

Number: M/71

Date: 17/11/1436H

King of the Kingdom of Saudi Arabia

With the help of God Almighty

In the name of His Royal Majesty the Custodian of the

Two Holy Mosques, King Salman bin Abdulaziz Al Saud;

We, Mohammed bin Nayef bin Abdulaziz Al Saud, Deputy of the King of the Kingdom of Saudi Arabia:

Pursuant to Royal Order no. (A/267), dated 9/10/1436H;

Pursuant to Article 70 of the Basic Law of Governance, issued by Royal Order no. (A/90), dated 27/8/1412H;

Pursuant to Article 20 of the Law of the Council of Ministers, issued by Royal Order no. (A/13), dated 3/3/1414H;

Pursuant to Article 18 of the Shura Council Law, issued by Royal Order no. (A/91), dated 27/8/1412H;

Upon perusal of the Shura Council Resolution no. (70/36) dated 16/7/1436H;

And upon perusal of the Council of Ministers Resolution no. (492), dated 16/11/1436H;

Have decreed as follows:

- I.** To approve the addition of a new article (under the tile “Article 22 bis”) to the Law of Domestic Pilgrim Services, promulgated by Royal Decree no. M/58, dated 28/10/1426H, to read as follows: “The penalty decision—set forth in Article 20 and Article 22 hereof – may entail a provision to publish its content at the expense of the violator in a local newspaper issued at his place of

residence, or, if none is available therein, in the nearest area newspaper or through any other appropriate means, or through both means, depending on the type, gravity and effects of the violation committed, provided that the decision is published only after it is deemed final either upon the lapse of the legally prescribed period or upon being upheld by the competent court”.

II. His Royal Highness the Deputy Prime Minister and Their Excellencies the Ministers and the Chairmen of the relevant independent agencies, each in his respective capacity, shall implement this Decree.

Mohammed bin Nayef bin Abdulaziz Al Saud

(signed)



Number: M/58

Date: 28/10/1426H

With the help of God Almighty

We, Abdullah bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia:

Pursuant to Article 70 of the Basic Law of Governance, issued by Royal Order no. (A/90), dated 27/8/1412H;

Pursuant to Article 20 of the Law of the Council of Ministers, issued by Royal Order no. (A/13), dated 3/3/1414H;

Pursuant to Articles 17 and 18 of the Shura Council Law, issued by Royal Order no. (A/91), dated 27/8/1412H;

Upon perusal of the Shura Council Resolution no. (99/77) dated 19/2/1426H;

And upon perusal of the Council of Ministers Resolution no. (263), dated 26/10/1426H.

Have decreed as follows:

- I. To approve the Law of Domestic Pilgrim Services, in the form enclosed herewith;
- II. The licenses of establishments and companies – which are authorized to provide this service before the entry into force of this Law – shall continue to operate until the expiry of their licenses; and
- III. His Highness the Deputy Prime Minister and Their Excellencies the Ministers, each in his respective capacity, shall implement this decree.

Abdullah bin Abdulaziz Al Saud



Law of Domestic Pilgrim Services

Article 1

This Law aims to regulate the provision of required services for domestic pilgrims in order to help them perform Hajj rituals with ease.

Article 2

The service of domestic pilgrims shall be practiced by establishments and companies pursuant to licenses granted in accordance with this Law. The implementing regulations of this Law shall indicate the licensing requirements to be met by a licensee.

Article 3

This service shall not be practiced by private establishments for external pilgrims, their shareholders and their employees, nor by Arbab Al-Tawaif Establishments, including agents, guides, and Zamazemah, their offices or employees thereof.

Article 4

The establishments and companies licensed to practice this service shall abide by the following provisions:

1. Provide the financial, administrative and operational capacities required to render this service before initiation thereof;
2. Provide the service at prices that are consistent with the standard of services rendered, such as transportation, residence, catering and care. The implementing regulations of this Law shall determine same;
3. The owner of an establishment shall practice work all by himself; he may – in case of necessity and upon the approval of the Ministry of Hajj – delegate

- the establishment director whose name is entered in the commercial register to do so, provided that he meets the requirements of an establishment owner, without prejudice to his contractual obligations;
4. The general manager of a company whose name is entered in the commercial register shall practice work all by himself, provided that he meets the requirements of an establishment owner. In the event of necessity and upon the approval of the Ministry of Hajj, one of the partners to the company may be delegated to do so, provided that he meets the requirements of a company general manager; and
5. Seek assistance only from Saudis to practice administrative work and contract with pilgrims.

