



Human Resources and  
Social Development

# Executive Regulation of the Law of Protection from Abuse

## (Article 1)

The following terms – wherever mentioned in this Regulation – shall have the meanings assigned thereto, unless the context requires otherwise:

**Ministry:** Ministry of Human Resources and Social Development

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**Law:** Law of Protection from Abuse.

**Regulation:** Executive Regulation of the Law of Protection from Abuse.

**Physical Abuse:** Every intentional act carried out through the use of physical force, or any act that results in physical injury or bodily harm, such as beating, wounding, punching, biting, burning, throwing incendiary, caustic, or disfiguring materials, or any similar act whose purpose is to inflict a certain degree of pain or harm, regardless of how mild their intensity may be.

**Sexual Abuse:** Any act or saying that exposes a person to unlawful sexual exploitation by any means, even if only once, including exposing the victim to pornographic or immoral materials or sexual behavior.

**Psychological Abuse:** Any act or abstention from action that leads to psychological harm, resulting in psychological, emotional, or mental pain, such as intimidation, threats, exploitation, humiliation, insults, isolation from family and friends, mockery, intimidation, unreasonable demands, or arbitrary deprivation of rights and freedoms, along with all forms of interaction that always involve harm.

**Exploitation:** Taking advantage of a person's nature, ignorance, or inability to gain a right or make an unfair profit.

**Dependency:** Financial support of one person to another because of family relationship, and looking after his affairs.

**Negligence:** Any act or abstention from action, that in itself leads to direct, or indirect harm to the victim.

**Living dependency:** A situation in which a person is dependent on another person, for his livelihood and basic needs.

**Basic needs of a person:** Minimum fundamental requirements for a Person's life necessary, to fulfil his basic material and psychological needs.

**Power:** A legitimate or regulatory relationship, through which a person has the right to impose their will on another person, based on their powers of guidance or familial supervision.

**Family relationship:** A social moral bond between people based on a family basis between husband and wife, children, grandparents, and grandchildren, and includes relatives by blood or by marriage.

**Sponsorship:** Person securing some or all basic needs of another person, tied to him with family relationship. This includes cases sponsored by foster families, and the third sector supervised by the Ministry.

**Responsibility:** A situation in which a person is legally or legitimately responsible for the consequences of the actions of another person, based on the family relationship.

**Competent Authorities:** Relevant authorities from the governmental sector, private sector, and the third sector.

**Social Protection Homes:** Homes designated to provide shelter for victims of domestic violence, whether affiliated with the Ministry, or the third sector supervised by the Ministry.

**Multidisciplinary Team:** Multidisciplinary Team: A team working at the protection center and social protection home, consists of a minimum of specialists in the following specialties: (Social - Psychological - Health - Legal).

**Protection Centers:** Administrative and field centers for processing reports of protection from abuse, and providing an integrated service to victims and aggressors.

**Reports Center:** A center for receiving domestic violence reports about cases of abuse, across the Kingdom.

**Personal property:** Any movable property owned by a person inside the home, whether money, identification papers, or personal needs that are necessary for daily life.

**index for measuring the severity of the report:** The severity of the report is classified into (low, medium, critical), and the measurement index is determined based on the report prepared by the Reports Center.

**Guardianship:** Power that allows others to supervise the minor, represent him, and take care of everything related to his money.

## (Article 2)

To fulfill the objectives set forth by the law, the Ministry shall:

1. Conduct social and psychological research for abused cases, engage the case in rehabilitation programs, and empower in a manner that guarantees assist the case to settle down, and adapt to their family or social conditions.
2. Follow up and supervise social protection homes, to ensures satisfactory protection for the abused cases , and develop empowering programs in preparation for returning the cases to their famililes.
3. Coordinate with the competent authorities to ensure the provision of shelter, assistance, and moral, psychological, social, health, and security services to the case that has been subjected to abuse.
4. In order to reduce abuse, the Ministry shall propose appropriate preventive measures to protect against abuse, and spreads awareness among members of society about the concept of abuse, and its effects, in cooperation with the competent authorities.
5. Coordinate with the competent authorities to establish mechanisms and procedures, for dealing with common cases.

## (Article 3)

1. Any person proven to be aware of a case of abuse, and did not report it, shall bear full liability to the competent authorities.
2. Every employee - dealing with members of society - becomes aware of a case of abuse by virtue of his work, is obligated to report it immediately to his employer.
3. All entities are obligated to inform the Ministry of any case of abuse, upon becoming aware of them or upon receiving a report about them. However, if the abuse case requires urgent intervention, the entity must notify the security authorities.
4. In the event that an employee reports a case of abuse, the workplace shall be liable for the consequences of reluctance or failure to report the case in the appropriate time. Such liability extends to the natural persons, representing the named employer at the time of occurrence of abuse. Being no longer its representatives at the time of accountability for any reason whatsoever - shall not negate or mitigate their liability.

