

Implementing Regulations of the Law of Criminal Procedure

Part One: Definitions

Article 1

In these Implementing Regulations, the following terms shall have the meanings assigned thereto, unless the context requires otherwise:

Law: The Law of Criminal Procedure.

Regulations: The Implementing Regulations of the Law.

Council: The Supreme Judicial Council.

Ministry: The Ministry of Justice.

Bureau: The Bureau of Investigation and Public Prosecution.

Serious Crimes: Crimes mandating detention pursuant to Article 112 of the Law.

Part Two: Criminal Action

Chapter One: Initiation of Criminal Action

Article 2

1. The Bureau shall serve a letter to the court naming the public prosecutors authorized to initiate a public criminal action before the court.
2. In pursuing a public criminal action before the competent court, the public prosecution's duties and responsibilities shall include presenting arguments and evidence and bearing the burden of proof.

Article 3

1. The criminal action referred to in Article 16 of the Law is the civil criminal action that involves both civil and public rights.
2. The defendant in a civil criminal action shall not be summoned to appear before the court unless the action is valid and legally enforceable in terms of jurisdiction and capacity.
3. The public prosecution shall be summoned to appear before the court for the civil criminal action referred to in paragraph (1) of this Article pursuant to a memorandum that includes the names and addresses of the claimant and defendant, a description of the charges, a copy of the statement of claim, and the hearing date. If the public prosecution fails to appear before the court after being summoned, this shall be entered into the case minutes and the court shall proceed with the civil right action.

Article 4

1. Crimes involving a civil right for individuals, referred to in Article 17 of the Law, are the crimes where the harm is limited to the victim.
2. If a crime involves more than one victim, a complaint filed by any of them shall suffice to initiate a public criminal action.
3. If a single crime involves several perpetrators and a complaint is filed against any of them, a public criminal action may be initiated against the others.

Article 5

1. The victim and his heirs referred to in Article 18 of the Law shall mean those who partially or totally lack legal capacity.
2. A court considering a criminal action shall enter into the case minutes any action taken regarding any conflict of interest observed between the victim or his heirs, and their representative.

Article 6

1. The action referred to in Article 19 of the Law shall mean the public criminal action.
2. The court shall notify the plaintiff, in both cases set forth in Article 19 of the Law, verbally in his presence, and it shall enter the same into the case minutes. If absent, however, a formal notification letter shall be sent to him.
3. The plaintiff shall, upon completion of the required proceedings as set forth in Article 19 of the Law, notify the court of the procedures taken.

Article 7

1. The acts referred to in Article 20 of the Law shall mean acts not occurring during a hearing session. However, acts occurring during a hearing session shall be subject to the provisions of Chapter Three of Part Six of the Law and the provisions of Chapter Three of Part Six of the Regulations.
2. If consideration of such acts requires more than one judge, the judicial circuit considering the criminal action shall refer them to a competent judicial circuit that has the required number of judges.
3. Consideration of such acts shall be entered into a separate record, unless the circuit decides to enter it into the original case minutes.

Article 8

1. In-law relationships, set forth in Article 21(1) of the Law, shall be deemed existing regardless of current marital status.
2. Enmity that prevents a Bureau member from considering or deciding any case is the enmity resulting from a cause not related to the case.
3. Any party to the case may request the head of a Bureau branch, in cities with branches, or the heads of investigation circuits in counties to recuse the investigator prior to or during investigation procedures, providing grounds

therefor. The head of the branch or circuit may accept such request or reject it, providing grounds therefor.

Article 9

In civil criminal actions, a case shall be deemed initiated from the date of filing the statement of claim with the court.

Chapter Two: Termination of Criminal Action

Article 10

1. If a public criminal action terminates prior to being filed before the court, the head of the investigation circuit shall issue an order to close the case pursuant to the provisions of Article 63 of the Law and Article 42 of the Regulations, or to close the case pursuant to the provisions of Article 124 of the Law and Article 87 of the Regulations, as the case may be.
2. Termination of a public criminal action due to the death of the accused shall not preclude the investigation or completion thereof by the investigating authority.
3. Termination of a public criminal action shall not preclude confiscation procedures of items subject to confiscation.
4. Pursuant to Article 22 of the Law, the termination of a public criminal action against one of the accused shall not preclude continuation of the action against the others.

Article 11

1. In a civil criminal action involving multiple victims or heirs, a pardon by some shall not affect the rights of the others to proceed with the action.

2. When attesting the victim or the heirs' pardon, the provisions of Article 29 of the Law and Article 17 of the Regulations shall be taken into consideration.

Part Three: Preliminary Investigation Procedures

Chapter One: Collection and Recording of Information and Flagrante Delicto

Article 12

The competent authority referred to in Article 25 of the Law shall be the authority with which the preliminary criminal investigation officer is affiliated.

Article 13

Pursuant to Article 26(2) of the Law, the preliminary criminal investigation shall be carried out by heads of police stations and their assistants.

Article 14

In the discharge of their duties, preliminary criminal investigation officers may seek the assistance of public officers, whenever appropriate.

Article 15

1. Criminal investigation officers, each within their jurisdiction, shall receive reports of crimes and complaints, whether verbal or written and whether from a known or unknown source.
2. If the report or complaint is presented to an investigation authority lacking territorial jurisdiction, the report shall be registered and referred to the competent investigation authority.

3. Reports and complaints records at the investigation authority shall include a summary of the report or complaint, its date and time, the complainant's name, if any, the name of the recipient, and the measures taken.

Article 16

1. The preliminary criminal investigation officer shall, upon inspection of the crime scene in accordance with Article 27 of the Law, prepare a report that includes the following:
 - a) The measure taken and its date, time, and location.
 - b) A clear description of the location and the crime.
 - c) A list and description of the seized items.
 - d) Signatures of persons providing testimonies.
 - e) Signatures of the attending preliminary criminal investigation officer and his assistants.
2. The preliminary criminal investigation officer shall present proof of his identity and capacity when exercising his jurisdiction pursuant to the Law and Regulations, unless he is in uniform.
3. The preliminary criminal investigation officer may, if necessary, exercise his duties beyond his territorial jurisdiction if collection of evidence in the case so requires.
4. The crime report submitted to the Bureau by the preliminary criminal investigation officer shall include a summary of the crime, its location and time of occurrence. If submission of the report is delayed, the Bureau may investigate the cause of such delay.
5. Investigative measures by the Bureau shall not preclude the preliminary criminal investigation officer from performing his duties in collecting evidence and necessary clarifications as well as any other investigative acts, and the Bureau shall be informed of the same. A report of the findings obtained shall be submitted to the Bureau.

Article 17

1. If the claimant of civil right waives his right, the public criminal action may not be filed, unless pursuant to the provisions of Article 17 of the Law and Article 4 of the Regulations.
2. Waiver of rights in cases of *qisas* and *qadhaf* shall be attested by a competent judicial circuit.
3. The competent judicial circuit shall enter the waiver of *qisas* in the minutes and issue a decree of the same. As for cases of *qadhaf*, the circuit may decide to only enter the waiver in the minutes. In both cases, an endorsement to such effect shall be entered in the investigation report, if available.
4. The waiver of *qisas* and *qadhaf* may be recorded and attested by any competent judicial circuit, even if the original case is not reviewed by such circuit. The circuit attesting the waiver shall send the decree to the circuit reviewing said case.

Article 18

For the purpose of drafting a report, pursuant to Article 32 of the Law, the preliminary criminal investigation officer may not hinder the rescue efforts of injured persons at the crime scene.

Chapter Two: Arrest of the Accused

Article 19

1. Sufficient evidence referred to in Article 33 of the Law is prima facie evidence, including compelling signs and presumptions, warranting accusation of a person, as determined by the preliminary criminal investigation officer.

2. Notification of the preliminary criminal investigation officer to the Bureau concerning arrest of an accused in case of flagrante delicto, pursuant to Article 33 of the Law, shall be in accordance with a memorandum that includes the name of the arrested person; time, date, location, and type of the crime; and grounds for arrest.

Article 20

For preliminary criminal investigation officers, the 24 hour period, referred to in Article 34 of the Law, shall start upon the arrest of the accused. However, for the investigator, it shall start once the accused appears before him.

Article 21

1. The arrest warrant, referred to in Articles 33 and 35 of the Law, shall indicate the warrant date, name and position of the issuer, name and surname of the accused -in a manner that precludes confusion with others-, the charge brought against him, and any available information about his profession, place of residence, and nationality.
2. The preliminary criminal investigation officer executing the arrest warrant may enter the dwelling of the accused if provided for in the warrant. He may enter other dwellings for the same purpose in pursuit of the accused.
3. The officer executing an arrest, pursuant to Article 33 or Article 35 of the Law, may take necessary measures to execute the arrest and address any resistance, within the confines of the law. He may also search the arrested person to disarm him from any weapons or any other items he may use to resist arrest or inflict harm to himself or others, seize such items, and record the same in the report.
4. In serious crimes, the preliminary criminal investigation officer shall separate the accused from others upon arrest pending referral to the investigator.