Article 5

Applications for licenses to practice this service and for renewal thereof shall be submitted to the Ministry of Hajj. A committee shall be formed at the Ministry of Hajj to examine these applications and shall meet whenever the need arises. Said committee shall be tasked with studying and deciding on the applications and shall determine the number of pilgrims that the applicant for license and renewal can serve, as specified by the implementing regulations, in terms of its financial, administrative and operational capabilities and its performance in previous years.

Article 6

The Ministry of Hajj shall issue licenses after the Minister of Hajj approves the decisions of the committee set forth in Article 5 of this Law. The license period

shall be valid for five Hajj seasons, and shall be renewable in accordance with the provisions of this Law. The license shall indicate the name of the licensee, his main address, and the number of pilgrims that he is licensed to serve. A licensee shall use the name stated in the license in billboards, advertisements, publications, and the like.

Article 7

A licensee may open branches in the cities and governorates of the Kingdom pursuant to subsidiary commercial registers to be issued upon the approval of the Ministry of Hajj; he may not contract with a number of pilgrims which exceeds the number that he is licensed to serve.

Article 8

Any person who has been granted a license shall submit to the Ministry of Hajj – at the dates determined thereby – an application for seasonal approval to provide the service. He shall also provide a bank guarantee valid for one year in the name of the Ministry at an amount of not less than three hundred riyals and not more than six hundred riyals for each pilgrim that he is licensed to serve, as determined by the implementing regulations . Said guarantee shall be released within a period not exceeding the end of the month of Safar of the Hijri year following submission of same, unless the committee set forth in Article 19 of this Law decides otherwise.

Article 9

Each person who has been granted a license shall submit to the Ministry of Hajj a complete statement of the actual number of pilgrims he has contracted with, including their names, nationalities, addresses and numbers of Hajj permits, together with copies of the contracts concluded with them, no later than 7th Dhu al-Hijjah.

Article 10

Sites in Mina and Arafat shall be allotted to every person who has obtained a seasonal approval to provide the service, in accordance with the controls set out by the implementing regulations of this Law, no later than the end of Shawwal. Said sites shall be delivered no later than 25th Dhu al-Qidah. No person who has been allotted a site may use same for other than the purpose for which it was allocated; nor shall he rent or assign such site. Thereupon, in the event of deciding to abandon the whole site, a licensee shall return same to the Ministry of Hajj no later than 28th Dhu al-Qidah. The bank guarantee submitted by said licensee shall be released no later than the end of Dhu al-Hijjah, and the amounts collected therefrom for site rents shall be returned to the licensee.

Article 11

If a person to whom a site has been allotted is established to have used same, or part thereof, for other than the purpose for which it was allocated, or to have permitted a third party to use same or to utilize the license granted to that person, the Ministry of Hajj shall refer the violator to the committee stipulated in Article 19 of this Law for investigation and for consideration of implementing the penalties set forth in Article 20 of this Law against said violator.

Article 12

The Ministry of Hajj shall provide the Control and Investigation Commission with the following:

1. Copies of the licenses, seasonal approvals, and data on allocated sites and spaces upon the start of the Hajj season; and
2. Data of the pilgrims contracted with, no later than 8th Dhu al-Hijjah.

Article 13

The Ministry of Hajj shall prepare a unified contract form for serving domestic pilgrims. Each licensee shall use said form upon contracting with pilgrims. This form shall include the various standards of the service items to be provided by the licensee to pilgrims. The space designated for each service shall be filled in pursuant to the agreement between the two parties upon concluding the contract. The contract shall be drawn up in an original and two copies at least, and the original shall be handed over to the pilgrim.

