

COUNCIL OF MINISTERS DECISION

NO.199 DATED 17/08/1421 H (13/11/2000 G)

THE COUNCIL OF MINISTERS,

Having reviewed the letter received from the Presidency Bureau of the Council of Ministers under No. 7/6103/R dated 05/05/1420 H enclosing the letter of H.E the Minister of Labour and Social Affairs who is also the Chairman of the Board of Directors of the General Organization for Social Insurance No. 331/1/Kh dated 28/02/1416 H. concerning the draft Social Insurance Law;

Having reviewed the Social Insurance Law issued under Royal Decree No, M/22 dated 06/09/1389 H;

Having reviewed the minutes prepared by the Experts Commission under No, 85 dated 30/03/1418 H;

Having reviewed the recommendation of the General Committee of the Council of Ministers No. 350 dated 09/07/1420 H;

Having reviewed the minutes prepared by the Experts Commission No. 281 dated 07/09/1420 H;

Having considered the Decision of the Consultative Council No. 45/66 dated 23/02/1420 H;

Having reviewed the two recommendations of the General Committee of the Council of Ministers No. 273 dated 19/07/1421 H. and No.301 dated 10/08/1421 H,

DECIDES AS FOLLOWS :

First: The Social Insurance Law is hereby approved in the form attached hereto
A draft Royal Decree to that effect, copy attached hereto, has been prepared.

Second: A committee is hereby formed under the chairmanship of H.R.H the Minister of Interior and Chairman of the Manpower Council and membership of H.E the Minister of Civil Service, the Minister of Finance and National Economy, the Minister of Labour and Social Affairs, the Minister of Commerce, the Minister of Industry and Electricity and the State Minister and Cabinet Member Dr. Musaad Al-Eban, for the study of the issue of co-ordination

between the Civil and Military Retirement Schemes and the Social Insurance Scheme, with a view to reach to firm rules for the exchange of benefits between the said Schemes. Such Committee shall submit its recommendations within a period not exceeding one year.

Third: The Retirement Pension Fund and the General Organization for Social Insurance shall urgently prepare the actuarial valuations required for the study referred to in item (Second) above and present them to the said Committee within a period not exceeding six months.

President
Of the Council of Ministers

- **Chapter I : SOCIAL INSURANCE BRANCHES AND DEFINITIONS**
- **Chapter II : SCOPE OF APPLICATION**
- **Chapter III : ADMINISTRATIVE ORGANIZATION**
- **Chapter IV : REVENUES AND FINANCIAL ORGANIZATION**
- **Chapter V :SECTION 1: BENEFITS UNDER THE OCCUPATIONAL HAZARDS BRANCH / SECTION 2: BENEFITS UNDER THE ANNUITIES BRANCH**
- **Chapter VI : GENERAL PROVISIONS**
- **Chapter VII : TRANSITIONAL AND CONCLUDING PROVISIONS**

Chapter I : SOCIAL INSURANCE BRANCHES AND DEFINITIONS

ARTICLE (1)

1. This Law shall be called "Social Insurance Law" and shall constitute the following insurance branches :

- a. Occupational Hazards Branch which provides benefits in cases of employment injuries
- b. Annuities Branch which provides benefits in cases of non-occupational disability, old-age, and death.

2. The insurance branches constituted hereunder may be extended to provide other kinds of benefits in accordance with the statutory methods.

ARTICLE (2)

Unless otherwise is provided for herein, the terms used herein shall have the meanings explained below:

1. The term "Minister" means the Minister of Labour and Social Affairs.
2. The term "Insurance" means social insurance provided for herein.
3. The term "Organization" means the General Organization for Social Insurance.
4. The term "Regulation or Regulations" means the decisions that embrace organizational rules or general implemental provisions in conformity with this Law.
5. The term "benefits" means the benefits afforded by each of the branches of this Law notwithstanding that they may be cash benefits such as pensions, benefits or allowances or services such as treatment services and whatever is related thereto.
6. The term "employer" means any natural person or legal entity (to whom this Law applies) employing one or more workers satisfying the conditions provided for herein.
7. The term "contributor" means any person who is subject to

insurance, be he a man or woman, thus the use thereof in a masculine form in any provision shall include the woman insofar as it is appropriate. The contributor is described as a compulsory contributor if he is one of the workers referred to in paragraph (3) of Article (4) and as a voluntary contributor if he is among the categories provided for in paragraph (4) of Article (4) and paragraph (1) of Article (8).