Article 22

When arrested or detained, the accused shall be informed of the following:

- a) Reasons for detention or arrest.
- b) His right to seek the assistance of an attorney or attorney-in-fact during investigation and trial.
- c) His right to contact any person he may choose to inform him of his arrest or detention.

The accused shall sign a statement to prove his knowledge of his abovementioned rights. If he refuses to sign, a report shall be drafted to this effect.

Article 23

1. The detainee may contact any person of his choice in the manner deemed appropriate by either the preliminary criminal investigation officer or the investigator, depending on the nature and circumstances of each case.
2. Notification of the employer of a detained employee shall, pursuant to Article 36(2) of the Law, be made by the issuer of the detention extension order.

Article 24

1. Reasons for detention during investigation are:
 - a) If detention relates to a serious crime.
 - b) If the interest of the investigation requires detention of the accused.
 - c) If the accused does not designate an address acceptable to the investigator.
 - d) If it is feared that the accused may flee or disappear.
 - e) If the accused fails to guarantee his appearance if so requested.
2. If the detention period is five days or more, the detention center shall notify the authority issuing the detention order at least 72 hours prior to its lapse. If

the detention period is less than five days, the detention center shall notify the authority issuing the detention order within ample time prior to its lapse. In both cases, if the detention center does not receive an extension order at the end of the detention period, said center shall immediately release the detainee and notify the authority issuing the detention order accordingly.

3. A female detainee shall, in case of flagrante delicto or the issuance of a detention order, be detained in a female detention center.
4. Detention of juveniles shall be in accordance with relevant laws and regulations.

Article 25

1. If the Bureau member in charge of inspecting prisons and detention centers finds an unlawfully imprisoned or detained person, he shall report such matter to the head of his investigation circuit to take necessary action pursuant to Article 40 of the Law.
2. If a prisoner or detainee presents a complaint to the Bureau member in charge of inspection of prisons and detention centers, he shall be entitled to a receipt.
3. Any place designated for detention, imprisonment, or the like shall be subject to the Bureau's supervision and inspection in accordance with this Law and the Law of the Bureau of Investigation and Public Prosecution.
4. The detention center shall submit to the Bureau a daily report with the names of detainees, their detention time, the reasons thereof, and the period spent in detention.
5. Prisons or detention centers shall include in their files, as referred to in Article 38 of the Law, the names of prisoners or detainees, as the case may be, date and duration of detention or imprisonment, number and date of the judgment rendered against the accused and the date and number of the imprisonment or detention order, and the name of the issuing authority.

6. The files referred to in Article 38 of the Law may be in paper or electronic format. Communication with prisoners or detainees and hearing their complaints shall be in any manner deemed appropriate by the Bureau.

Article 26

1. If the prisoner or detainee makes a verbal complaint to the warden of the prison or detention center, the warden shall draft a report to this effect signed by the complainant, indicating the complaint and reasons therefor. The complaint shall be accompanied by a summary of the file of the prisoner or detainee and presented to the Bureau member in charge.
2. Competent Bureau members shall, upon inspection of prisons and detention sites, ensure the existence of a registry for prisoner or detainee complaints, examine it, and affix their signatures to the last page.

Article 27

1. An oral or written report of a person imprisoned or detained unlawfully or in a location not designated for imprisonment or detention, as per Article 40 of the Law, shall be accepted regardless of the interest of the reporter. A report to this effect shall be drafted and it shall include the personal information of the reporter and the contents of the report.
2. Notifying the Bureau of a person imprisoned or detained unlawfully or in a location not designated for imprisonment or detention shall be made by notifying the head of the relevant branch or circuit, who shall immediately assign a Bureau member to inspect the site where the prisoner or detainee is held and take any necessary actions, pursuant to Article 40 of the Law.

Chapter Three: Search of Persons and Dwellings

Article 28

1. Search orders of dwellings shall be issued by the head of the Bureau's branch in the province, or his designee.
2. Search warrants for non-dwellings shall be issued by an investigator with subject matter and territorial jurisdiction.
3. Search orders and warrants shall be issued in writing, and shall include the name, title, and signature of the issuer; the date and time of issuance; and the place to be searched. The search order or warrant shall specify a period not exceeding seven days for execution of the search and it shall provide grounds proving the crime and justifying the charges or refer to justifications provided in the report of the preliminary criminal investigation officer.
4. A search shall be valid only if it relates to a crime believed to have occurred based on sufficient evidence.

Article 29

1. The Bureau member in charge of the investigation may conduct the search himself, or assign an authorized preliminary criminal investigation officer to do the same. The assignment order may be issued without prior investigation and without specifying the name of the assigned officer. In such case, any authorized preliminary criminal investigation officer may conduct the search. If the order specifies a certain officer, no other officer may conduct the search.
2. A search warrant or order may not be executed upon the lapse of its term.
3. A search warrant or order shall be valid for a single search. If the need for a second search arises, a new search warrant or order must be issued. Prior grounds and inquiries shall be adequate and effective.

4. An officer executing a search order shall notify the owner of the dwelling or his representative of his identity and purpose and present the order to said individual. Entry into the dwelling shall, whenever possible, be through the door, at the discretion of the officer.
5. Only the accused may be searched unless sufficient indicators point to the involvement of others in the crime subject of the search warrant.
6. Entry into a dwelling, in accordance with Article 42 of the Law, to conduct a certain procedure does not warrant the conduct of any other procedure, unless pursuant to the provisions of the Law and its Regulations.

Article 30

1. Searching the accused, in accordance with Article 43 of the Law, shall include his body and objects attached thereto or hidden therein, movables in his possession, means of transportation, including all items possessed or controlled by the accused. Searching may be conducted by-hand and/or electronically.
2. If the accused refuses to be searched, the officer may take any necessary measures for conducting such a search.
3. The search report shall state the name and address of the female officer assigned to search the female accused, as well as the particulars necessary to establish her identity. The report shall be signed by said officer.
4. The female accused shall be searched in an area secluded from males. The search shall not be necessary if she voluntarily surrenders the items searched for, unless the search is justified.

Article 31

The search must stop immediately upon finding the crime-related items subject of the search.

Article 32

1. If the owner of the dwelling, his designee, or a competent family member residing with him fails to be present at the time of search, the search shall be conducted in the presence of the *Umda* (Chief) of the quarter or an equivalent officer if so requested by the search officer.
2. Determination of failure to be present and the person equivalent to the *Umda*, provided for in Article 47 of the Law, shall be subject to the discretion of the investigator or the officer ordered to execute the search.

Article 33

1. The search report, referred to in Article 48 of the Law, shall be drafted even if the search does not yield any seized items.
2. The search report shall be written in Arabic and drafted without stricken off, crossed, obliterated, inserted, or added words or phrases. If any of the foregoing occurs, the report shall be signed by the author of the report and the executing officer. If a translator is needed, it shall be indicated in the report, and said translator shall sign the report.
3. The search report shall include, in addition to what is provided for in Article 48 of the Law, an accurate description of the searched place, the items found, their locations, and circumstances thereof, as well as any aspect that may be useful in establishing or negating the charge.

Article 34

The name of the female accompanying the officers searching the dwelling where only the female accused is present shall be recorded in the search report, along with her address and the particulars needed to establish her identity. Her statement may be recorded in such report, if necessary.

Article 35

1. Before leaving the search site, the preliminary criminal investigation officer shall seal the areas where evidence is found and seizure is not possible, or place such areas under protection. The Bureau shall be immediately notified of the same, and the relevant Bureau member may approve such measure if he deems it necessary.
2. Seizure of weapons shall be carried out pursuant to established procedures and rules. If seized items are suspected to be explosives, an explosives' expert shall identify their type and seize such explosives. With respect to narcotics, the instructions related to their seizure and laboratory analysis shall be complied with.
3. In case of the seizure of cash money, it shall be itemized, counted, and deposited with the relevant agency. If valuable items, such as jewelry, are seized, they shall be itemized, described, photographed, and measured to determine their quantity, weight, or number, and they shall be recorded in a report signed by the officer executing such seizure and deposited with the relevant agency.
4. The number of seizures and seized items shall be proportionate to the number of accused persons, types and places of seized items even if there is a single accused person. All items containing or potentially containing traces of poison, blood, or otherwise shall be seized.
5. Delivering items seized at the places stated in Article 50(2) of the Law shall be pursuant to a report signed by the deliverer and recipient which includes the number and description of such items and the number of the relevant case, as well as its type and a brief summary thereof, and the names of the parties. Such report shall be included in the case file and a copy thereof shall be deposited in a special record at the relevant agency carrying out the preliminary investigation.

