



The Committee for the adjudication of the Adjudication of the violations of the Banking Control System.

Rules and procedures of the works of the committee of solving the Banks Control system violations issued by the Royal Decree No. (M/5) dated 22/02/1386H.

Article One: Definitions

The following terms and expressions, wherever they appear, shall have the meanings indicated in front of each of them, unless the context requires otherwise.

The System: the Banking Control law issued by the Royal Decree No. (M/5) dated 02/22/0386.

The Minister: Minister of Finance

The Prosecutor: The Public Prosecution or the Saudi Arabian Monetary Authority ((The Central Bank)), depending on the circumstances.

The committee : The committee in charge of the disjunction of banks control system violations formed according to article no (25) of banks control system .

Appellant committee :The appellant committee of banks disputes and violatians formed by the royal decree No. 37441 dated 11\8\1437 AH

Article Two : committee specialities

The committee is specialized in the disjunction of diolations and make the panalties stated according to bank contral system.

Article Three : claim shall be submitted to the committee with an original paper copy and another electronic copy that contain the name and address of the defendant and this recidence address and contact numbers , the claim document shall contain the details of the subject mater and all the evedences and the investigations minutes.

Article 4 : Claim informing:

First : the dispute's two parties shall be informed of the sessions appointment by one of the following ways :

A – Postal address via postal services company .

B – By email , phone call , or sms.

C – Meeting the representative of the claimed party and the defendant or his agent .

D – Through the region governance in case the defendant address or he didn't show up after being informed .

F – Through security agencies .

G – via the ministry of forienge affairs if the defendant is Saudi but living abroad.

Second : Electronic means , phone calls , sms , fax , and newspaper informings shall be taken into consideration and shall

be dealt with all usual informing means i-e written informing or informing them by presence.

Article 5 : Committee sessions :

First :

1 – The committee shall conduct its sessions in its venue in Riyadh , in an exceptional cases sessions may be conducted outside its venue after coordinating with the claim parties with the approval of the minister .

2 –The committee shall conduct its session after the working hours unless the defendants are in jails and can't be present during the working hours .

3 – those cases that are of its parties one in jail or in the list of deportation shall be given the priority to investigate .

4 – session conducting shall be under the responsibility of the head of the committee.

Second : session conducting and hearing

From the claim two parties and their claims in the presence any member of the committee , in case the session has been conducted in the presence of the one member , that member shall be the a representative of the head of the committee.

Article 6: viewing the claim

1 – The committee may not review the claim if the defendant or his representative didn't show up while been informed of the session appointment, the session shall be then postponed.

2 – If the defendant or his representative has been informed of the session appointment, and he/she or his/her representative has been given a notice before the session and he/she didn't show up to the session or if he or his lawyer has shown up to a session but where absent in other sessions, the committee shall declare the decision and it will be considered as if the defendant is present.

3 – If the defendant is living in Saudi Arabia and departed Saudi Arabia with a final exit Visa or an exit and return Visa and he didn't return, or his place of residency not known after using all

the means of communications defined (4) of these regulations, then the claim file shall be returned to the claiming agency.

4 – the committee shall be obliged to view the claim according to the general principle of judiciary and litigation and according to the rules of investigations and regulations applied in the kingdom and according to Sharia Law concerning the hearing of accused persons and enabling them to respond to the claims and taking into account the circumstances surrounding the case, the committee has the right to check everything related to the case, i.e. documents and reports and file everything required to make the committee make its decision.

5 – The committee has the right to seek technical consultation if the case requires it and the expenses shall be on the accused persons if he approved guilty.

6 – the committee may ask for legal advisors or lawyers, temporarily or permanently when needed with the approval of the Minister.

Article 7: Committee Decisions.

1 – The decision is pronounced during the session specified for its announcement, with the presence of the plaintiff and the defendant or a representative of them, the committee may postpone the announcement of the decision to a further appointment.

2 – A copy of the decision shall be submitted to the two parties during the appointed session for announcement or an appointment shall be allocated within 30 days from the date of the announcement or from the date of last session after holding the case for studying and reviewing.

3 – If the defendant is in jail and has attended the session before and no decision announced during that session, he/she be informed via an official letter addressed to the admin.

Governance or the general department of jails or his agent as the case requires attaching to it a receipt form that shows the date of receiving the letter to be returned to the committee.

4 – If the defendant did not show up to take the decision, even though he has been informed in writing, the letter shall be considered received in the date appointed to receive the decision and the duration of the regular objection shall be valide.

5- The two copies submitted to the parties of the case shall be stamped as original copy and at the bottom of the letter a note stating that the decision is primary and not valid unless it acquires the deterministic character.

Article 8: Declairing the decision and submitting it

1 – The decision shall be made during the session appointed for delcairing the decision in the presence of the defendant and opponent or a representative of both of them, the committee can be postponed to delcair the decision to further date.

2 – Copy of the decision shall be provided to the claim party during the session assigned to declair the decision, or an appointment shall be made for that reason within thiry days from the date of declairing the decision or from the date of last session after holding the case for studying and reviewing.

3 – If the defendant in jail and he/sh has shown up in a claim reviewing and decision has not been made during the session, he/she shall be informed of the decision by an official letter addressed to the admin. Governace or to the General Directorate of jails or to his/her legal agent as the case requires and a receipt form shall be attached to be returned to the committee that clarifies the date or receipt and a copy of the decision.

4 – If the defendant didn't show up to pick up the decision eventhought he has been informed in writing, the decision shall be considered received on the determined date and the term of regular objection shall be valid.

5 – The two copies submitted to the claim two parties shall be sealed with original copy seal, and in the bottom of the decree there shall be a remark tht its not valide unless it requires the deterministic character.

Article Nine: Objection against the committee decisions

1 – The decision shall be final on the side of one of the claim parties in case of his agreeing to the decision, or if the time of appealing against the decision, and a remark shall be noted on the claim statement.

2. The objection to the appeal is made by means of a memorandum filed with the secretariat of the committee.

3. The committee has the right to reconsider the decree according to the objections submitted with the presence of the claim two parties if their presences is necessary.

Article 10: The Annual Report

The committee shall submit an annual report to the Minister at the end of every Hijri year that gives details about its works and the cases it solved and the type of those cases it solved and cases that have not yet been solved.

Article 11: The applied regulations.

In cases that have no regulations specified to them, the committee shall apply the legal pleading system issued with the royal decree No. M/1 dated 22/01/1425 and the procedures rule and

The criminal committee issued by the royal decree No. M/2 dated on 22/01/1435 the status and who it will alligne with the nature of the claim viewed by the committee.

Article 12: The tasks of the committee general secretary: the head of the committee shall determine by a decree the tasks and procedures of the committee general secretary and its framework.

Article 13: Working according to the Rules:
Works shall be performed according to these regulations from the date of its issuance.