National Nuclear Laws

Kingdom of Saudi Arabia

Law of Combating Crimes of Terrorism and its Financing

هيئة الرقابة النووية والإشعاعية
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Law of Combating Crimes of Terrorism and its Financing

Kingdom of Saudi Arabia

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NOTE:

- This official translation is done by the Bureau of Experts at the Council of Ministers.
- The translation of Saudi laws takes the following into consideration:
  - Words used in the singular form include the plural and vice versa.
  - Words used in the masculine form include the feminine.
  - Words used in the present tense include the present as well as the future.
  - The word "person" or "persons" and their related pronouns (he, his, him, they, their, them) refer to a natural and legal person.

Law of Combating Crimes of Terrorism and its Financing

Chapter 1: Definitions

Article 1

The following words and phrases, as used herein, shall have the meanings assigned thereto, unless the context requires otherwise:

1. Law: Law of Combating Crimes of Terrorism and its Financing.

2. Regulations: The Implementing Regulations of this Law.

3. Terrorist Crime: Any act committed, individually or collectively, directly or indirectly, by a perpetrator to disturb public order, destabilize national security or State stability, threaten national unity, suspend the Basic Law of Governance or some of its provisions, cause damage to State facilities or natural or economic resources, attempt to coerce any of its authorities into a particular action or inaction, cause harm or death to any person, when the intention of such act, by its nature or context, is to terrorize people, force a government or an international organization to commit or refrain from committing a certain act, or threaten to carry out acts that would lead to or instigate any of the aforementioned intentions. It shall also refer to any act that constitutes a crime under international conventions or protocols on terrorism or terrorism financing, to which the Kingdom is party, or any of the acts listed in the Annex to the International Convention for the Suppression of the Financing of Terrorism.

4. Terrorism Financing Crime: Providing funds for committing a terrorist crime or for supporting a terrorist entity or a terrorist individual

in any form stipulated in this Law, including financing the travel and training of a terrorist individual.

5. Terrorist Individual: Any natural person, within the Kingdom or abroad, who directly or indirectly, commits or attempts to commit, conspires, plans, or contributes to any of the crimes stipulated in this Law.

6. Terrorist Entity: Any group of two or more persons, within the Kingdom or abroad, that aims to commit any of the crimes stipulated in this Law.

7. Competent Court: The Specialized Criminal Court.

8. Funds: Assets, economic resources, or properties of any value, type, or source whether material or immaterial, movable or immovable, tangible or intangible; along with documents, deeds, instruments, money orders, and letters of credit of any form, within the Kingdom or abroad; including electronic or digital systems and bank credits establishing ownership or interest therein, all types of commercial and financial securities, as well as any other interests, profits, or revenues generated from such funds.

9. Proceeds: Any funds directly or indirectly generated or acquired, within the Kingdom or abroad, by committing any of the crimes stipulated in this Law, including any funds transferred or converted, in whole or in part, into funds of similar nature.

10. Means: Anything prepared to be used, intended to be used, or was actually used in committing any of the crimes stipulated in this Law.

11. Provisional Seizure: A temporary ban on the transport, transfer, exchange, conversion, disposal, movement, or attachment of funds, pursuant to an order issued by the Competent Court or the competent authority.

12. Confiscation: A permanent appropriation of funds, proceeds or means of crime, pursuant to a ruling by a competent court.

13. Public or Private Property and Facilities: Real property, movables, and facilities owned by the State or public corporate persons, or those designated for public interest, including activities serving public interest, as well as real property, movables, and facilities owned by individuals, private corporate persons, diplomatic bodies, or international and humanitarian organizations operating in the Kingdom.

14. Financial Institutions: Any entity engaged in one (or more) of the financial activities or transactions, specified by the Regulations, for the benefit of a client or on his behalf.

15. Designated Non-Financial Businesses and Professions: Any commercial or professional businesses specified by the Regulations.

16. Non-Profit Organizations: Any non-profit entity authorized to collect or receive funds or expend therefrom for charitable, religious, cultural, educational, social, or cooperative purposes, or for other purposes.

17. Client: Any person who conducts, or attempts to conduct, any business specified by the Regulations with a financial institution or a designated nonfinancial business and profession.

18. Business Relationship: Any relationship of an ongoing nature between

a client and a financial institution, or designated non-financial businesses and professions, which relates to the activities and services rendered thereto.

19. Wire Transfer: A financial transaction carried out by a financial institution on behalf of an originator, wherein an amount of funds is made available to a beneficiary at another financial institution, irrespective of whether the originator and the beneficiary are the same person.

20. Beneficial Owner: Any natural person who ultimately owns or exercises direct or indirect control over a client or a natural person on whose behalf a transaction is being conducted, financial institutions, designated nonfinancial businesses and professions, non-profit organizations, or over any other corporate person.

21. Competent Authority: Any administrative, preliminary investigation, law enforcement, or monitoring authority which, under this Law, have jurisdiction for the combating of crimes of terrorism and its financing, collection of evidence, inquiry, search, seizure, freezing, arrest, investigation, public prosecution, or trial, as applicable.