6. Agencies in charge of keeping seized items may only dispose of such items upon receiving a written authorization from the Bureau. Such authorization shall be issued by the competent Bureau branch or investigation department as the case may be.

Article 36

1. Pursuant to Article 51 of the Law, seals of seized items shall be broken by the investigator who shall verify the integrity of the seal prior to breaking it and record the same in a report. Upon breaking the seal, inspecting the seized items, and taking all required measures, the items shall be resealed. A separate report to this effect shall be prepared by the investigator.
2. The investigator shall, pursuant to a report, prove the timely summoning of the accused, his representative, or the person found in possession of the seized items to attend the breaking of the seals.

Chapter Four: Seizing Mail and Monitoring Conversations

Article 37

The provision of Article 56 of the Law shall include modern private electronic means of communication.

Article 38

1. Pursuant to Article 57 of the Law, all seized items including letters, correspondences publications, and packages shall be listed in a report signed by the executing officer, providing a detailed description of the seized items as well as the time and place of seizure.

2. Monitoring or recording means of communication shall end with the realization of the intended purpose, even if the period specified in the order or authorization has not expired.

Article 39

Upon the order of the President of the Bureau to monitor and record letters, correspondences publications, and packages, or his authorization to monitor and record telephone conversations, the relevant agencies shall provide all available resources to fulfill such order.

Article 40

Pursuant to Article 59 of the Law, the investigator or his designee shall inform the accused of the contents of correspondence and mail and telegraph messages.

Article 41

A person aggrieved by any of the persons referred to in Article 61 of the Law who unlawfully divulge information on seized items and documents shall have the right to file a lawsuit against such persons with the competent court.

Part Four: Investigation Procedures

Chapter One: Actions of the Investigator

Article 42

1. As stipulated in Article 63 of the Law, the order to close a case shall be in writing and shall be reasoned.

2. The closure order shall be prior to the undertaking of any investigative procedure and it shall be deemed an administrative procedure. The Bureau may recant such order at any time.

Article 43

The investigator shall notify, in writing, the victim and the civil suit claimant, or heirs thereof, as the case may be, of the closure of the case. This shall be entered in a special record signed by the notified person.

Article 44

1. The assignment stipulated in Article 66 of the Law shall only be valid if it is explicitly issued in writing by the authorized officer, indicating the name, title, and signature of the issuer, date of assignment, and name(s) of the accused, and such assignment may not involve the investigation of the case as a whole.
2. If the assignment referred to in the preceding paragraph involves a preliminary criminal investigation officer, it shall not be required to specify the name of said officer in the assignment, and his job title shall be deemed sufficient. In such case, any competent preliminary criminal investigation officer may carry out such assignment. However, if the officer is specifically named, only said officer may carry out the assignment, unless the assignment order explicitly authorizes him to assign another person.

Article 45

Assessment of cases of urgency, referred to in Article 67 of the Law, shall be subject to the assignee's discretion, and the monitoring of the Bureau.

Article 46

1. Inquiries of relevant government agencies shall be directed to the Bureau or to the agency handling the case in question, provided that the inquiries or answers thereto do not affect the investigation or procedures thereof.
2. Informing relevant government agencies about the investigations and findings thereof regarding cases investigated by the Bureau shall not be considered disclosure of confidential information as referred to in Article 68 of the Law.

Article 47

1. If the investigator accepts the claim of a civil suit claimant, pursuant to Article 69(1) of the Law, he shall include it in the case file and refer to it in the indictment.
2. Individuals referred to in Article 69(2) of the Law shall attend investigation proceedings upon being duly notified. The investigator may, in exigent circumstances, prevent all or some of said individuals from attending one or more of the investigation proceedings and shall include grounds therefor in the report. Once such circumstances end, said individuals shall be informed of any action taken in their absence.
3. If the accused has more than one agent or attorney, they may attend the investigation. The investigator may ask the accused to choose one of them to attend the investigation as he deems appropriate.
4. The individuals referred to in Article 69(2) of the Law may not disclose any confidential information pertaining to the investigation.

Article 48

1. Notification to the court, referred to in Article 72 of the Law, shall include the names of the victim, civil suit claimant, and accused, and the charges brought before him.
2. The Court shall, regarding the notification referred to in paragraph (1) of this Article, implement the provisions of Article 106(2) of the Regulations.

Article 49

Requests filed during the investigation shall be written, dated, and signed by the filing party. The investigator shall decide on such requests within five days from their date of entry into the record. In exigent circumstances, the investigator shall decide thereon within 24 hours. In all cases, the investigator shall record the parties' requests in the investigation report.

Chapter Two: Assignment of Experts

Article 50

1. The investigator may, in writing, assign an expert to provide an opinion on any matter relating to the investigation, in accordance with Article 76 of the Law. The assignment shall specify the assignment task and the period required for completion. The expert shall, while performing such task, be under the supervision of the investigator.
2. The investigator shall enable the expert from accessing items, papers, and documents relating to the assigned task, provide him with the originals or copies thereof, as the case may be, and make a note to this effect in the investigation report. In the absence of any material items, the investigator shall allow the expert to inspect the crime scene and search for evidence.

3. The assigned expert shall execute the task assigned to him; if he is personally assigned and the assignment is not based on his capacity, he must execute the task himself and may not assign another person to do so.

Article 51

1. Upon completion of his assignment, the expert shall, pursuant to Article 77 of the Law, submit a dated and signed report including a brief summary of the assignment and the procedures of technical examination, inspection, and analyses conducted as well as his reasoned and accurate observations and findings.
2. In case of multiple experts having different opinions, they shall submit a single report which shall include the reasoned opinion of each expert.
3. The investigator may discuss the expert's report with him and summon him for this purpose if necessary.
4. An expert assigned by any of the parties may ask the investigator to grant him access to items, papers, and documents relating to the assigned task, or request a copy thereof, at the discretion of the investigator.
5. Experts' reports and attachments thereto shall be enclosed in the case file.

Article 52

1. Determination of the exigent circumstances referred to in Article 78 of the Law shall be at the investigator's discretion.
2. If the investigator rejects the objection referred to in Article 78 of the Law, an objection regarding the same expert shall not be granted again unless there are grounds supporting such objection.
3. The investigator's rejection of an objection to an expert shall not preclude his right to file such objection before the court when considering the case.

Chapter Three: Moving to the Scene, Inspection, Search, and Seizure of Items Related to the Crime

Article 53

1. In case of a serious crime, the investigator shall move to the crime scene, immediately upon being notified, to conduct the inspection even in the presence of doubts or disputes regarding his jurisdiction.
2. If the investigator is unable to move to the crime scene, in accordance with Article 79 of the Law, he shall notify the head of his department to take necessary action.

Article 54

1. The investigator shall personally inspect the crime scene and he may assign any of the preliminary criminal investigation officers to do the same, subject to the provisions governing assignment.
2. The investigator shall appoint forensic experts to search for evidence that may help in the investigation, such as footprints, fingerprints, or blood stains, as well as examining clothing and other items, collecting evidence relating to the crime, drawing sketches, and taking pictures of the crime scene as well as other tasks related to the work of forensic experts.
3. The investigator may, if necessary, repeat the inspection providing grounds therefor.

Article 55

1. The investigator shall, upon arriving to a crime scene, conduct a thorough and complete inspection thereof, establish the conditions of persons, items, and material evidence from the crime, and hear preliminary information on

how the crime was committed, time of its commission, and the identity of the perpetrator and witnesses.

2. The investigator may seal the crime scene or any other area containing evidence or items that may help reveal the truth.
3. The investigator shall seize all items relating to the crime in accordance with applicable procedures.

Article 56

The investigator may examine the parts of the victim's body affected by the crime, unless such parts are the genital area of an adult male or a minor, or the victim is a female. In such cases, the investigator shall assign an appropriate person to undertake the examination, as the case may be.

Article 57

If the investigator finds that there is a need to view some documents relating to the case located at a government agency, which cannot be moved, he shall view such documents at their location and he may obtain copies thereof upon the approval of the officer-in-charge.

Article 58

Seizure of funds and bank balances and inquiries thereon during the investigation stage shall be pursuant to a request submitted to the Saudi Arabian Monetary Authority by the head of the Bureau branch in the province or by an authority having the power to submit such request.

Article 59

Pursuant to Article 84 of the Law, the investigator may refrain from seizing correspondence exchanged between the accused and his agent or counsel nor

any papers or documents submitted to either of them by the accused, provided that they are related to the defense of the accused.

Chapter Four: Disposition of Seized Items

Article 60

If the items found during the investigation are subject to confiscation, the investigator may order their seizure.

Article 61

If seized items are unlawful or illegal or subject to confiscation, the investigator shall take necessary action for their destruction or confiscation, as the case may be.

Article 62

The investigator shall have the power to return seized items prior to filing the case before the court. If the case is filed, such power shall be vested with the head of the judicial circuit.