#### **(Article 4)**

1. The Domestic Violence Report Center shall receive reports from all regions of the Kingdom about cases of abuse, whether from individuals or relevant parties. It shall also document the report after confirming the identity of the person reporting it if possible, list its attachments if any, and follow up the report with the Protection Center.
2. The Domestic Violence Report Center shall refer the report to the Protection Center affiliated with the area where the reported case is located, so that it directly assumes its duties regarding the report and follows up on it according to the instructions.

#### **(Article 5)**

1. In all cases, the identity of the person reporting the case of abuse must be kept confidential, and not disclosed except when needed, and after obtaining his written consent.  
The following cases shall be excluded:
  - a. If treating a case of abuse requires the necessity of disclosing the identity of the informant for substantial reasons. However, the center shall assess this through a multidisciplinary team, provided that this is within the strictest limits.
  - b. A reasoned official request from the entity is received. Provided that the entity to which the disclosure is made is committed to maintaining the confidentiality of the informant identity and shall not compromise in its disclosure. Anyone who violates this provision shall be held liable.
2. Anyone who has access - by virtue of his work - to information related to the reports is obligated to maintain the confidentiality of the information he has access to, and shall not compromise in its disclosure.

#### **(Article 6)**

1. Any person who reports a case of abuse is considered a bona fide individual, unless proven otherwise.
2. In the event of repeated receipt of incorrect reports, the Protection Center will refer the report to the security authorities for submission to the Public Prosecution to take the necessary legal measures. The aggrieved person may file a complaint with the competent court and demand compensation.

#### **(Article 7)**

After receiving the report of abuse, protection center shall undertake the following actions:

1. Deal Immediately with the report by communicating with the case, conducting a medical evaluation, in accordance with the mental health care law, and taking all necessary and appropriate measures to deal with the case.
2. In the case of abuse with a low severity classification, according to the severity index, the Family Protection Center may keep the case with his/her family, or in his/her home, while taking the necessary legal pledge from the abuser that ensures he/she refrains from inflicting any kind of abuse on the case, and his/her commitment to giving the case all legitimate rights, carry out all responsibilities and duties towards him/her, and bear full responsibility in the event of violating this. The Victim will be enabled to communicate with the Protection Center, and the Center's specialists will also be enabled to contact him/her, and visit anytime to follow up the case whenever needed.
3. Providing family and social guidance, including those around the case, who need care through referral to the relevant entities according to the type of care required. In the event that that this entity rejects the case, the Ministry shall notify the governor.
4. If the Protection Center deems that the interest of the case requires only treating the case by providing psychological, family, and social guidance and counseling, or reconciliation between the parties to the case, then the Center must ensure that this procedure will not result in more severe harm to the case by, adopting the necessary means to maintain the case's safety. In the event of reconciliation, this must be documented via the Ministry of Justice's reconciliation platform.
5. Subjecting the necessary parties to the case to psychological treatment or rehabilitation programs, that are appropriate for each case. If the case does not respond, the matter shall be referred to the governor to take the necessary action.
6. Enable the person who has been subjected to abuse, or his/her representative, to enter his/her residence, obtain his/her identification papers, and take his/her personal property, in the presence of the security authorities.