22. Monitoring Authority: The authority in charge of verifying the compliance of the financial institutions, designated non-financial businesses and professions, and non--profit organizations, with the requirements stipulated in this Law and its Regulations, or any relevant decisions or directives.

Chapter 2: General Provisions

Article 2

Crimes stipulated in this Law shall be deemed as major crimes requiring detention.

Article 3

Notwithstanding the principle of territoriality, this Law shall apply to any Saudi or non-Saudi person who committed, or aided, attempted, instigated, participated, or conspired to commit outside the Kingdom any of the crimes stipulated in this Law and has not been tried therefor, if the aim of the crime is to:

1. change the government system in the Kingdom;
2. suspend the Basic Law of Governance or any of its provisions;
3. coerce the State into a particular action or inaction;
4. assault Saudi nationals abroad;
5. cause damage to State properties and missions abroad, including embassies or other diplomatic or consular premises;
6. carry out a terrorist act onboard any means of transportation registered in the Kingdom or carrying its flag; or
7. undermine the Kingdom's interests, economy, or national security.

Chapter 3: Procedures

Article 4

The Presidency of State Security shall be in charge of the investigation of crimes stipulated in this Law, including search, inquiry, and detection; criminal and administrative prosecution; collection of evidence; financial investigation; undercover operations; and the identification, tracking, and seizure of the suspects' funds and crime's proceeds and means.

Article 5

The Public Prosecution shall have the authority to issue a summons or an arrest warrant against any person suspected of committing any of the crimes stipulated in this Law.

In all cases, the arrested person shall not be detained for more than seven days without a written order, as per procedures and controls specified by the Regulations.

Article 6

1. The Public Prosecution may, at its own initiative or upon the request of a preliminary criminal investigation officer, request any person, or financial institutions, designated non-financial businesses and professions, or nonprofit organizations, to provide records, documents, or information. The requested person or entity shall properly and promptly execute such request as specified therein. If the request is directed to a financial institution, it shall be executed through the relevant monitoring authority. The Regulations shall specify the manner of execution thereof.

2. The Presidency of State Security may, during the phase of collection of evidence, request any person, or financial institutions, designated nonfinancial businesses and professions, or non-profit organizations to provide records, documents or information. The requested person or entity shall properly and promptly execute such request as specified therein. If the request is directed to a financial institution, it shall be executed through the relevant monitoring authority. The Regulations shall specify the manner of execution.

3. The person or entity served under paragraphs (1) or (2) of this Article shall not disclose any information relating to the request except to a person in charge of its execution, or to an employee or a member of the administration to seek advice or to determine the steps necessary for the execution of such request.

Article 7

1. The Public Prosecution shall have the authority to issue a warrant to enter and search residences, offices, or premises at any time during the period specified in the search warrant; arrest persons; and locate and seize funds, properties, documents, evidence or information in any of the crimes stipulated in this Law.

2. The monitoring authority shall be notified if any of the procedures stated in paragraph (1) of this Article is taken against financial institutions, designated non-financial businesses and professions, and non-profit organizations.

3. In exigent circumstances, no warrant shall be required to implement any of the procedures stated in paragraph (1) of this Article, provided

that the reasons and grounds therefor are stated in the minutes. The Public Prosecution shall be notified of such procedure and the results thereof within a period not exceeding 24 hours. The Regulations shall specify the conditions for exigent circumstances.

Article 8

The Public Prosecutor may issue a reasoned order to monitor, access, intercept, seize, and record evidence, records, and messages; including letters, publications, parcels, all means of communication, and electronically stored information and documents that are related to any of the crimes stipulated in this Law.

Article 9

1. The Public Prosecution may, urgently and without notifying the concerned party, order the competent authority to conduct provisional seizure of the funds, means, or proceeds which are suspected to be connected to or to be used in any of the crimes stipulated in this Law, and which may be subject to confiscation.

2. The President of State Security may, at the phase of collection of evidence, order the competent authority to conduct provisional seizure, urgently and without prior notice to the concerned party, of funds, means, or proceeds which are suspected to be connected to or to be used in any of the crimes set forth in this Law and which may be subject to confiscation. The Public Prosecutor shall be notified of such seizure within a period not exceeding 72 hours.

Article 10

1. The President of State Security may ban the person suspected of committing any of the crimes stipulated in this Law from traveling outside the Kingdom, provided that the travel ban order is referred to the Public Prosecution within 72 hours of its date of issuance, or that other measures relating to the suspect's travel or return are taken. The ban order may provide for non-notification of the suspect of measures taken against him if security interests so require.

2. The Public Prosecutor may ban any person accused of committing any of the crimes stipulated in this Law from traveling outside the Kingdom. The ban order may provide for non-notification of the accused of measures taken against him if the investigation so requires.