Article 63

1. The competent court provided for in Article 90 of the Law is the competent court stipulated in Article 88 of the Law.
2. In case of a dispute or doubt as to who has the right to receive seized items and the matter is referred to the competent court, pursuant to Article 90 of the Law, the court may decide thereon as it deems fit pursuant to Article 93 of the Law.

Article 64

Notifying the owners of seized items of their right to recover such items shall be in accordance with the notification provisions stipulated in the Law and the Regulations. If not feasible, such notification shall be carried out through a widely circulated local newspaper or through any other appropriate means of notification.

Article 65

1. The court provided for in Article 93 of the Law, within whose jurisdiction the investigation is conducted, is the competent court stipulated in Article 88 of the Law.
2. In case of a dispute or doubt as to who has the right to receive seized items and the matter is referred to the competent court and said court decides to refer the parties to litigation for lack of territorial jurisdiction, it shall refer the parties to the competent court having proper territorial jurisdiction.

Article 66

The agency in charge of seizure shall indicate in its seizure reports the items that are perishable and the items the storing of which is costly.

Chapter Five: Hearing of Witnesses

Article 67

1. Summoning of witnesses shall be carried out by any means the investigator deems appropriate.
2. If the witness does not speak Arabic or speaks a dialect that is hard to comprehend, the investigator shall seek the assistance of a trusted interpreter.

3. If the investigator finds the witness to be incompetent, he shall make a note to this effect, hear his statement, and record it in the investigation report.
4. If the investigator refuses to hear the witness's testimony, he shall make a note to this effect in the investigation report, providing grounds therefor.
5. The investigator shall ask the witness to provide information related to the investigation and he shall allow him to speak freely and without interruption unless he deflects from the subject matter of the investigation, and this shall be done without any form of coercion.
6. Upon completion of the testimony, the investigator may question the witness to verify the validity of his testimony and he shall not show any indication of doubt regarding his testimony. He shall also request clarification, as possible, from the witness regarding when, where, and how the crime was committed as well as the perpetrator and his motive.

Article 68

The investigator shall record in the investigation report the witness's testimony and answers to questions exactly as he utters them, and he shall, in addition to the information specified in Article 96 of the Law, record the names of the interpreter, if any, and the parties present as well as the place, day, date, and time the testimony was heard.

Article 69

1. The investigator may take whatever action he deems necessary to prevent attending witnesses from communicating with one another until he hears the testimony of each of them.
2. Confrontation, as specified in Article 98 of the Law, shall occur either by confronting the witnesses with each other or with the parties, or by the investigator informing each person of the other person's statements while they are present before the investigator. If each person insists on his

statement, the investigator shall make a note to this effect in the report. If a person retracts his statement, he shall be questioned regarding such retraction. The investigator shall record all the actions and statements of the confronted persons.

3. The investigator may conceal the identity of the witness and not confront him with the parties or other witnesses if he deems it to be in the interest of the investigation or the witness.

Article 70

1. The validity of the witness's excuse for not attending shall be subject to the investigator's discretion pursuant to Article 100 of the Law.
2. If the witness resides outside the investigator's territorial jurisdiction, the investigator may, pursuant to the provisions of the Law and these Regulations, assign another investigator to hear the witness's testimony indicating the facts of the case he needs information about. If the investigator deems it necessary to hear such testimony himself, he may do so subject to the approval of the head of the Bureau branch in the region or the President of the Bureau, as the case may be, and record the same in the investigation report.

Chapter Six: Interrogation and Confrontation

Article 71

1. The investigator may, if necessary, enter into a special report that the accused has retained counsel for the investigation stage.
2. If the investigation involves a corporate person, it shall be conducted with its legal representative.

3. Hearing the statement of the accused in domestic violence cases and investigation of such cases shall, when necessary, be in the presence of a psychologist or social worker.

Article 72

1. Upon interrogation of the accused, the investigation report shall state the investigator's name and position, name of the clerk, name of the interpreter, if any, the names of attending parties, the place, day, date, and time of drafting the report, and the charge brought against the accused. The investigator shall record the name of the person providing the statement and his particulars. The report's pages shall be numbered and clearly written without any stricken off, crossed, obliterated, inserted, or added words or phrases, or blank spaces. If it is necessary to add to the statement, the clerk shall indicate the same in the margins of the report. The report shall be signed by the investigator, the clerk, the person providing the statement, and the interpreter, if any. Investigation and interrogation proceedings may be videotaped or audiotaped.
2. The investigator shall verbally question the accused upon informing him of the charge brought against him. The investigator's questions shall be dictated to the clerk without any confusion or ambiguity. If the accused confesses, the confession shall be signed by the accused, the investigator, and the clerk. Then, the investigator shall question the accused in detail regarding the charge to ensure its consistency with the facts, and he shall establish the truthfulness of his statements and the existence of supporting evidence. The answers of the accused shall be recorded exactly as he utters them. If it appears to the investigator that the accused does not understand the question or if his answer is not relevant to the question, the investigator shall repeat the question and explain its meaning. If the accused insists on his answer, his answer shall be recorded along with the investigator's comment thereon,

provided that such comment is distinguished from the answers of the accused.

3. If the accused denies the charges brought against him, the investigator shall verify his statements and defenses, then he shall confront him with the evidence against him and discuss such evidence with him. If the investigation warrants re-interrogation of the accused, the investigator may do so without affecting the freedom of the accused to make his statements.
4. If the accused refuses to answer or sign, the investigator shall record such refusal along with grounds therefor. This shall not preclude the issuance of a detention warrant – if the investigator deems necessary – and continuing the investigation proceedings.
5. The investigator and clerk shall sign the bottom of each page of the report. The person providing the statement shall also sign the report after his statement is read to him.

Article 73

1. The investigator may, if he deems it necessary, interrogate the accused outside the premises of the agency conducting the investigation, in accordance with Article 102 of the Law, and he shall make a note to this effect in the investigation report.
2. The agency where the accused is detained shall transport him to the place of interrogation and it shall facilitate the investigator's task if he decides to conduct the interrogation at its location.

Article 74

1. The confession of the accused, provided for in Article 101(2) of the Law, shall be attested by a competent judicial circuit.

2. The confession of the accused at the time of attestation shall be recorded as well as any signs deemed by the circuit to have an effect on his competency. A note to this effect shall be recorded in the investigation report.

Chapter Seven: Summons and Arrest Warrants

Article 75

The person to be investigated shall, pursuant to Article 105 of the Law, be summoned at least 24 hours prior to the investigation date, except in exigent circumstances. The signature of the person receiving the summons shall be obtained. If he refuses to sign, a note to this effect shall be made in the original summons document. In all cases, the original summons document shall be returned to the investigator.

Article 76

Pursuant to Article 107 of the Law, the issuance of an arrest warrant shall not necessarily require the detention of the accused.

Article 77

1. If the investigator decides to detain the arrested accused due to the inability to interrogate him immediately upon arrest, in accordance with Article 109 of the Law, he shall issue an order to this effect and state the reason for such inability in the investigation report.
2. If the reason for the inability to interrogate the arrested accused is due to the investigator, the head of the department to which the investigator is affiliated may assign another investigator.

Article 78

The investigator, upon being notified of the objection of the accused to his transfer, in accordance with Article 111 of the Law, or of the inability to transfer him due to his health condition, shall immediately order his release or the continuance of his detention until he can move to the place of arrest for interrogation. The investigator may assign the investigator charged with such task upon the approval of the President of the Bureau or the head of the branch of the Bureau in the province, as the case may be, or order his transfer despite his objection.

Chapter Eight: Detention Warrants

Article 79

The detention warrant, issued pursuant to Article 113 of the Law, shall include the following:

- a) Full name, nationality, occupation, and place of residence of the person to be detained as well as the warrant's issuance date.
- b) Name and signature of the investigator and the official seal of the issuing agency.
- c) Type of crime attributed to the accused.
- d) Grounds for the detention warrant.
- e) Date of arresting the accused, if applicable.
- f) Detention period.
- g) Instructions to the warden of the detention center to place the accused under detention.

Article 80

1. The investigator shall keep a copy of the detention warrant in the case file.

2. The detention entity shall allow the person under provisional detention to challenge his detention pursuant to Article 115 of the Law, and shall submit such appeal to the competent authority.
3. The challenge shall be submitted to the head of the investigation department if the detention warrant is issued by the investigator, to the head of the branch if extension of the detention was issued by the head of the department, and to the President of the Bureau if the extension was issued by the head of the branch.

Article 81

The grounds for the arrest or detention of the accused shall be stated in a report and the signature of the accused shall be obtained indicating his knowledge of such grounds; if he refuses to sign, this shall be recorded in the report.