**(Article 8)**

1. A case of abuse is considered critical if it results in physical harm that requires immediate intervention to stop it, or if the critical act of abuse is proven by a medical report. A case of abuse is also considered critical if the act of abuse results in the fear that the case will be exposed to significant or continuing harm to his/her life, safety, or health caused by the abuser. In these cases the governor and the security authorities must be informed of the situation.
2. If the abuser refuses to report to the Protection Center's headquarters, or refuses to respond to any of the instructions issued by it, the Protection Center requests the security authorities to refer it to the Public Prosecution to take the necessary legal measures against him, in accordance with the Code of Criminal Procedure, until the examination of the complaint filed against him is completed. This procedure shall be applied to all those who do not comply with or respond to the center's instructions, from persons related to the case of abuse.
3. The abused case shall be sheltered or hosted according to the following conditions:
  - a. A woman, regardless of her age, and a child who is under eighteen years of age.
  - b. Any case that was subjected to abuse or neglect stipulated in the law and its executive regulation, and could not be hosted by his/her relatives, or by a foster family.
4. The Sheltering period is three days and may be extended with the approval of the General Director of the Ministry competent department for a period not to exceed two months. If the case requires a longer period of treatment, sheltering can be extended for another period, with the approval of the competent agency.
5. Upon approval to house or receive the case, the Protection Center shall carry out the following procedures.
  - a. Conduct the necessary medical evaluation of the abused case, and if not possible in a timely manner, the victim shall be temporarily hosted in one of designated protection homes until medical evaluation is done and the case safety is ascertained.
  - b. If the case suffers from a chronic psychological illness, it is referred to one of the psychiatric hospitals or centers for treatment. The issue shall be directly referred to the governor, if treatment of said case was declined by the hospital.
  - c. The case must be notified that the accommodation will be temporary until the problem is resolved, and suitable alternatives are searched for, whether with regard to housing or returning again to the family, after taking the necessary measures to provide safety and security. If the case is employed, he/she will be enabled to continue work during the hosting or sheltering period. In all cases, the case shall not be prevented from communicating with his/her family, under the supervision and follow-up of the center.
6. The sheltered cases shall be allowed to leave and return to the sheltering house, provided that this does not harm her/his situation, in order to continue her/his studies, or to practice her/his work in the event that she/he is an employee in any public or private entity, or to shop in order to secure personal needs, or in the event that The Protection Center decided that she/he would participate in cultural or recreational events or activities outside the shelter, provided that she adheres to the Protection Center's instructions in this regard. In the event of her/his absence or non-return, the Center will immediately notify the security authorities. and relinquishes its responsibility for the case, also her/his family must be notified. This incident does not prevent the center from receiving the case again after conducting an investigation into the absence or non-return, and taking the necessary measures to prevent the case from repeating the incident.
7. If the abuse was committed against a resident in one of the homes affiliated with the Ministry, or one of the homes affiliated with an entity supervised by the Ministry, the Protection Center shall inform the security authorities of this case so that they may take the measures within their jurisdiction, and follow up on this report, Without prejudice to the case's right to claim compensation.
8. In the case of critical abuse, the Protection Center must request the security authorities to refer the case to the Public Prosecution to issue an order against the abuser not to communicate or contact the abused person, until they are psychologically rehabilitated, and it is not permissible to resume communication with the abused person except after obtaining a certificate approved by the Ministry of Health with psychological rehabilitation.
9. The Ministry shall provide protectiones homes with appropriate equipment, to accommodate people with disabilities.

### **(Article 9)**

Taking into account what is stated in Articles 4 and 7 of this regulation, the protection center must, when dealing with a case of abuse, consider the following rules:

- a. Take into account the interest of the case, in all measures taken to protect her/him from harm.
- b. Handle the case of abuse in accordance with the standards stipulated in Article 7 and 8 of the law, so that assistance or housing must be provided if necessary, in accordance with what is required by the type of abuse to which the case was exposed.

### **(Article 10)**

If the Protection Center deems that the incident of abuse constitutes a crime, or if the Center discovers, through processing the case of abuse, that another crime has been committed or threatened against the case or those related to the case of abuse, the security authorities must be notified to be referred to the Public Prosecution to take legal action against the abuser.

### **(Article 11)**

1. The competent agency in the Ministry shall establish an appropriate procedural mechanism, through which the lawsuits referred to the security authorities shall be followed up, and their findings shall be monitored on an ongoing basis. The set mechanism shall be circulated to Social Protection centers Kingdom wide, to act accordingly and follow up on its implementation.
2. The Security and other competent detecting and investigating authorities shall update the Ministry immediately or urgently, of the measures taken by them regarding each case of abuse that was handled by them. The aforementioned authorities must also respond directly to the protection center employee, and provide him with the necessary information about the case.

### **(Article 12)**

The ministry will take all necessary precautions to prevent abuse. In order to achieve this, it may perform the following without restriction:

1. Raise the awareness of community members - particularly the groups most vulnerable to abuse - about the concept of abuse and its seriousness, clarifying its negative effects on the individual and community, clarifying the best ways to prevent and deal with it, educating them about their legal and statutory rights, intensifying family counseling programs, and economic, social and psychological empowerment in a way that helps address the behavioral phenomena that contribute to creating an appropriate environment for abuse to occur, in coordination with the competent authorities.
2. Support the conduct of scientific research, and specialized studies related to protection from abuse, and working to organize and implement specialized training programs for all those concerned with dealing with cases of abuse, including Ministry employees, judges, police officers, investigation officers, doctors, and specialists. In addition to other relevant parties in protecting against abuse.
3. Monitor, collect and document data and information of abuse – Kingdom wide, coordinate with other parties dealing with abused cases to provide accurate authenticated statistical data on abuse cases, to be utilized in developing cooperation mechanisms to treat this phenomenon, and to conduct specialized scientific research and studies in this field.

### **(Article 13)**

This regulation shall replace the executive regulation for the Protection from Abuse Law issued by Ministerial Resolution No. (76048) dated 20/04/1440 AH (27/12/2018 AD).

**(Article 14)**

The Minister shall issue any special rules, controlling measures, or detailed practical mechanisms pertinent to the implementation of this regulation or any of its articles.