8. The term "family members" means the following members:

a. The widow or widower of the deceased, and the widower is the one whose contributing wife died and is suffering a loss of earning capacity until he is no more incapacitated.

b. The sons who are under twenty one years of age until they complete such age and the daughters until they marry. The maximum age limit prescribed for the sons shall be extended until they complete twenty six full years if they are continuing their studies in educational or vocational institution, and no age limit is set so long as they are unable to engage in any occupation by reason of chronic disease or infirmity.

c. The grandsons and granddaughters whose father died during the lifetime of the contributor and were supported by the contributor until the date of his death, subject to the same conditions as prescribed in respect of the sons and daughters.

d. The parents of the deceased contributor who were supported by him at the time of his death, provided that the father is unable to work, or otherwise is over sixty years of age and not working.

e. The grandfather and grandmother, subject to the same conditions required in respect of the parents.

f. The brothers and sisters of the contributor subject to the same conditions referred to in respect of sons and daughters, provided they were supported by him at the time of his death.

9. The term "employment injury or injuries" means the accidents occurring during or by reason of employment and the occupational diseases laid down in Article (27)

ARTICLE (3)

1. The Minister may issue rules that permit the employers, individually or collectively, to set up private welfare institution for the purpose of granting their workers and their workers' families, if need be, additional benefits over and above those provided for in

this Law, provided that such rules shall include the conditions for establishment of institution and the method of management and liquidation thereof.

2. The provisions of this Law shall not prejudice such other social insurance cash benefits as may have already been payable to the contributor or his family members by private institutions

Chapter II : SCOPE OF APPLICATION

ARTICLE (4)

With due regard to the provisions of Articles (5) and (6), the Occupational Hazards Branch and the Annuities Branch shall apply according to the following details :

1. The Occupational Hazards Branch shall be compulsorily applied to all workers without any discrimination as to sex, nationality or age.

2. The Annuities Branch shall be compulsorily applied to all Saudi workers without any discrimination as to sex, provided that the covered worker shall be under 60 years of age upon his initial coverage under the Law. Where a worker, who has been previously covered by the Social Insurance Law, has re-engaged in an employment subject to the Law at age 60 or over, he shall be treated as follows:

a. If he has already been entitled to pension for his previous period of contribution, he shall be given the choice either to be exempted from contribution for his new period of employment or to continue his contribution, provided that he is under 65 years of age. However, if he has reached the said age on the date of his re-engagement in employment, this Law shall not be applicable to him in respect of his subsequent period of employment.

b. If he is not a pensioner, the Law shall apply to him irrespective of his age on the date of his re-engagement in employment.

3. For the purposes of application of the provisions of the paragraphs (1) and (2) of this Article, the worker shall have been employed by virtue of an employment contract for the benefit of one or more employers regardless of the duration, nature or form of the contract or the amount or kind of the wage paid, provided that his employment is mainly performed within the Kingdom, or that the worker is a Saudi national if he works abroad for an employer whose head office is within the Kingdom, as laid down by the Regulations.

4. The Annuities Branch shall voluntarily apply to the Saudi citizens who are engaged in liberal professions or who conduct, for themselves or in partnership with others, a commercial, industrial, agricultural or service activity, or tradesmen, or Saudi nationals employed abroad and have no employment relation with an employer whose head office is within the Kingdom, in accordance with the provisions of the Regulations. The Occupational Hazards Branch may, by decision of the Minister on the approval of the Board of Director, be applied to the said categories as provided for by the decision.

5. Without prejudice to the provisions of Article (5), and by decision of the Minister on the approval of the Board of Directors, special measures may be taken to extend coverage under any of the insurance branches to citizens outside the categories provided for in this Article.

6. The provisions of each of the insurance branches that will eventually be instituted shall prescribe its scope of coverage.

ARTICLE (5)

1. Excepted from coverage by the insurance provided for in the Law are:

- a. Civil servants and members of the armed forces and the police, who are covered under the retirement pension plans for the civil servants and military personnel.
- b. Foreign employees working in foreign international or diplomatic or military missions
- c. Workers employed in agricultural, forestry, or pastoral works, and save for these subject to the Labour and Workmen Law and those employed in state bodies and semi-state bodies as well as those employed in private establishments and companies which satisfy the criteria and controls prescribed by the Regulations.
- d. Sea-men including the sea-fishermen, save for those subject to the Labour and Workmen Law, as well as those employed in the marine establishments and companies and fishing companies which satisfy the criteria and controls prescribed by the Regulations.
- e. Domestic servants.
- f. Foreign workers who come to the Kingdom to engage in works which usually take no more than three months to complete, and the

Regulations shall prescribe the works intended for the purposes of this provision.

g. Artisans (workers working in their homes)

h. Employer's family members who work in the family firms where no workers other than them are employed.