Article 82

1. In case of multiple orders by the investigator to hold the accused incommunicado, the total period of such orders may not exceed 60 days.
2. In case of an order by the investigator to hold the accused incommunicado, contact between the accused and his agent or attorney shall be with the knowledge of the investigator.

Chapter Nine: Provisional Release

Article 83

A provisional release order – as stipulated in Article 120 of the Law – shall be issued only in the absence of sufficient evidence against him in a serious crime.

Article 84

In case a provisional release order is issued by the investigator, the accused shall undertake to appear if requested to do so, and he shall designate a place to receive the necessary notifications – pursuant to the provisions of Article 121 of the Law – in the city where the court that has territorial jurisdiction over the investigation is located. This shall be recorded and kept in the case file.

Article 85

Without prejudice to the periods stipulated in Article 114 of the Law, issuance of a new arrest or detention warrant pursuant to Article 122 of the Law shall be in accordance with the procedures stipulated in the Law and its Regulations.

Article 86

1. In case the court decides to release the detainee – pursuant to Article 123 of the Law – it shall issue a decision to this effect. It may condition such release on any guarantees it deems fit. The prosecutor’s objection to the decision shall be in accordance with the objection provisions prior to the rendering of a decision in the subject matter.
2. If the court decides to detain the released accused – pursuant to Article 123 of the Law – it shall issue a reasoned, fixed-term detention order.
3. The court shall enter the decision of release, detention, or extension in the case record.
4. The release decision shall contain the name of the issuing circuit, case reference number and date, case referral number and date, full name of the accused, his nationality, and identification number, and the charges brought against him as well as reference to the grounds for issuing the decision with a note indicating that it is limited to the case for which it has been issued.

5. The court shall inform the Bureau of the release decision immediately upon its issuance.
6. The prosecution's objection to the release decision shall not stop its execution.

Chapter Ten: End of Investigation and Disposition of the Case

Article 87

1. Closure of the case, pursuant to Article 124 of the Law, shall be preceded by an investigation proceeding.
2. Notification of all heirs of a civil suit claimant of the closure order shall be made through delivery of a certified copy of the notification form to them at the civil suit claimant's place of residence prior to his death even if they have different places of residence.

Article 88

1. If the case involves seized items relating to the subject matter of the suit, the prosecution shall, if necessary, include in the indictment, prepared pursuant to Article 126 of the Law, any actions taken with regards to such seized items and his requests to the court with regards to such items.
2. If, after filing the case before the competent court, a need arises to conduct an additional investigation, the investigating entity shall carry out such investigation after informing the competent court of such need. It shall file a report to this effect to the court for inclusion in the case file.

Part Five: Courts

Chapter One: Criminal Jurisdiction

Article 89

1. If the court's territorial jurisdiction to hear the case has been determined according to the accused's place of imprisonment or detention, his release after the case has been filed before it shall not affect its jurisdiction to hear the case.
2. Subject to the provisions of paragraph (1) of this Article, the President of the Bureau or his designee may decide to commence a public criminal suit against the released accused at his place of residence or at the place where the crime was committed, as public interest may dictate. The court's jurisdiction shall be determined by filing the case before it.

Article 90

The court hearing the criminal suit shall decide all matters necessary for the rendering of a decision of the suit even if it lacks territorial or subject matter jurisdiction.

Article 91

1. Determining that a criminal suit depends on the outcomes of another criminal suit shall be left to the discretion of the court hearing the criminal suit.
2. If the court decides that staying a suit heard by it is determined depending on the outcome of another criminal suit, it shall notify the court hearing the other criminal suit of the same.

Chapter Two: Conflict of Jurisdiction

Article 92

If a court decides that it lacks jurisdiction to hear a lawsuit brought before it and that such lawsuit falls within the jurisdiction of another court, it shall issue a decision to that effect and refer the suit to the other court. If the other court decides that it lacks jurisdiction to hear the suit, it shall issue a decision to that effect and petition the Supreme Court to designate the competent court.

Article 93

If a suit is brought before two courts and both claim jurisdiction to hear it, each of them shall issue a decision to that effect and suspend hearing the suit, and the court where the suit was initially filed shall petition the Supreme Court to designate the competent court.

Part Six: Trial Proceedings

Chapter One: Summoning of Parties

Article 94

The judicial circuit hearing the suit may expedite the appearance date in a criminal suit and determine the grace period that the accused requests for preparing his defense.

Article 95

If the place of residence of the accused cannot be located after searching for him despite seeking the assistance of relevant agencies, to serve him to appear before the court, pursuant to Article 137 of the Law, the process server shall draft a

detailed report to this effect to be deposited along with the original service of process with the department of process servers at the court and it shall deliver a copy of such process together with the report to the relevant governorate, county, or center - as the case may be - upon obtaining its signature on the original process, subject to Article 20 of the Law of Civil Procedures.

Chapter Two: Appearance of Parties

Article 96

1. If an accused in a serious crime wishes to assign an attorney for his defense at the expense of the state, in accordance with Article 139 of the Law, he shall submit a written petition to this effect to the court before which the suit is filed. Such petition shall include his full name and identification number, suit file number and date, and charge brought against him, stating his income and its sources as well as his inability to hire an attorney and that the state has the right to recover any paid attorney fees if his ability to hire an attorney is established. Such petition shall be entered into the record and immediately referred to the judicial circuit hearing the case.
2. The circuit shall review the accused's petition to assign an attorney to defend him and it shall verify his inability to hire an attorney. To this end, it may conduct any investigations it deems necessary and all relevant agencies shall cooperate with it in this regard.
3. The circuit shall issue a decision to grant or deny the accused's petition to assign an attorney. Its decision shall be reasoned and final in both cases, and it shall be entered into the case minutes.
4. If the circuit denies the petition to assign an attorney, it shall notify the accused of such denial orally and proceed with the case against him without prejudice to his right to hire an attorney at his own expense.

5. The circuit's decision to assign an attorney shall not include the name of the attorney. The circuit shall inform the Ministry of the hearing date and petition it to name an attorney. If the attorney refuses such assignment, the Ministry shall assign another attorney.
6. If the attorney appears with the accused at the hearing session, his power of attorney shall be entered into the case minutes. If the accused refuses to give the power of attorney without providing a reason acceptable to the circuit, his right to assign an attorney shall be forfeited.

Article 97

1. The judicial circuit shall provide the assigned attorney with a letter for each hearing he attends in the defense of the accused for submission to the Ministry to pay his fees as agreed upon with the Ministry.
2. The assigned attorney may not receive any fees from the accused in return for defending him
3. The fees of assigned attorneys shall be paid by the state in accordance with procedures the Ministry establishes for this purpose.

Article 98

1. The cases where the accused is not permitted to assign an agent to represent him before the court, pursuant to Article 140 of the Law, are cases involving serious crimes.
2. If the plaintiff's claim and evidence are entered in the case minutes, and rendering a judgment is not possible due to the absence of the accused, the plaintiff shall be informed that he may continue the suit upon the appearance of the accused.
3. The decision to accept or reject the accused's excuse for failing to appear before the court at the set date shall be made by the judge hearing the case.

4. The detention warrant stipulated in Article 140 of the Law shall not be subject to the provisions of Article 117 of the Law.

Article 99

1. The court shall, upon rendering a judgment against the accused appearing before it, pursuant to Article 141 of the Law, state the names of the convicts appearing before it as well as the names of the accused who are absent, and shall indicate that it will continue to hear the case against the accused upon their appearance.
2. Resumption of the case against an absent accused upon his appearance shall be included in the same case minutes.

Chapter Three: Order at Court Sessions

Article 100

1. Any violation of the court order during a hearing session shall be recorded by the court in a report or in the case minutes.
2. The order to imprison any person violating court order in accordance with Article 142 of the Law shall be in writing and it shall be forwarded to the relevant authority for its execution.

Article 101

If the court decides to try any person who commits an offence against the court panel - while in session - or any of its members or employees, it shall record the same in the original case minutes. The judgment shall be issued in a separate decree and shall be governed by the provisions of the Law and its Regulations.

Article 102

If the court decides to hear a case – pursuant to Article 144 of the Law – the provisions of Article 101 of the Regulations shall be taken into consideration. However, if it decides to refer the claim to the Bureau or to another court having jurisdiction over the case, it shall draft a detailed report to this effect and attach it to the case file.

Chapter Four: Civil Right Suit

Article 103

If the public criminal action lapses prior to filing a civil suit for any of the reasons stated in Article 22 of the Law, such suit shall be filed before the competent court.

Article 104

The court hearing the criminal action shall appoint a guardian for an incompetent person who has no guardian or trustee and who has sustained injury as a result of a crime even if the court lacks territorial or subject matter jurisdiction to appoint a guardian, provided that the appointment of a guardian is limited to the suit being heard and that it is entered into its minutes without issuing a decree.

Article 105

The court shall, upon appointing a guardian for an incompetent accused pursuant to Article 149 of the Law, take into consideration the stipulations of Article 104 of the Regulations.