Article 11

Without prejudice to the right of the claimant of a civil action, the Public Prosecution may stay the proceedings of the prosecution against any person who reports any of the crimes stipulated in this Law, prior to or following its commission, and cooperates with the competent authorities during the investigation for the purpose of apprehending the remaining perpetrators of said crime or of another crime similar in kind and gravity, or who leads the competent authorities to arrest wanted persons or persons plotting to commit similar crimes.

Article 12

The Public Prosecution may grant provisional release to any detainee accused of any of the crimes stipulated in this Law, unless such release undermines the investigations or leads to his escape or disappearance.

Article 13

The President of State Security may, pursuant to terms and conditions specified by the Regulations, grant provisional release to a person convicted of any of the crimes stipulated in this Law during the execution of his penalty.

Article 14

The President of State Security may, in crimes stipulated in this Law, set the necessary rules, procedures, and measures to ensure the absence of any security threats posed by persons released.

Article 15

Preliminary criminal investigation officers or security officers in charge of combating crimes stipulated in this Law may use force in detecting any of said crimes in accordance with the rules stipulated in the law.

Article 16

A person accused or convicted of any of the crimes stipulated in this Law who incurs damage may petition the President of State Security for indemnification prior to filing a claim before the Competent Court. The petition shall be reviewed by a settlement committee formed for such purpose pursuant to a decision by the President. Said committee shall comprise at least three members, including a Sharia counselor and a legal counselor. Committee decisions shall be passed by majority vote within a period not exceeding 90 days from the date of filing the petition. The President of State Security shall set the committee's work procedures.

Article 17

Without prejudice to the provisions relating to Saudi Customs in the Anti-Money Laundering Law, Saudi Customs shall, upon suspicion of a terrorism financing crime, seize suspect currencies, bearer negotiable instruments, gold bars, precious metals or stones, or jewelry, regardless of their value; immediately refer such items and their bearer, if applicable, to the competent authority to take necessary statutory procedures; and notify the General Administration of Financial Investigations thereof. The Regulations shall set provisions for implementation of this Article.

Article 18

The Public Prosecution shall be in charge of investigation and prosecution of crimes stipulated in this Law before the Competent Court.

Article 19

The Public Prosecution shall have the authority to issue a detention warrant of any person accused of any of the crimes stipulated in this Law for a period or successive periods, provided that each period does not exceed 30 days and the total periods do not exceed 12 months. If a longer detention period is required, the matter shall be referred to the Competent Court for a decision.

Article 20

Without prejudice to the right of the family of the accused to be notified of his arrest, the Public Prosecution may issue an order banning visits to or contact with the accused for a period not exceeding 90 days if the interest of the investigation so requires. If, however, the investigation requires

a longer period, the matter shall be referred to the Competent Court for decision thereon.

Article 21

Without prejudice to the right of the accused to seek the assistance of a lawyer or an attorney-at-law for his defense, the Public Prosecution may, during the investigation phase, restrict such right if the interest of the investigation so requires.

Article 22

Without prejudice to the rights of any bona fide third party, the Public Prosecution shall have the authority to determine and track funds, means, and proceeds that may be subject to confiscation.

Article 23

The investigation proceedings or prosecution of the crimes stipulated in this Law or crimes associated therewith shall not be conditional upon a complaint by the victim, his representative, or heirs. The claimant of a civil action may file his lawsuit before the Competent Court upon completion of the investigation relating to public right.

Article 24

The Competent Court shall decide the following:

1. Crimes stipulated in this Law.
2. Claims for annulment of decisions, and claims for compensation relating to the enforcement of the provisions of this Law.

3. Requests for the execution of final foreign judgments relating to crimes of terrorism and its financing, including judgments related to the confiscation of funds, proceeds, or means associated with such crimes.

Judgments rendered with respect to paragraphs (1) and (2) of this Article may be appealed before the specialized appellate criminal court. Judgments of said court may be appealed before the relevant circuit at the Supreme Court in the cases specified in the Criminal Procedures Law.

Article 25

The Competent Court may issue a judgment in absentia against a person accused of committing any of the crimes stipulated in this Law if the court duly notifies him through official means of notification. Upon his arrest or surrender, he shall be brought before the court rendering the judgment for retrial.

Article 26

In case of multiple interrelated crimes where one of which is a crime stipulated in this Law, the Competent Court shall decide on all crimes against the accused, unless such crimes were filed independently prior to their submission before the Court.

Article 27

1. The Competent Court may, if necessary, examine experts and hear witnesses in the absence of the accused and his lawyer. The accused or his lawyer shall be informed of the testimony of witnesses and the expert report without disclosing the identity of the witnesses or experts. Protection shall be provided to witnesses or experts depending on the

case, circumstances, and potential threats.

2. The President of the Competent Court may, during the proceedings, permit the photographing, recording, transmitting, or broadcasting of any of the proceedings of the trial.

Article 28

The competent authority shall promptly execute the order of a provisional seizure of funds, proceeds, or means.

Article 29

1. Crimes stipulated in this Law shall not be subject to statute of limitations.

2. If the case against the accused is suspended due to his incompetence in any of the crimes stipulated in this Law, he shall be placed in a specialized treatment center. If he becomes competent, he shall be brought before the Public Prosecution to consider resumption of the case.