Article 14

A licensee shall be responsible before the competent agencies for providing all the services required for the pilgrims registered therewith, as determined by the implementing regulations of this Law, fulfilling all obligations in accordance with the agreed contracts, and providing all means to help pilgrims perform their rituals with ease.

Article 15

A licensee may not advertise the practice of this service by any means except after the site is allocated thereto and a written permission is obtained from the Ministry

of Hajj. Said advertisement shall be published in a format to be approved by the Ministry.

Article 16

Saudi nationals and residents may not perform Hajj except through establishments and companies licensed to practice this service, and after they obtain Hajj permits from the competent agency, as prescribed by the implementing regulations of this Law. In certain cases specified by the implementing regulations, an exception may be made with regard to said restriction.

Article 17

A licensee may not contract with arrivals to the Kingdom who do not hold a legal residence permit. Nor may he enter into contract with persons wishing to perform Hajj from outside the Kingdom.

Article 18

Subject to the competencies of other government agencies, the Ministry of Hajj shall observe and monitor the performance of licensees, and shall verify that all conditions and controls are met. It may, for this purpose, examine the records and obtain the information it requests. If the Ministry detects any violations, it shall record and refer same to the committee stipulated in Article 19 of this Law.

Article 19

1. A committee or more – as need be – shall, by a decision of the Minister of Hajj, be formed of three members belonging to the Ministry of Interior, the Ministry of Hajj, and the Ministry of Commerce. Said members shall be

specialized in Shariah and law and their ranks shall not be less than grade 8. Said committee(s) shall consider and investigate any violations of the provisions of this Law committed by licensees as well as their failure to fulfill their obligations towards pilgrims contracting therewith, shall make refunds to the pilgrims in return for the services not rendered by licensees or for their consequences on the pilgrims as per the performance of the Hajj rituals, and shall decide the appropriate penalties against violators. The Minister of Hajj shall approve said committee decisions.

2. Should an objection be filed against a committee decision related to collecting the amounts of those services or with regard to the consequences of failure to provide same on performing the Hajj rituals, the dispute shall be referred to the competent Shariah court.
3. The Ministry of Hajj shall – whether directly or in coordination with the Emarate of the Region to which a violator belongs – refund the amounts prescribed or awarded pursuant to a court ruling to the pilgrims; it shall also collect the amounts of fines imposed or awarded pursuant to a court ruling and shall deposit same in the state treasury.
4. The implementing regulations of this Law shall determine the work procedures of the committee and the period required for completing its duties.

Article 20

Licensees who violate the provisions of this Law shall be punishable by a fine not exceeding one hundred thousand riyals. In addition, the number of pilgrims that they are licensed to serve may be reduced, or they may be suspended from work for one or more seasons, or their license may be revoked.

Article 21

The Ministry of Hajj shall enforce the penalties stipulated in Article 20 of this Law once they are deemed final in the following two cases:

1. The issuance of a penalty decision by the committee stipulated in Article 19 of this Law and approval thereof by the Minister of Hajj, as well as the lapse of sixty days from the date of notification of the decision without objection thereto before the Board of Grievances; and
2. The issuance of a final penalty decision by the Board of Grievances.

Article 22

1. Cases and complaints related to the implementation of the provisions of this Law that are submitted against any person who practice this service without obtaining the necessary license shall be referred to the committee stipulated in Article 19 of this Law for investigation and for refunding to pilgrims the amounts of the services not rendered or for the consequences of failure to provide same on performing the rituals of Hajj. Said committee shall punish the violator by a fine not exceeding one hundred thousand riyals, and in the event of a repeat violation, the fine prescribed for the latter violation shall be doubled, provided that it does not exceed two hundred thousand riyals. The Minister of Hajj shall approve said committee decisions.
2. Any person against whom a penalty decision was issued may appeal same before the Board of Grievances within sixty days of the date of his notification of the decision.