Article 106

1. The court hearing a criminal action shall prepare a record for each plaintiff in a civil suit including his name, place of residence, occupation, telephone number, any other means of communication, and any relevant information.
2. If the court receives a service of process for a claimant of a civil suit who has previously identified an address for service of process in the city where the court is located, it shall serve him at that address. If an address is not identified, the court shall deposit such service of process in a special record.

Chapter Five: Hearing Rules and Proceedings

Article 107

If a party submits his pleading in a written memorandum, its summary shall be entered into the case minutes and included in the case file. A reference to this effect shall be entered into the minutes unless the circuit deems it necessary to enter the entire text of the memorandum.

Article 108

1. The prosecution must attend court hearings relating to public right, pursuant to Article 156 of the Law, in the following crimes:
 - a) Crimes in which the sentence of death, stoning, or amputation is sought.
 - b) Crimes in which the court requests his presence.

In all cases, the provisions of Article 156 of the Law and this Article shall not prejudice the prosecution's right to attend court hearings relating to public right in other crimes.

2. The court shall inform the Bureau of the first hearing date in the cases provided for in paragraph (1) of this Article, and, after that, the prosecution shall follow up court hearing dates.

3. Implementation of the provisions of Article 156 of the Law shall be fulfilled by the attendance of any prosecutor assigned by the Bureau to attend court hearings even if the public criminal indictment was not prepared by him.

Article 109

If the court decides to remove the accused from the courtroom during trial, pursuant to Article 157 of the Law, this shall be entered into the case minutes along with the grounds therefor. If the accused is permitted to attend after his removal, this shall be entered into the minutes.

Article 110

The suit referred to in Article 158 of the Law is the public criminal action.

Article 111

1. The prosecution's request to amend the indictment, pursuant to Article 159 of the Law, shall be made by a follow-up memorandum or verbally during the court hearing.
2. The court shall determine the time necessary for the accused to prepare his defense relating to the prosecution's amendment of the indictment.

Article 112

1. If the accused does not understand the Arabic language, the indictment shall be read to him during the court hearing in his language.
2. It shall be indicated in the case minutes that the accused has received a copy of the indictment.

Article 113

1. If the accused provides an inappropriate answer, upon being questioned about the charges brought against him, pursuant to Article 160 of Law, he

shall be treated as if he has abstained from answering in accordance with Article 162 of the Law.

2. In the cross-examination of witnesses by the parties, pursuant to Article 162 of the Law, the provisions of Article 168 of the Law shall be taken into consideration.

Article 114

Any requests made by the litigants, pursuant to Article 163 of the Law, shall be entered into the case minutes. If the court denies such a request, an entry to this effect as well as grounds for denial shall be entered into the minutes.

Article 115

The summoning of a witness, pursuant to Article 164 of the Law, in a public criminal lawsuit shall be made by the prosecution if his testimony is relevant. The court may, at its discretion, summon the witness in any manner it deems fit.

Article 116

1. If the witness fails to appear at the specified date and place without an excuse acceptable to the court, it shall summon him to appear in the manner it deems fit and without causing him any harm.
2. If the witness is a public employee and giving testimony is part of his job, and he fails to appear before the court to give his testimony, the court may request his employer to compel his attendance and hold him accountable according to the law.

Article 117

When punishing a witness for providing statements he knows to be untrue, pursuant to Article 166 of the Law, the provisions of Article 144 of the Law and Article 102 of the Regulations shall be taken into consideration.

Article 118

1. If the court deems the testimony is irrelevant in the cases provided for in Article 167 of the Law, a note to this effect and grounds therefor shall be entered into the case minutes.
2. The court shall, if necessary, request a medical report on the condition of the witness.

Article 119

Any person who attempts to intimidate a witness or disrupt his testimony shall be subject to Article 142 of the Law and Article 100 of the Regulations.

Article 120

If it is necessary to move to the location where the crime is committed or any other location to conduct an inspection, hear a testimony, or verify any matter, this shall be recorded in a report signed by the judicial circuit, or its designee, the clerk, the person conducting the inspection, attending witnesses, parties to the suit, and experts. The same shall be entered into the case minutes, and the original shall be included in the case file.

Article 121

1. Any order issued by the court, pursuant to Article 170 of the Law, together with the grounds therefor, shall be entered into the case minutes and an official letter shall be issued to this effect.
2. The official letter issued by the court for the seizure of any item related to the case shall name the agency that the court deems fit to conduct the seizure.
3. The court may keep the seized items referred to in Article 170 of the Law in its possession or in the possession of any relevant agency.

4. If the court decides to keep any document or any other item submitted to it during trial, it shall provide a receipt to the person submitting such item upon his request.
5. Seizure and release of items, pursuant to Article 170 of the Law, shall be carried out in accordance with the relevant provisions stipulated in the Law and the Regulations.

Article 122

If a court hearing a case determines that it needs the testimony of an expert, a statement from a specialized entity, etc., it shall send a request to the expert or entity accompanied by copies of any necessary documents.

Article 123

1. The parties shall submit to the competent judicial circuit or the court any documents they wish to include in the case file, provided that such documents are dated and signed.
2. If the prosecutor, during the trial, becomes aware of any negating evidence, he shall promptly inform the circuit in writing.

Article 124

If a civil suit claimant fails to claim his right before the court hearing the criminal action, or if he files a claim and fails to appear, this shall not preclude the court from hearing the case and deciding on the prosecution's motions.

Chapter Six: Forgery as a Subsidiary Action

Article 125

The claim that any of the case's evidence is forged shall be made verbally during the hearing, or in writing, and it shall be entered into the case minutes.

Article 126

1. If the court decides to stay a case it is hearing, pursuant to Article 176 of the Law, this shall be entered into the case minutes along with reasons therefor.
2. If the court decides to refer the documents subject of the forgery claim to the authority in charge of investigation in such claim, such documents shall be sealed and sent to said authority.
3. If the court decides not to proceed in the forgery investigation or if deciding the case does not depend on the contested document, it shall provide reasons therefor in the case minutes. Any challenge to the court's decision shall be made together with the challenge against the judgment in the case.
4. The subsidiary forgery action shall be heard by the court hearing the suit. If such court lacks jurisdiction to hear forgery cases, it shall refer it to the competent court.

Article 127

The report made regarding the court decision establishing the forgery of an official document, wholly or partially, pursuant to Article 178 of the Law, shall be included in the case minutes.

Chapter Seven: Judgment

Article 128

If the judge fails to reach a decision in a case because the judgment is against his knowledge, he shall enter this into the case minutes and inform his immediate superior to take necessary action.

Article 129

1. If the court decides to postpone making a decision on motions made by the civil suit claimant, or the accused, pursuant to Article 180 of the Law, this decision, along with the grounds therefor, shall be included in the judgment issued in the case.
2. If the court resumes hearing the motions of the civil suit claimant or the accused which it had previously postponed rendering a judgment thereon, such hearing shall be entered into the case minutes and a separate decree shall be issued to this effect.
3. If the judgment issued in the criminal action includes a decision regarding the motions made by the civil suit claimant or the accused, the court shall indicate in the judgment the parts relating to the criminal action and those relating to the motions made by the civil suit claimant or the accused.

Article 130

1. The judgment shall be drafted prior to pronouncement thereof. It shall contain the case number, date, texts of the judgment and grounds therefor, and the names of the judges participating in its issuance as well as their dated signatures.

2. If any of the judges hearing the case fails to attend the judgment pronouncement session, this shall be entered into the case minutes together with a statement that he has signed the judgment draft.
3. The condition that requires the appearance of an accused in the judgment pronouncement session, in other than cases involving serious crimes, shall be fulfilled if the agent or council of the accused attends the same, unless the court orders the appearance of the accused in person.
4. The court shall include the characterization of the crime in the judgment issued in the case prior to sentencing.
5. The judgment shall be pronounced after being signed by its issuer, whether the signature is made in the draft judgment or in the case minutes.
6. The decree shall be brief and it shall include what was referred to in Article 181(2) of the Law, removing additions and repetitions irrelevant to the judgment.
7. If the case minutes are in an electronic format, the case number shall serve as the case minutes number.

Article 131

1. The certified copy referred to in Article 182 of the Law shall be the copy of the judgment sealed and certified as a true copy or the copy signed by the head of the judicial circuit, or his designee, indicating that it is a true copy.
2. The delivery time of the certified copy of the judgment shall be in accordance with Article 193 of the Law.
3. The final judgment shall be deemed officially notified if it is rendered by the court in writing and received by the person that the court wishes to notify.
4. The court shall notify the Bureau of the final judgments rendered in public criminal actions, unless the court decides otherwise.
5. The provisions of this Article shall not prejudice the rights of civil suit claimants or convicted persons to know that the judgment is final.