Chapter 4: Penalties

Article 30

Any person who, directly or indirectly, uses defamatory assertion against the King or the Crown Prince impinging on faith or integrity shall be subject to imprisonment for a term not exceeding 10 years and not less than 5 years.

Article 31

Any person who is found in possession of any weapon or explosives to

carry out a terrorist crime shall be subject to imprisonment for a term not exceeding 30 years and not less than 10 years.

Article 32

Any person who establishes or manages a terrorist entity or assumes a leading position therein shall be subject to imprisonment for a term not exceeding 25 years and not less than 15 years. If the perpetrator is an officer or a member of the armed forces, or has received training at a terrorist entity, the term of imprisonment shall not be less than 20 years and not more than 30 years.

Article 33

Any person who joins a terrorist entity or participates in its activities shall be subject to imprisonment for a term not exceeding 20 years and not less than 3 years. If the perpetrator is an officer or a member of the armed forces, or has received training at a terrorist entity, the term of imprisonment shall not be less than 15 years and not more than 30 years.

Article 34

Any person who advocates or promotes a terrorist ideology, a terrorist entity, a terrorist crime, or the ideology of its perpetrator; expresses sympathy with its perpetrator or justifies, promotes, or lauds his act or crime; or acquires or possesses any type of document, publication, or recorded material that includes justification, promotion, or praise of a terrorist ideology or a terrorist crime with the intention of publication or dissemination, shall be subject to imprisonment for a term not exceeding 8 years and not less than 3 years.

Article 35

Any person who recruits or incites another person to join a terrorist entity or participate in its activities, or who contributes to the financing thereof, shall be subject to imprisonment for a term not exceeding 25 years and not less than 8 years. However, if he prevents said person from withdrawing from such entity or if, for this purpose, he exploits his guardianship or his authority or any educational, training, guidance, social, instructive, or informational capacity he might have over him, the imprisonment term shall not be less than 15 years.

Article 36

A person shall be subject to imprisonment for a term not exceeding 20 years and not less than 10 years if, for the commission of a crime specified in this Law, he:

1. designates, prepares, or manages a place for training; and
2. trains, receives, or finances training in:
    a. the use of weapons; explosives; nuclear, chemical, biological, radioactive materials; poisons; incendiary devices; or any means of wired, wireless, or electronic communication, or the manufacturing, preparing, assembling, developing, equipping, acquiring, possessing or bringing the same into the Kingdom;
    b. forgery, counterfeiting, or the use of media or other means; or
    c. warfare techniques or combat skills.

Article 37

Any person who provides a terrorist entity, a member thereof, or any terrorist individual with weapons; explosives; ammunition; nuclear, chemical, biological, radioactive materials; poisons; or incendiary devices, shall be subject to imprisonment for a term not exceeding 30 years and not less than 10 years.

The same punishment shall apply to any person who provides authentic or forged documents to a terrorist entity, a member thereof, or any person who is connected to any of the crimes stipulated in this Law.

Article 38

Any person who provides a terrorist entity, a member thereof, or a terrorist individual with any communication means, information, consultation, aid, livelihood, housing, shelter, medical care, transportation, a meeting place, or any other facilitation for achieving their objectives shall be subject to imprisonment for a term not exceeding 20 years and not less than 10 years.

Article 39

Any person who smuggles weapons; ammunition; explosives; nuclear, chemical, biological, radioactive materials; poisons; incendiary devices; any means of wired, wireless, or electronic communication; or manufactures, develops, assembles, prepares, imports, acquires, or possesses the same; smuggles any parts, raw materials, or devices used in their manufacturing, preparation or equipment; or transports the same by mail, public or private transportation, or any other means with the intent to commit any of the crimes stipulated in this Law, shall be subject to imprisonment for a term not exceeding 25 years and not less than 15 years.

Article 40

Any person who kidnaps, holds captive, or confines another person, or threatens with any such acts in the commission of a crime relating to terrorism or its financing shall be subject to imprisonment for a term not exceeding 30 years and not less than 10 years. The Competent Court may impose the death penalty if such act is coupled with the use or brandishing of weapons or explosives.

Article 41

Any person who hijacks, or threatens to hijack, any means of public transportation in the commission of a crime relating to terrorism or its financing shall be subject to imprisonment for a term not exceeding 30 years and not less than 10 years. The Competent Court may impose the death penalty if such act is coupled with the use or brandishing of weapons or explosives.

Article 42

Any person who, in the commission of a terrorist crime, damages, endangers, breaks down, or disrupts the services of public or private property or facilities; means of transportation; air, maritime, or land navigation facilities; or platforms fixed on the seabed, shall be subject to imprisonment for a term not exceeding 15 years and not less than 8 years.