Nevertheless, any of those referred to in sub-paragraphs (g) and (h) above, may request to benefit from the provisions of this Law as provided by paragraph (4) of Article (4).

2. Some or all of the categories mentioned in sub-paragraphs (c), (d) and (e) of the preceding paragraph may be covered under the Law, by decision of the Minister, on the approval of the Board of Directors and in accordance with the provisions of Article (6).

ARTICLE (6)

The actual application of the social insurance branches provided for in Article (1) shall take effect in stages to be determined by a decision of the Minister on the recommendation of the Board of Directors.

ARTICLE (7)

1. The employers employing workers shall be liable to apply the Law and the Regulations thereof, and the application shall take effect on the day the conditions provided for in this Law and its Regulations and in the Ministerial Decisions made pursuant to the provisions of Article (6) are satisfied.

2. The Regulations shall prescribe the method of registration with the Organization of the employers and the contributors covered by this Law.

ARTICLE (8)

1. Any contributing worker whose contribution to the Annuities Branch is discontinued and who is no more satisfying the conditions provided for herein, shall have the right to continue his contribution to the said branch, provided that he submits, within the time limit prescribed by the Regulations, a request whereby he undertakes to pay the prescribed contributions payable by both the employer and the worker for insurance under the Annuities Branch.

2. If the period of contribution referred to in the preceding paragraph is completed, and the contributor or his family members

(as appropriate) have not qualified for pension, his contribution shall be terminated and the contributions paid for that period shall be refunded to him or to his family.

3. The contributor under the provisions of paragraph (1) shall, in respect of the total of his two periods of contribution, be subject to the same rules for the computation of the period of contribution and for the entitlement and calculation of the benefits which apply to all contributors.

4. The Regulations shall set forth the rules and procedures for the implementation of this Article.

Chapter III : ADMINISTRATIVE ORGANIZATION

ARTICLE (9)

1. The Organization shall administer the social insurance and implement the provisions of this Law. It shall be a legal entity, enjoy administrative and financial independence and be guaranteed and controlled by the State.

2. The administrative agencies of the Organization shall comprise Head Office in Riyadh and offices to be established, as needed, throughout the Kingdom by decisions of the Board of Directors.

3. The Organization may, by decision of the Board of Directors, establish or participate in establishment of companies or acquire private investment units on full ownership basis and shall manage its investments in accordance with the same business practice of management of similar investments in private sector and in conformity with the Regulations to be issued by the Board of Directors of the Organization.

ARTICLE (10)

1. The Organization's Board of Directors shall be composed of eleven members including Chairman and the Vice-Chairman, as follows:

- Minister of Labour and Social Affairs, Chairman
- Governor of the Organization, Vice Chairman
- Three members representing Ministry of Labour and Social Affairs, Ministry of Finance and National Economy and Ministry of Health, and each such members shall be nominated by the Minister concerned provided that the nominated member shall not be lower than grade 14.
- Three members form among the contributors to the scheme who are highly qualified in their work.
- Three members from among the employers.

2. The Board members, excluding the Chairman and the Vice Chairman, shall be appointed by resolution of the Council of Ministers on the recommendation of the Minister, and their term of membership shall be three years only.

3. The Board shall hold at least one ordinary meeting every three months upon convocation by the Chairman or Vice Chairman. The Board may also be convoked for a meeting upon a request made by at least seven members. Decisions shall be made by majority vote in the presence of at least seven members. In case of equal voting, the opinion of the side comprising the Chairman shall be taken, provided that in all cases, the number of members voting in favour of the decision shall not be less than four.

4. The Board may call experts or specialists to attend its meetings without having the right to vote.

5. Remunerations for the Chairman, Vice-Chairman, and the rest of the members shall be fixed by the resolution of the Council of Ministers on the recommendation of the Minister and paid from the Organization's budget.

6. The Board shall lay down its own rules of procedures in conformity with the provisions of this Law.

7. The member of the Board of Directors shall be disqualified in any of the following cases :

a. If he does not attend four consecutive Board meetings without an acceptable excuse, or it becomes impossible for him to attend to the basic duties of his office for six consecutive months.

b. If he is sentenced to a penalty for a financial crime or for a crime

affecting honor or public interest.

c. If any of the employer's representatives is declared bankrupt.