Article 132

1. The court's decision on the parties' claims in relation to the items seized, pursuant to Article 183 of the Law, shall be entered into the case minutes.
2. The court's decision to refer the dispute in relation to seized items to the competent court shall be entered into the case minutes along with the grounds therefor.

Article 133

1. The agency in charge of seizure shall indicate in the reports of seized items any perishable items or items the storage of which is costly.
2. If the judgment to dispose of seized items is subject to expedited execution pursuant to Article 184 of the Law, the court shall include such decision in the judgment.
3. If seized items are subject of a dispute and the court decides to execute the judgment issued regarding the disposal of said items prior to the judgment of the suit becoming final, the agency in charge of delivering said items shall prepare minutes containing the description of the seized items and an assessment of their value.
4. If seized items are in the custody of the court, it shall order their expedited delivery. However, if said items are in the custody of another agency, the court shall order such agency in writing to expedite their delivery, and said agency shall comply with such order. The undertaking referred to in Article 184 of the Law shall be obtained. The decision on whether to impose bail or not shall be subject to the court's discretion.

Article 134

If the court decides to expropriate real property and place it under its disposal, in accordance with Article 185 of the Law, it shall issue an order to this effect and enter it into the case minutes, and it shall notify the executing agency in writing.

Article 135

1. The criminal action provided for in Article 186 of the Law is a public criminal action.
2. Subject to Article 186 of the Law, a copy of the previous judgment shall be deemed certified if sealed with the court's official seal, and a court attestation regarding the previous judgment shall be in writing and it shall carry the official seal of the court.

Article 136

1. In the absence of the majority required for rendering a judgment, pursuant to Article 8 of the Law, the provisions of Article 162 of the Law of Civil Procedure shall apply.
2. If a judge is assigned to complete the quorum of the circuit hearing the case, its minutes shall be read to him prior to participating in the deliberations.

Chapter Eight: Invalidity

Article 137

The court composition stipulated in Article 188 of the Law shall mean the number of judges required for hearing the case filed in accordance with Article 20 of the Law of the Judiciary.

Article 138

1. The judgment to dismiss a case due to a fundamental flaw that cannot be rectified, pursuant to Article 191 of the Law, shall be entered into the case minutes and a decree to this effect shall be issued and shall be subject to objection in accordance with the Law and the Regulations.
2. If a decision to dismiss the case is issued and the claimant rectifies his claim, it shall be heard by the same judicial circuit that had previously heard it and it shall be entered into the same case minutes.

Part Seven: Objection to Judgments

Chapter One: Appeal

Article 139

1. It shall be entered into the case minutes that the parties to the suit were informed of their right to object to the judgment, the specified period for filing such objection, and that the judgment will become final upon the lapse of such period if no objection is filed, unless the judgment is subject to review.
2. Without prejudice to the provisions of Article 177 of the Law of Civil Procedures, the public prosecution or the civil suit claimant shall have the right to object if their claim involves the imposition of ta'zir [discretionary penalty] against the accused.

Article 140

The withdrawal of an objection to a judgment shall not affect the period specified for filing an objection nor the objector's right thereto unless such period lapses.

Article 141

1. If the judgment is not subject to review and no objection is filed within the specified period, the right to appeal or review shall be deemed forfeited and the judgment shall become final. The competent circuit shall enter this in the case minutes, and the judgment decree and record.
2. If the judgment is subject to review and no objection is filed within the specified period, the right to file an objection shall be deemed forfeited and the competent circuit shall enter this in the case minutes, and the judgment decree and record.

Article 142

1. An objection to a judgment may not be considered unless filed by a memorandum as specified in Article 195(1) of the Law. The memorandum shall be sent by the public prosecution in an official letter and deposited with the court that rendered the judgment within the prescribed period for objection.
2. More than one memorandum of objection may be filed against the same judgment with the court that rendered said judgment, provided that it is filed within the period specified for objection and prior to referring the case to the court of appeals.

Article 143

The circuit rendering the judgment subject of the objection shall make a note in the case minutes indicating that it has reviewed the objection memorandum.

Article 144

The court of appeals shall make a note of its final judgments and decisions on the judgments rendered by the courts of first instance, and it shall notify such courts of the same for entry into the case minutes and decree record.

Chapter Two: Reversal and Reconsideration

Article 145

1. A decision upholding or reversing a judgment by the competent circuit at the Supreme Court shall be made unanimously or by a majority vote.
2. If the case is remanded to the court after reversal by the Supreme Court, and the court has no competent circuit other than the one that previously decided the case, the case shall be remanded to the nearest competent court in the region without prejudice to any relevant directives issued by the Council.

Article 146

The Supreme Court shall hear matters related to the sentences of death, stoning, amputation, or *qisas* in cases requiring capital punishment or less through circuits composed of five judges.

Article 147

If the Supreme Court reverses a sentence of death, stoning, amputation, or *qisas* in cases requiring capital punishment or less, and a new judgment is rendered and referred to the Supreme Court, it shall be heard by the same circuit that previously heard it.

Article 148

If the Supreme Court reverses a sentence for the second time, pursuant to Article 202 of the Law, the circuit hearing the objection shall determine whether the matter is ripe for judgment.

Article 149

1. Any litigant may file a petition for the reconsideration of a final judgment imposing a penalty even after its execution, or upon granting a pardon or reconciliation, or the death of the convict.
2. The contradiction provided for in Article 204(2) of the Law shall be considered if both judgments are final.

Article 150

If a stay of execution order is issued, pursuant to Article 206 of the Law, it shall be entered into the case minutes and immediately communicated in writing to the execution agency.

Part Eight: Enforceable Judgments and Execution Procedures and Conditions

Article 151

If a judgment is rendered in a suit that includes a public right and a civil right and such judgment becomes final in respect of either of them and not the other, or a judgment is rendered in a case and becomes final in respect of certain parts of it, a certified copy of the judgment shall be referred to the execution agency to execute the judgment or the part thereof that has become final.

Article 152

The court shall notify the detention department in writing of the text of the judgment rendered in the cases provided for in Article 213 of the Law to immediately release the detained accused.

Article 153

1. If a judgment provides for a stay of execution of a discretionary imprisonment sentence relating to a public right and the convict commits a crime during the period referred to in Article 214(2) of the Law and is convicted in the public right and sentenced to imprisonment, and the judicial circuit revokes the stay of execution of the first penalty and orders its execution, the execution of the last imprisonment sentence shall commence following the end of the first imprisonment sentence.
2. The petition to revoke a stay of execution of a sentence and the execution of the same shall be filed with the circuit rendering the judgment subject of the stay of execution.
3. The judicial circuit may provide in its judgment for a stay of execution of part of the discretionary imprisonment sentence relating to a public right as it deems to best serve the public interest.

Article 154

With the exception of criminal judgments, the execution of which requires an order by the King or his designee, the execution of criminal judgments shall be pursuant to an order by the governor of the province.

Article 155

1. The governor of the province shall designate the person executing the sentences of death, amputation, stoning, flogging, or *qisas* in cases requiring capital punishment or less.
2. The person designated to execute the sentences provided for in paragraph (1) of this Article shall be known for his fairness and competence and shall not be a member of the prison staff, nor a relative of the person subject of the execution up to the fourth degree, nor have enmity towards him.

Article 156

1. A committee shall be formed in each city or county comprising representatives of the province governor, the court, the General Presidency for the Promotion of Virtue and the Prevention of Vice, and the police to witness the execution of sentences of death, amputation, stoning, flogging, or *qisas* in cases requiring capital punishment or less. The governor of the province shall designate the head of such committee and he may, if necessary, form other committees.
2. Each of the entities referred to in paragraph (1) of this Article shall name its representative in the abovementioned committee, provided that said representative is knowledgeable of the manner of execution of said penalties.
3. In addition to the members of said committee, a member of the Bureau and a physician shall attend the execution of sentences of death, amputation, stoning, or *qisas* in cases requiring capital punishment or less.

Article 157

1. A physician shall conduct a medical examination to check the health condition of the convict prior to the execution of sentences of death, amputation, stoning, , flogging, or *qisas* in cases requiring capital punishment

or less. If the convict is male, execution of sentences of death, stoning, or *qisas* in cases requiring capital punishment shall be carried out without a medical examination.

2. If the medical examination establishes that harm exceeding the normal effects of the sentence would be inflicted upon the convict as a result of executing the sentence, the attending physician shall submit a detailed report to the executing agency that includes a detailed description of the case, whether it is temporary or permanent, his recommendation on the need for postponement of the execution and period thereof, or mitigation or non-execution of the sentence or part thereof, for referral to the court which rendered the judgment to decide whether or not such judgment needs to be amended. Any amendment shall be subject to the provisions of objection stipulated in the Law and the Regulations.
3. If the medical examination establishes that the convict is pregnant, puerperant, or nursing, the execution of the sentences of death, amputation, stoning, flogging, or *qisas* in cases requiring capital punishment or less shall be postponed until she gives birth and her puerperal or nursing period ends.