Article 43

Any person who creates, launches, or uses a website or a program on a computer or on an electronic device to commit any of the crimes stipulated in this Law; or to facilitate the communication with the leader or

a member of any terrorist entity to promote his ideologies or finance his activities; or to publish information on the manufacture of incendiary devices, explosives, or any other devices used in terrorist crimes, shall be subject to imprisonment for a term not exceeding 20 years and not less than 5 years.

Article 44

Any person who, by any means, broadcasts or publishes news, statements, false or malicious rumors, or the like for committing a terrorist crime shall be subject to imprisonment for a term not exceeding 5 years and not less than 1 year.

Article 45

Any person who plots or who organizes a meeting on the Kingdom's territory for committing a crime relating to terrorism or its financing outside the Kingdom shall be subject to imprisonment for a term not exceeding 10 years and not less than 5 years.

Article 46

Any person who obstructs an investigation or trial, or who resists, attacks, or threatens to attack an official enforcing the provisions of this Law, or any of his relatives or property, shall be subject to imprisonment for a term not exceeding 10 years and not less than 3 years.

Article 47

Any person shall be subject to imprisonment for a term not exceeding 15 years and not less than 5 years if he directly or indirectly provides, collects,

receives, allocates, transports, transfers, possesses, or raises funds from a lawful or unlawful source with the intention of using such funds, wholly or partially, to commit any of the crimes stipulated in this Law; or with the knowledge that such funds would be used to, wholly or partially, finance a terrorist crime inside the Kingdom or abroad or are related thereto; or with the knowledge that such funds would be used by a terrorist entity or a terrorist individual for any purpose, whether or not said crime occurred or such funds were used. If the perpetrator uses for such purpose the facilities available to him by virtue of his position, profession, or social status, the term of imprisonment shall not be less than 10 years.

Article 48

Any person who travels to another country to commit any of the crimes stipulated in this Law shall be subject to imprisonment for a term not exceeding 15 years and not less than 5 years.

Article 49

Any corporate person whose owners, representatives, directors, or agents commit or participate in any of the crimes stipulated in this Law shall be subject to a fine not exceeding 10 million riyals and not less than three million riyals, if the crime is committed in his name or on his behalf, without prejudice to the liability of the natural person committing such crime. The Competent Court may temporarily or permanently suspend the activity of the corporate person or close its branches or offices which are associated with the crime, or may liquidate its business or appoint a receiver to manage its funds and operations. In all cases, the sentence may provide for the publication of an abstract summary at the expense of the

convicted person in a local newspaper issued in the area of his residence, if available. Otherwise, it shall be published in a newspaper issued in the nearest area to his residence, or through any other appropriate medium. Publication shall be carried out after the judgment becomes final.

Article 50

1. Any person who commits any of the crimes stipulated in this Law, which results in the death of one or more persons, shall be subject to the death penalty.

2. The term of imprisonment imposed on any person who commits any of the crimes stipulated in this Law shall not be less than half of the prescribed maximum term if:

    a. the crime is coupled with using or brandishing any weapons or explosives;

    b. the crime is committed through any non-profit association or organization;

    c. the perpetrator repeats the crime; or

    d. the crime involves exploiting minors or persons of similar status.

Article 51

1. Any person who attempts to commit any of the crimes stipulated in this Law shall be subject to the prescribed penalty.

2. A person shall be deemed an accomplice and shall be subject to the prescribed penalty if he:

a. conspires, instigates, or aids any person in committing any of the crimes stipulated in this Law;

b. intentionally conceals or destroys objects used or prepared to be used in committing any of the crimes stipulated in this Law or obtained therefrom, or documents that could uncover the crime or its evidence or incriminate its perpetrators; and/or

c. enables or assists the escape of a detainee, prisoner, or fugitive involved in any of the crimes stipulated in this Law.

Article 52

A discretionary penalty stipulated in this Law shall not prejudice any harsher penalty provided for by Sharia or other laws.

Article 53

1. A Saudi national imprisoned for any of the crimes stipulated in this Law shall, after serving his sentence, be banned from traveling abroad for a period equal to his term of imprisonment.

2. A non-Saudi imprisoned for any of the crimes stipulated in this Law shall be subject to deportation from the Kingdom after serving his sentence, and shall not be allowed to return to the Kingdom.

Article 54

Any person who has knowledge of an attempt to commit a crime relating to terrorism or its financing, but fails to inform the authorities despite his capability to do so, shall be subject to imprisonment for a term not exceeding 5 years.

Article 55

Any person who conceals any of the crimes stipulated in this Law or any of its perpetrators shall be subject to imprisonment for a term not exceeding 5 years.

Article 56

The Competent Court may mitigate the penalties prescribed under this Law, provided that the imprisonment or fine are not less than half of the prescribed minimum penalty, if the perpetrator provides the authorities with information they would not have otherwise been able to obtain, so as to assist them in:

1. preventing the commission of any of the crimes stipulated in this Law;
2. identifying or prosecuting other perpetrators of the crime;
3. obtaining evidence;
4. avoiding or minimizing the effects of the crime; or
5. preventing a terrorist entity or a terrorist individual from obtaining or controlling funds.

