

بطاقة النظام

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Law of Protection from Abuse

Royal Decree No. M/٥٢

Dated ١٥ / ١١ / ١٤٣٤ H



Article ١

The following terms and phrases – wherever mentioned in this Law – shall have the meanings assigned thereto unless the context requires otherwise:

- Ministry: Ministry of Social Affairs.
- Minister: Minister of Social Affairs.
- Law: Law of Protection from Abuse.

- Regulations: Implementing Regulations of this Law.

- Abuse: any form of exploitation; physical, psychological or sexual, or the threat thereof committed by an individual against another exceeding the limits of powers and responsibilities derived from guardianship, dependency, sponsorship, trusteeship or livelihood relationship. The term "abuse" shall include the omission or negligence of an individual in the performance of his duties or responsibilities in providing basic needs for a family member or an individual for whom he is legally responsible.



Article ۲

This Law aims to:

۱. ensure protection from all forms of abuse;
۲. provide assistance, treatment and shelter as well as social, psychological and health care;
۳. take necessary legal proceedings to hold the violator accountable and punish him;
۴. raise community awareness about the concept of abuse and its implications;
۵. address undesirable social behavior that indicates the existence of a favorable environment for the occurrence of abuse; and
۶. set scientific and practical mechanisms to deal with abuse.



Article ٣

١. Anyone who becomes aware of a case of abuse must report it immediately.
٢. Without prejudice to procedures set in other relevant laws, any public servant, civilian or military, as well as any employee in the private sector who becomes aware of a case of abuse, by virtue of his work, must report such case immediately to his employer, who in turn must report it immediately to the Ministry or the police. The Regulations shall specify reporting procedures.

**Article ٤**

١. The Ministry and police shall receive reports of abuse cases from victims, government entities; including relevant security and health authorities, private entities or witnesses.
٢. If the police receives a report of a case of abuse, it shall take necessary procedures falling under its jurisdiction, and shall immediately refer the report to the Ministry.

**Article ٥**

١. The identity of a person reporting a case of abuse may not be disclosed except with his consent, or in cases provided for in the Implementing Regulations. Ministry employees and

those who become aware of such cases of abuse, by virtue of their employment, shall maintain the confidentiality of such information.

٧. Any public servant, civilian or military, as well as private sector employees, who violate any of the provisions relating to reporting cases of abuse stipulated in this Law, shall be subject to a disciplinary action in accordance with legally prescribed procedures.



Article ٧

An individual reporting a case of abuse shall be exempted from liability if it is established that such case is not a case of abuse, in accordance with the provisions of this Law.



Article ٧

The Ministry shall immediately, upon receipt of a case of abuse and upon ascertaining the report and assessing the case, take any of the following measures:

١. Take necessary measures which ensure the provision of necessary health care to victims of abuse, and make a medical evaluation of the case, if needed.
٢. Take necessary arrangements to prevent the continuation or recurrence of abuse.
٣. Provide family and social counseling to the parties involved if the Ministry decides to address the case within the confines of the family.
٤. Summon any of the parties to the case or any relative thereof, or any person involved to take their statements. Necessary measures and undertakings shall be taken to ensure the

necessary protection for the victims of abuse.

◦. Subject the parties of an abuse case to psychological treatment or rehabilitation programs as appropriate for each case.



Article ٨

Without prejudice to the provisions of Article ٧ of this Law, the Ministry shall, if it appears from the report that the case is serious and poses a threat to the life of the victim of abuse or his safety or health; take all necessary measures to deal with such case in accordance with its degree of seriousness, including notifying the governor or the relevant security authorities to take necessary measures, each within their respective jurisdiction, and coordinate with said authorities to ensure the safety of the victim of abuse including his transfer or the transfer of the aggressor - if necessary - to a proper place until the danger has passed.



Article ٩

If the Ministry finds that dealing with a case of abuse requires urgent intervention or access to the place where the incident of abuse has occurred, it may seek the assistance of the competent security authorities. Said authorities shall respond immediately to the request according to the nature of each case and degree of seriousness.

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Article ١٠

The Ministry shall take into account - when dealing with any case of abuse - the degree, kind and frequency of violence, provided that any of the means used in treatment do not result in greater harm to the victim, or adversely affect his family or livelihood. In dealing with abuse cases, priority shall be given to preventive and counseling measures, unless the case requires otherwise.

**Article ١١**

If the Ministry deems that the incident of abuse constitutes a crime, it shall notify the competent detecting and recording authority to take necessary legal action.

**Article ١٢**

The Ministry shall follow cases of abuse that it refers to the competent detecting and recording authority, in accordance with Article ١١ of this Law. Said authority shall notify the Ministry of action taken regarding each case.

**Article ١٣**

Without prejudice to any severer penalty prescribed under Sharia or law, a person who commits an act that constitutes a crime of abuse specified in Article ١ of this Law shall be subject to imprisonment for a period of not less than one month and not more than one year and a fine of not less than five thousand and not more than fifty thousand riyals, or to either punishment. In case of recidivism, the punishment shall be doubled and the competent court may issue an alternative punishment for the freedom-depriving punishment.



Article ١٤

Provisions and procedures provided for in this Law shall not prejudice the obligations of other competent authorities, nor shall they prejudice any more favorable right of protection from abuse stipulated in another law or an international convention to which the Kingdom is party.



Article ١٥

The Ministry shall, in cooperation with the relevant authorities, take all appropriate preventive measures for protection from abuse. To this end, it may, without limitation, do the following:

١. Raise awareness of the concept of abuse, its seriousness and adverse effects on an individual's personality as well as stability and solidarity of the community.
٢. Take necessary action to address undesirable social behavior conducive to creating an environment leading to the occurrence of abuse.

- ٢. Provide authenticated statistical data on abuse cases to be utilized in devising treatment mechanisms and the conduct of scientific research and studies.
- ٣. Promote awareness and educational programs that aim to curb abuse through media and other means.
- ٤. Organize specialized training programs for all persons involved in dealing with abuse cases, including judges, detecting and recording officers, investigation officers, physicians, specialists and others.
- ٥. Raise awareness of community members, particularly the most vulnerable to abuse, of their rights under Sharia or law.
- ٦. Intensify family counseling programs.
- ٧. Support and conduct scientific research and studies relating to protection from abuse.



Article ١٦

The Minister shall issue the Regulations within ٩٠ days from the date of publication of this Law in the Official Gazette. Said Regulations shall enter into force as of the date the Law enters into force.



Article ١٧

This Law shall enter into force 90 days after the date of its publication in the Official Gazette.

