene at least twice a year. The Board shall also convene, if the need arises, at the Chairman's discretion, or if requested by at least five of its members.
3. The call for a Board meeting shall be made in writing at least seven days prior to the meeting date, provided it includes its agenda.
4. Board meetings shall be deemed valid only if attended by the majority of its members, including the Chairman or his designee.
5. Decisions shall be passed by the majority vote of attending members. In case of a tie, the chairman of the meeting shall have the casting vote.
6. GAFT may hold its meetings and vote on decisions remotely, provided they are attended by at least nine members. Decisions may be passed by



- circulation, provided that all members vote in their favor and they are entered into the minutes of the subsequent meeting.
7. A Board member may not abstain from voting nor vote by proxy. A dissenting member may request his objection and reasons therefor be entered into the minutes.
  8. A Board member shall disclose any conflict of interest he may have in any matter listed on the meeting agenda and may not vote on said matter. Such conflict shall be recorded in the meeting minutes.
  9. Board deliberations and decisions shall be entered into minutes signed by the chairman of the meeting and attending members.
  10. The Board shall have a secretary-general who shall be selected from among GAFT's employees by the Chairman of the Board upon the Governor's nomination, and whose duties and remuneration shall be determined by the Board. The Secretary-General shall be entrusted with recording, in a special register, the opinions and votes of Board members as well as Board decisions.
  11. The Chairman of the Board may invite non-members to attend Board meetings in a non-voting capacity.
  12. Board members or others who attend Board meetings may not disclose any confidential information they become privy to by virtue of their membership or attendance of Board meetings.

#### **Article 8: Governor**

GAFT shall have a governor with the rank grade Excellent, appointed upon recommendation by the Chairman of the Board. The Governor shall be in charge of the management of GAFT and shall assume the following powers and duties:

1. Proposing GAFT's general policies, work plan, and programs, and submitting the same to the Board for approval.
2. Proposing GAFT's organizational structure and its financial and administrative regulations, and supervising their implementation upon approval.





3. Supervising GAFT's activities and the performance of its employees in accordance with his powers and GAFT's regulations.
4. Preparing GAFT's draft budget, final accounts, and annual report, and submitting the same to the Board.
5. Representing GAFT before the judiciary, government agencies, and other relevant entities within the Kingdom and abroad as well as in relevant local or international conferences or events; he may delegate such power.
6. Heading the Saudi negotiating team in commercial negotiations; he may delegate such power.
7. Approving the participation of GAFT and its committees and teams in meetings and negotiations relating to the WTO, free trade agreements, and relevant bilateral, regional, and international agreements; submitting initial negotiation offers, initiatives, and proposals; and coordinating negotiation stances with other countries, in line with the Kingdom's commitments and in accordance with applicable statutory procedures.
8. Approving GAFT's holding of conferences, seminars, and forums, in accordance with applicable procedures.
9. Signing agreements, protocols, and contracts upon Board approval or in accordance with the powers granted to him by the Board, subject to applicable statutory procedures.
10. Appointing GAFT's employees and supervising the performance of their duties, in accordance with relevant laws and regulations.
11. Hiring experts, specialists, and consultants and approving the conduct of advisory studies and the application of their findings.
12. Preparing periodic reports on GAFT's activities and achievements as well as challenges encountered, and submitting the same to the Board for completion of necessary procedures.
13. Setting GAFT's performance indicators, applying such indicators upon Board approval, and making recommendations for improving GAFT's performance.
14. Assuming any other power granted thereto by the Board or by GAFT's regulations.

The Governor may delegate any of his powers to any of GAFT's employees.



### **Article 9: The Kingdom's Permanent Representative to the WTO**

1. The office of the Kingdom's permanent representative to the WTO shall report to GAFT.
2. The Chairman of the Board shall nominate the Kingdom's permanent representative to the WTO in accordance with applicable statutory procedures.

### **Article 10: Employment**

GAFT's employees, with the exception of the Governor, shall be subject to the Labor Law and the Social Insurance Law.

### **Article 11: Financial Resources**

1. GAFT's financial resources shall be as follows:
  - a) Allocations in the State budget.
  - b) Fees for services rendered by GAFT.
  - c) Gifts, aids, grants, bequests, and endowments accepted by the Board.
  - d) Any other resource approved by the Board not inconsistent with the laws and instructions.
2. GAFT's revenues shall be deposited in the Ministry of Finance's current account with the Saudi Central Bank.
3. GAFT shall open an account with the Saudi Central Bank and may open other accounts with any of the banks licensed to operate in the Kingdom. Disbursement from such accounts shall be made in accordance with its budget.

### **Article 12: Budget and Fiscal Year**

1. GAFT shall have an independent annual budget issued in accordance with the State budget issuance arrangements.
2. GAFT's fiscal year shall be the same as the State's fiscal year. As an exception, GAFT's first fiscal year shall commence on the date this Statute enters into force and shall end on the date the State's following fiscal year ends.



### **Article 13: Auditor**

Without prejudice to the jurisdiction of the General Court of Audit, the Board shall appoint and determine the fees of an external auditor, or more, licensed to practice in the Kingdom to audit GAFT's accounts, transactions, statements, annual budget, and final accounts. The auditor's report shall be submitted to the Board and a copy thereof shall, upon the Board's approval, be provided to the General Court of Audit.

### **Article 14: Final Accounts**

GAFT shall, within 90 days from the end of the fiscal year, submit to the Council of Ministers its final accounts and a copy thereof shall be provided to the General Court of Audit.

### **Article 15: Annual Report**

The Chairman of the Board shall, within 90 days from the end of the fiscal year, submit to the Prime Minister an annual report which shall include GAFT's achievements and the challenges it encountered and recommendations for improvement.

### **Article 16: Entry into Force**

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