Article 57

The Competent Court may stay the execution of the penalty up to a maximum of half the term if, based on reasonable grounds, it finds the convicted person is unlikely to repeat any of the crimes stipulated in this Law, provided that:

1. he has not been previously convicted of any of the crimes stipulated in this Law;

2. he shows remorse for the crime he committed.

If the convicted person repeats any of the crimes stipulated in this Law, the stay of execution shall be repealed without prejudice to any prescribed penalty for the new crime.

Chapter 5: Confiscation

Article 58

Without prejudice to the rights of bona fide third parties, the court shall, pursuant to a judgment, confiscate the following regardless of whether they are possessed or owned by the perpetrator or any other party:

1. Crime proceeds: if such proceeds are intermingled with funds acquired from legitimate sources, confiscation shall apply to funds equal to the estimated value of such proceeds.

2. Means.

3. Funds related to or intended to be used in any of the crimes stipulated in this Law.

Article 59

If confiscation of funds, means, or proceeds, pursuant to Article 58 of this Law, is not possible or they cannot be located, a judicial ruling shall be issued to confiscate any other funds of a value equivalent to such funds, means, or proceeds.

Article 60

Funds, means, or proceeds may not be confiscated if the owner establishes that he has acquired them for a fair consideration, or for the provision of services corresponding to their value, or on other legitimate grounds, and that he was unaware of their illegitimate source.

Article 61

The Competent Court may, on its own initiative or upon request, invalidate or ban any proceeding or action, whether contractual or non-contractual, if one or more of the parties thereto knows or is in a position to know that any of such proceedings or actions could undermine the ability of the competent authorities to recover the funds, means, or proceeds subject to confiscation.

Article 62

If a judgment is issued to confiscate funds, means, or proceeds, the destruction of which is not required, the competent authority may dispose of the same according to applicable laws, recover them, or share them with states that are signatories to valid treaties and agreements with the Kingdom.

Chapter 6: Measures

Article 63

Financial institutions, designated non-financial businesses and professions, and non-profit organizations shall identify, assess, document, and regularly update the risks of terrorism financing, and shall provide the

monitoring authority, upon request, with their assessments of risks, taking into account a wide range of risk factors, including those relating to their customers, or to countries and geographic areas, products, services, transactions, or delivery channels, provided that such assessments include the assessment of risks associated with new products, business practices, and technologies prior to their use.

Article 64

Financial institutions, and designated non-financial businesses and professions shall apply due diligence measures and determine their scope on the basis of terrorism financing risk levels relating to their customers and business relationships; and they shall apply enhanced due diligence measures in cases of high terrorism financing risks. The Regulations shall specify the cases where such measures may be taken as well as their types.

Article 65

1. Financial institutions, and designated non-financial businesses and professions shall keep all records, documents, and data, including documents of due diligence measures, for all financial dealings, and commercial and cash transactions, whether domestic or foreign, for a period not less than 10 years from the date of conclusion of the transaction or closure of the account.

2. The Public Prosecution may, at its discretion, require financial institutions, and designated non-financial businesses and professions to extend the period of maintaining the records, documents, and data to the extent required by the criminal investigation or prosecution.

3. Records and documents maintained shall be sufficient enough to permit data analysis and tracking of financial transactions, and shall be maintained to be available to the competent authorities upon request.

Article 66

Financial institutions, and designated non-financial businesses and professions shall apply enhanced due diligence measures to business relationships and transactions with any person coming from or residing in a country designated as high risk either by such institutions or by the Standing Committee for Combating Terrorism and its Financing. Financial institutions, and designated non-financial businesses and professions shall apply measures for mitigating high risks, as specified by the monitoring authorities.

Article 67

Financial institutions, designated non-financial businesses and professions, and non-profit organizations shall set and effectively implement policies, procedures, and controls for combating terrorism financing to manage and mitigate any identified risks. The Regulations shall specify the contents of such policies, procedures, and controls.

Article 68

1. Financial institutions shall take appropriate measures for mitigating the risks resulting from entering into a correspondent relationship with other financial institutions, as prescribed by the Anti-Money Laundering Law.

2. Financial institutions shall apply the requirements stipulated in the Anti-Money Laundering Law when engaging in wire transfer activities.

Article 69

Financial institutions, and designated non-financial businesses and professions shall always monitor and examine their transactions, documents, and data, as prescribed by the relevant provisions stipulated in the Anti-Money Laundering Law, and shall examine any unusually complex and large transactions as well as any irregular pattern of transactions with no obvious economic or legitimate purposes.

Article 70

If financial institutions, designated non-financial businesses and professions, and non-profit organizations, including persons providing legal or accounting services, suspect or have reasonable grounds to suspect that funds or parts thereof are proceeds of crimes, or are related to terrorism financing transactions, or may be used in such transactions, including attempts to carry out the same, shall:

1. promptly report the suspicious transaction to the General Administration of Financial Investigations and provide it with a report detailing data and information available on such transaction and the parties involved; and

2. provide any additional information required by the General Administration of Financial Investigations.