3. Any objection to the committee decision related to the collection of the amounts of services not rendered and for the consequences thereof on performing the Hajj rituals shall be referred to the competent Shariah court.
4. Cases and complaints against any person who collects sums from those wishing to perform Hajj with the intent of fraud and deception without providing said service to them shall be referred to the competent Shariah court to consider his punishment and the recovery and return of said amounts to their owners.
5. A non-Saudi who commits the same violation as that set out in the two previous cases no. 1 and 4 of this article shall be deported to outside the country after liquidating his rights and implementing the penalty imposed against him.
6. The penalties set out in this article shall be enforced by the Emirate of the Region to which the violator belongs, in coordination with the Ministry of Hajj. The emirate shall force the violator to pay to the Ministry of Hajj the amounts prescribed or awarded to the pilgrims to deliver same to those entitled thereto, and to pay the fine prescribed or awarded to the Ministry of Hajj to deposit in the State treasury.

Article 23

The Ministry of Hajj shall represent pilgrims before the competent Shariah courts as per financial claims related to violations of the provisions of this Law, unless the pilgrim expresses his desire to the Ministry otherwise.

Article 24

The implementing regulations of this Law shall specify the procedures to be implemented to deal with the situation of contracted pilgrims who arrive at the holy sites and are not provided with the agreed services that enable them to complete their rituals. They shall also specify the conditions and controls necessary to enable said pilgrims to complete their rituals through the Ministry of Hajj, in coordination with the other relevant agencies.

Article 25

The Minister of Hajj shall issue a decision to revoke the license in one of the following cases:

1. If the license holder so requests;
2. In the event of a health condition that prevents the license holder from practicing this service, or his death; if said condition or death occurs during the Hajj season, the Ministry of Hajj shall take the necessary measures to provide the required services to the pilgrims contracting with said licensee;
3. A statutory penalty has been issued providing for revoking the license;
4. If the license holder fails to provide this service for two consecutive or three separate seasons without notifying the Ministry of Hajj and submitting an excuse acceptable to the Ministry;
5. In the event that the commercial register is cancelled or not renewed or upon the expiry of the company;
6. In the event that one of the conditions for granting a license under the provisions of this Law and its implementing regulations is no longer fulfilled; and
7. The licensee's practice of work during the period of his suspension from service.

Article 26

Companies and establishments wishing to practice this service shall pay the following fees:

1. 5,000 riyals to issue the company license;
2. 2,500 riyals to renew the company license;
3. 3,000 riyals to issue the establishment license;
4. 1,500 riyals to renew the establishment license;
5. 500 riyals to obtain a replacement for a lost license.

Article 27

1. The fees and fines collected in accordance with the provisions of this Law shall be deposited into the State treasury.
2. The amounts awarded to pilgrims pursuant to judicial rulings which the Ministry of Hajj fails to deliver to them shall be supplied to the Saudi Arabian Monetary Authority to be deposited in the account of charity projects.

Article 28

The dates set out in Articles 9 and 12 of this Law may be amended pursuant to a decision of the Minister of Hajj, in coordination with the Minister of Interior and the Chairman of the Supreme Hajj Committee.

Article 29

The Minister of Hajj may, after coordination with the Minister of Interior and the Chairman of the Supreme Hajj Committee, suspend applications for licenses to practice this service for a specified period, if necessary.

Article 30

The Minister of Hajj may, after coordination with the Minister of Interior and the Chairman of the Supreme Hajj Committee, establish a council for coordination between the establishments and companies serving domestic pilgrims to improve the standard of service for pilgrims. The Ministry of Hajj, in conjunction with the Ministry of Interior and the Ministry of Commerce and Industry, shall specify the responsibilities, tasks, and financial and administrative powers of said council.

Article 31

The Ministry of Hajj, in conjunction with the Ministry of Interior and the Ministry of Commerce and Industry, shall prepare the implementing regulations for this Law, which shall be issued by a decision of the Minister of Hajj within 90 days from the date of publication of the Law.

Article 32

This Law shall repeal the rules regulating the services of domestic pilgrims issued by the Council of Ministers Resolution no. 82, dated 6/5/1410H, as well as all provisions that are inconsistent therewith.

Article 33

This Law shall be published in the Official Gazette, and shall enter into force 90 days after the date of publication thereof.