Article 158

Probation of the will of a person sentenced to death or stoning shall be undertaken by the family court. It may assign one of its judges to meet with the convicted person for the purpose.

Article 159

1. The governor of the province shall assign law enforcement agencies to take necessary measures to maintain the security of the location in which the sentence is executed, the sentenced person, the personnel in charge of carrying out the execution, and attending public, and to prevent chaos or impediment of execution.

2. If the judgment designates a location for execution and it appears that execution at such location involves risks, the matter shall be brought before the same court which rendered the judgment to decide on another location that serves the purpose.
3. Only competent entities may take photographs during sentence execution.

Article 160

1. The convicted person shall be brought to the sentence execution location without the use of violence or any psychological or physical harm.
2. The execution committee shall verify the identity of the sentenced person prior to carrying out the execution through available official documents. As for sentences of death, amputation, stoning, or *qisas* in cases requiring capital punishment or less, the identity of the sentenced person shall be verified through fingerprints or any other identification method.
3. A statement describing the crime, text of the judgment, and execution order must be read out loud upon executing the crime.

Article 161

1. If the sentence involves *qisas* in cases requiring capital punishment or less, the executing agency shall inform in writing the person who has right to *qisas*, as the case may be, of the date and place of execution. Execution shall only be carried out in his presence or the presence of his designee.
2. *Qisas* as a capital punishment shall be carried out by the person assigned for this purpose unless the judgment provides otherwise in compliance with the provisions of Sharia.

Article 162

In the execution of sentences of death, amputation, stoning, or *qisas* in cases requiring capital punishment or less against more than one person, the sentenced

persons shall be admitted separately to the execution location, and the execution of the sentence of each person may not be witnessed by other sentenced persons.

Article 163

1. Death sentences shall be carried out with the tool provided for in the judgment. If the judgment does not provide for a tool, execution shall be carried out using any tool that ensures the least suffrage.
2. The person subject to a death or stoning sentence shall not be removed from the location of execution except after his death is established based on a report by the attending physician.
3. The competent agency shall, after the execution of death or stoning sentences, carry out the burial of the dead person.

Article 164

1. Anesthetics may be used in sentences of amputation and *qisas* in cases not requiring capital punishment, provided that the written consent of the holder of the right to *qisas* is obtained.
2. The attending physician shall, after executing the sentences of amputation and *qisas* in cases not requiring capital punishment, treat any bleeding or wounds.
3. An organ amputated in a *hadd* penalty may not be reattached; it shall be buried by the competent agency. However, the amputated organ in a *qisas* penalty may be reattached subject to the written consent of the holder of the right to *qisas*.

Article 165

1. The holder of the civil right shall be notified of the date and location of the sentence of flogging.

2. The name of the person subject to a flogging sentence may not be announced unless the sentence provides for such announcement.
3. The clothes of the person subject to a flogging sentence may not be removed; he shall be wearing clothing that covers his body and does not prevent him from feeling the pain.
4. The person subject to a *hadd* sentence involving adultery or drunkenness may not be tied or held while executing the penalty if the *hadd* penalty is based on his admission. If he recants his admission or flees, the execution proceedings shall be ceased. The matter shall be brought before the court issuing the sentence to take necessary action.
5. A man shall be flogged while he is standing and a woman while she is seated with her clothes tied to her body, in a manner that ensures covering her body without hindering her movement.
6. Flogging shall be executed by a bamboo stick or lash – but not a new lash that causes wounds or a worn-out one that does not cause pain – in a way that fulfills the desired purpose, which is deterrence and the infliction of pain. The flogging of a fasting convicted person shall be carried out at night.
7. Lashes shall be distributed over the entire body of the sentenced person, save for the face, head, private parts, bones, and areas that may cause death.
8. If the Bureau member supervising the execution or the majority of the execution committee members witnessing such execution determine that the lashes are either too weak or too strong, the execution shall cease and the person carrying out the flogging shall be instructed on how to properly perform the task, or assign such task to somebody else, taking into account the number of lashes already carried out. Any member who has a remark shall include such remark in the execution report and report it to his respective agency.

Article 166

If the prisoner completes the imprisonment sentence prior to the fulfillment of the discretionary flogging punishment, he shall be released and then flogged as provided for in the judgment. If a request has been made to accelerate the execution of the flogging prior to the date stipulated in the judgment, the issuing court's opinion shall be obtained in this regard.

Article 167

1. If the judgment does not designate an exile location, the sentenced person shall be exiled to a city other than the city in which he resides, provided that the distance between both cities is not less than 80 kilometers.
2. The exile location designated in the judgment may not be replaced with another location except with the permission of the court that rendered the judgment.
3. The exile period shall be calculated according to the Hijri calendar and it shall commence on the day the sentenced person is transferred to the exile location. If the exiled person returns before the end of the exile period, he shall be returned to the exile location and the period he spent in the exile location shall be counted towards his sentence.
4. If the person sentenced to exile is a woman who has no *mahram* (a first-degree male relative) who is willing or able to accompany her, a report to this effect shall be submitted to the court rendering the judgment to decide on the matter. If the court decides to amend the judgment, such amendment shall be subject to the objection provisions provided for in the Law and Regulations.
5. Agencies in charge of executing the exile punishment may resort to all the means necessary to ensure the exiled person remains at the exile location throughout the exile period.

Article 168

1. Upon execution of punishment, a report to this effect shall be drafted and it shall contain the following:
 - a) number, date, and text of the judgment;
 - b) number and date of the execution order;
 - c) name and personal information of the sentenced person;
 - d) location, time, and date of execution;
 - e) a note indicating execution of the sentence, wholly or partially; and
 - f) names, signatures, and remarks relating to the execution, if any, of the members of the committee witnessing the execution as well as the member of the Bureau overseeing the execution, the attending physician, if any, and the officer in charge of the execution.
2. The head of the committee witnessing the execution shall submit the original of the report to the governor and provide the committee members and the Bureau member with copies thereof.

Article 169

Upon execution of the judgment, the judgment decree shall be sent to the court in order for the judicial circuit rendering the judgment to make a notation thereon indicating execution of the judgment. The court shall return the judgment decree to the forwarding agency to be included in the case file.

Article 170

Rules and instructions relating to the execution of criminal judgments shall apply to cases where no relevant provisions are provided for in the Law or Regulations.

Article 171

The provisions provided for in this Part shall not prejudice the Bureau's powers to oversee the execution of criminal judgments pursuant to the Law of the Bureau of Investigation and Public Prosecution.

Part Nine: General and Final Provisions

Article 172

The orders provided for in Article 14 of the Law are the orders issued by the various judicial bodies and the Bureau.

Article 173

The term *serious crimes* as used in the Law shall mean crimes mandating detention as provided for in Article 112 of the Law.

Article 174

1. If a case is filed to a court by mistake, the provisions of Article 5 of the Law shall not preclude referring it to the competent court or agency.
2. A competent agency may access or obtain copies of documents submitted to the court upon the court's permission and under its supervision.
3. If a general pardon is granted while the court is reviewing a suit covered by such pardon, it shall take the necessary measures in accordance with relevant provisions.

Article 175

If a non-Saudi person is detained for being charged with committing a serious crime, the Ministry of Foreign Affairs shall be notified to consider informing the diplomatic mission of the country of such person.

Article 176

Searching foreign embassies and international agencies and organizations with consular and diplomatic immunity shall be subject to relevant laws and rules as well as international customs and agreements.

Article 177

1. If a literate person whose statement is to be heard is mute, he shall provide his statement in writing. A literate deaf person, shall be provided with questions in writing. If such persons are illiterate, their statements shall be provided through an expert.
2. The fingerprint of an illiterate person shall serve as his signature where a signature is required.

Article 178

The service of a person shall be deemed valid if he is served through the address approved by the competent agency or through any other legal alternative, unless a relevant provision is provided.

Article 179

1. Ministers, persons holding the rank of minister, former ministers or person who previously held the rank of minister may not be arrested, detained, investigated, or subjected to criminal action without the King's permission, unless in a case of flagrante delicto; in which case, they may be held in custody provided that the Minister of Interior or President of State Security, as the case may be, brings the matter before the King within 24 hours from the time they are held in custody.
2. The request of permission to file a public criminal action against any of the persons provided for in paragraph (1) of this Article shall be submitted by the

Bureau. However, in a private criminal action, the request shall be submitted by the civil suit claimant.

3. Facts that are not covered by the King's permission may not be considered.
4. The persons provided for in paragraph (1) of this Article shall be detained or held in separate locations.

Article 180

Criminal procedure relating to segments covered by special laws or international conventions shall be taken into consideration.

Article 181

These Regulations shall be published in the Official Gazette and they shall enter into force 30 days after the publication thereof.