Article 71

1. Financial institutions, designated non-financial businesses and professions, and non-profit organizations, any of their managers or board members, or members of executive or supervisory management, or their employees, may not alert clients or any other person that a report, prepared pursuant to this Law, or information related thereto has been or will be submitted to the General Administration of Financial Investigations, or that a criminal investigation is underway or has been conducted. This shall not include disclosures or communications between directors and employees or communications with lawyers or competent authorities.

2. Financial institutions, designated non-financial businesses and professions, and non-profit organizations, any of their managers or board members, or members of executive or supervisory management, or their employees, shall incur no liability towards the reported person, upon notifying the General Administration of Financial Investigations or providing it with information in good faith.

Chapter 7: International Cooperation

Article 72

The competent authorities may exchange available information with foreign counterparts, conduct inquiries on their behalf, or form joint investigation teams for the purpose of providing assistance in the investigation or controlled delivery of funds, with states that are signatories to valid agreements with the Kingdom, or on the basis of reciprocity, in accordance with applicable statutory procedures and without prejudice to provisions

and customs governing confidentiality of information, as specified by the Regulations.

Article 73

Any person accused or convicted of any of the crimes stipulated in this Law may be extradited pursuant to a valid agreement between the Kingdom and the requesting state, or on the basis of reciprocity. If the extradition request is denied, the wanted person in any such crimes shall be tried before the competent courts in the Kingdom, using investigation reports provided by the requesting state. The Regulations shall specify the extradition procedures.

Article 74

The Standing Committee for Mutual Legal Assistance Requests shall receive mutual legal assistance requests concerning any of the crimes stipulated in this Law.

Article 75

The Standing Committee for Combating Terrorism and its Financing shall receive requests from states and organizations for the implementation of the United Nations Security Council Resolutions relating to the combating of terrorism and its financing, and shall set and update mechanisms and take necessary measures and procedures, issued pursuant to a decision by the President of State Security, to implement relevant Security Council Resolutions.

Chapter 8: General Administration of Financial Investigations

Article 76

The General Administration of Financial Investigations shall, as a national central agency, enjoy adequate operational independence. It shall receive reports and information related to terrorism financing crimes as provided for in this Law and its Regulations, analyze such reports and information, and refer the findings to the competent authorities, on its own initiative or upon request.

Article 77

1. The General Administration of Financial Investigations may directly obtain from the reporting person any additional information that could be used in the analysis thereof. In the absence of a report by a financial institution pursuant to Article 70 of this Law, or if the General Administration of Financial Investigations wishes to obtain information not related to a report it has received, it shall request such information through the competent monitoring authority. The relevant financial institutions shall submit the required information without delay.

2. The General Administration of Financial Investigations may, if necessary, obtain any financial, administrative, or legal information, or any other related information, collected or maintained by the relevant authorities, or their designees, in accordance with prescribed legal provisions.

Article 78

An employee of the General Administration of Financial Investigations,

or any person accountable before it, shall maintain the confidentiality of information he is privy to in the course of performing his job duties, even after being discharged from such duties.

Article 79

The General Administration of Financial Investigations may, on its own initiative or upon request, forward the information and its findings to the competent authority if it has reasons to suspect that a transaction is linked to a terrorism financing crime. The Administration shall exercise its powers without restrictions, including the power to make an independent decision to analyze, request, re-direct, or forward any particular information.

Article 80

The General Administration of Financial Investigations may exchange with the competent authority any information it maintains.

Article 81

1. The General Administration of Financial Investigations may exchange with any foreign counterpart or request therefrom any information related to its work, and may, pursuant to statutory procedures, conclude agreements or arrangements therewith for exchange of information.

2. The General Administration of Financial Investigations shall, upon providing a foreign counterpart with information in accordance with paragraph 1 of this Article, obtain an undertaking or declaration therefrom that such information will be used only for the purpose for which it was requested, unless the Administration agrees otherwise.

Chapter 9: Oversight

Article 82

Monitoring authorities shall:

1. collect data and information from financial institutions, designated nonfinancial businesses and professions, and non-profit organizations and apply proper monitoring procedures, including on-site inspections;

2. obligate financial institutions, designated non-financial businesses and professions, and non-profit organizations to provide any information that the monitoring authority deems necessary for performing its duties, and obtain copies of documents and files regardless of how or where they are stored;

3. conduct a risk assessment of potential terrorism financing crimes at entities monitored thereby;

4. issue directives, rules, guidelines, or any other regulatory instruments to financial institutions, designated non-financial businesses and professions, and non-profit organizations, for the implementation of the provisions of this Law;

5. cooperate and coordinate with the relevant authorities upon sharing any information relating to monitoring of terrorism financing crimes with any foreign counterpart, or execute any requests relating to monitoring activities received from a foreign counterpart on behalf thereof, or request cooperation or any monitoring information from a foreign counterpart;

6. verify that financial institutions, designated non-financial businesses and professions, and non-profit organizations adopt and implement the measures set forth in this Law at their foreign branches and majority-owned subsidiaries to the extent permitted by the laws of the country where such branches and subsidiaries are located;

7. establish and enforce integrity and adequacy measures for the participation in the management or supervision of financial institutions, designated nonfinancial businesses and professions, and non-profit organizations, or for the direct or indirect acquisition or control of the same, or for becoming a beneficial owner of significant shares therein; and

8. maintain statistics concerning the adopted measures and imposed penalties.

Article 83[1]

Without prejudice to any harsher penalty, or any other measure provided for in another law, the monitoring authority may, upon detecting any violation of the provisions set forth in this Law, its Regulations, or relevant decisions or directives committed by financial institutions, designated non-financial businesses and professions, and non-profit organizations or any of their directors, board members, or executive or supervisory management members; or upon receiving any violation referred thereto by the competent authority, take or impose one or more of the following measures or penalties:

1. Issue a written warning citing the violation committed.

[1]This Article was amended pursuant to Royal Decree No. (M/31) dated 18/2/1444H, by adding the phrase: "The monitoring authority shall notify the General Administration of Financial Investigations of any measure or penalty it takes."

2. Issue an order for compliance with specific instructions.

3. Issue an order for provision of regular reports on measures taken to rectify the violation.

4. Impose a fine not exceeding five million riyals per violation.

5. Bar the violator from employment at sectors falling within the jurisdiction of the monitoring authority for a period determined by such authority.

6. Restrict the powers of managers, board members, executive or supervisory management members, or controlling owners, including appointing one or more provisional comptrollers.

7. Suspend or request the replacement of managers, board members, or executive or supervisory management members.

8. Suspend, restrict, or ban the activity, business, profession, or product.

9. Suspend, restrict, or revoke the license.

Chapter 10: Concluding Provisions

Article 84

The Standing Committee for Combating Terrorism and its Financing shall coordinate, revise, and regularly update the general national policies on combating terrorism and its financing; take necessary measures regarding such policies and their development in light of international commitments, requirements, and developments; and assess the threat of terrorism and its financing, including high-risk countries. The President of State Se-

curity shall issue the bylaws for the Standing Committee for Combating Terrorism and its Financing.

Article 85

The relevant agencies shall:

1. protect the rights of victims, and persons of similar status, of crimes stipulated in this Law, by providing proper assistance and support for their claims; and

2. provide necessary protection for witnesses, informants, judges, public prosecutors, investigators, defense counsel, and persons of similar status in cases of serious threat or harm to their lives, safety, basic interests, or family members. The Regulations shall set proper procedures.

Article 86

The relevant authorities in the Kingdom may exchange with each other any information disclosed by financial institutions, designated non-financial businesses and professions, and non-profit organizations, provided they maintain the confidentiality of such information and not disclose it except to the extent necessary for use in investigations or prosecutions relating to any of the crimes provided for in this Law.

Article 87

Any person concerned with the application of the provisions of this Law shall maintain the confidentiality of information he becomes privy to, and may not disclose such information except for use by the relevant authorities. Such person may not, without justification, disclose to another person any of the reporting, investigation, or trial procedures, or data relating

thereto, with respect to any of the crimes set forth in this Law.

Article 88

Specialized centers shall be established to rehabilitate persons detained or convicted of any of the crimes stipulated in this Law and strengthen their spirit of patriotism. Work rules of committees of said centers as well as their formation, and remuneration of their members and collaborators shall be determined pursuant to a decision by the President of State Security.

Article 89

The Presidency of State Security shall establish correction and rehabilitation facilities for the purpose of providing care to persons detained or convicted of any of the crimes stipulated in this Law, facilitating their integration into society, deepening their sense of patriotism, and correcting their misconceptions. The President of State Security shall issue rules governing the work of such facilities and the remuneration of their employees and collaborators.

Article 90

The President of State Security shall issue regulations that include security procedures, rights, duties, and violations and penalties; classification of detainees and prisoners in detention centers and prisons designated for the implementation of the provisions of this Law; and measures necessary to improve their social and health conditions.

Article 91

The intent, knowledge, or purpose of committing a crime of terrorism or its financing shall be established by the circumstances of the criminal act.

Article 92

Where this Law is silent, the provisions set out in the Anti-Money Laundering Law relating to the obligations of financial institutions, designated non-financial businesses and professions, and non-profit organizations shall apply.

Article 93

Where this Law is silent, the provisions of the Criminal Procedures Law shall apply.

Article 94

This Law shall supersede the Law of Terrorism Crimes and Financing, issued by Royal Decree No. (M/16) dated 24/2/1435H, and shall repeal any conflicting provisions.

Article 95

The Public Prosecution shall draft the Regulations, in collaboration with the Ministry of Interior, Ministry of Justice, Ministry of Finance, and the Presidency of State Security. The Council of Ministers shall, pursuant to a resolution, issue the Regulations within 180 days from the date of issuance of this Law.

Article 96

This Law shall enter into force on the day following the date of its publication in the Official Gazette.

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