In all cases, the membership disqualification shall be announced by decision of the Chairman of the Board of Directors.

ARTICLE (11)

The decisions which are made by the Board of Directors under the chairmanship of the Vice-Chairman and require, by virtue of the Law, approval by the Minister, shall be referred to the Minister within eight days from the date of issue thereof. If, within fifteen days from the date of such referral, such decisions are not approved by him, they shall become effective. The Minister may, within the said period, remand to the Board of Directors decisions which are not approved by him, showing the reasons for disapproval thereof, provided that the remanded decisions shall be placed on the agenda of the following Board meeting, and such decisions shall become effective if at least seven of the present members vote in favour thereof.

ARTICLE (12)

The Board of Directors shall have the following prerogatives:

1. Supervising the implementation of the Law and Regulations, achieving the objectives of the Law and to improving the Organization's work progress.
2. Approving the organizing and implementing regulations.
3. Proposing the application stages in accordance with the provisions of Article (6) hereof and the institution of new insurance branches.
4. Approving establishment of the Offices of the Organization
5. Approving the accounting plan, the balance sheet, the financial report and the final account of the Organization.
6. Announcing the Organization's annual financial position and investment activities.
7. Devising and approving the general plan for the investment of the Organization's funds and approving the fields of investments which it deems useful for the employment of such funds within the framework of the said plan.

8. Expressing its opinion regarding any matter referred to it by the Board Chairman or Vice-Chairman.

9. Performing such other duties as may be entrusted to it by virtue of the provisions of this Law or the Regulations issued in implementation of the provisions hereof or any other legislative provision.

10. Accepting donations and bequests.

ARTICLE (13)

1. The affairs of the Organization shall be managed by a Governor who shall be designated by Royal Decree on the recommendation of the Minister.

2. The Governor shall:

a. represent the Organization before the court and other agencies and may authorize such other persons as he may wish to do so;

b. implement the decisions of the Board of Directors and shall directly report to such Board; and

c. manage the interests of the Organization and supervise its employees, handle its administrative and financial operations which fall within his jurisdiction and ensure the proper progress of its business.

3. The Governor may delegate some of his prerogatives to his assistance or other employees of the Organization.

ARTICLE (14)

1. There shall be formed a Control Committee composed of a Chairman and two members. The Chairman of this Committee shall be designated by the Minister. One of the two members shall be designated by the Minister of Finance and National Economy, and the other shall be designated by the Governor of the Saudi Arabian Monetary Agency. The term of office of the Committee shall be two years and may not be renewed for more than two consecutive times.

2. The Committee shall perform the following functions:

a. To control the works of the financial management of the Organization

- b. To ensure the proper procedures followed in the investment of the funds of the Organization.
 - c. To express the opinion in respect of the Organization's annual budget and account prior to presentation thereof to the Board of Directors and to ascertain the statutory and genuine contents thereof.
 - d. To examine the Financial and accounting system and the accounting plan and propose development thereof.
 - e. To evaluate the internal auditing system of the Organization.
 - f. To verify the correctness of the accounting books.
 - g. To exercise such other prerogatives as may be entrusted to it by the Minister.
3. The Committee shall, at the end of the sixth month of each fiscal year, prepare a report showing its remarks on the Organization's activities in the last six months and shall, at the end of the fiscal year, prepare an annual report. The Committee's report shall be presented at once to the Minister, Board of Directors and Governor of the Organization.
 4. For the proper performance of its functions, the Committee shall be assisted by a number of specialized employees who will be attached to it by the Governor in response to the request of the Chairman. Such employees shall remain responsible solely before the Chairman throughout the period of their assignment with the Committee.
 5. The Committee shall draw up its own rules of procedures.
 6. The remunerations of the Committee members shall be fixed by the Minister.

ARTICLE (15)

1. The Board of Directors shall, on the recommendation of the Governor, determine the organizational structure of the Organization, including the numbers, categories, grades and salaries of the employees.
2. The Board shall issue employment regulations that determine the conditions governing the appointment, discipline and termination of the services of the employees of the Organization and set forth their

rights and duties.

ARTICLE (16)

1. The Minister shall exercise the state control over the Organization and may, in addition to his powers and prerogatives provided for in this Law and its Regulations, request the Organization to give him all necessary information and to place at his disposal such books, files and documents as he may deem necessary to exercise this control.

2. To achieve the same purposes, the Organization shall, at the end of each year, submit to the Minister a report on the works performed in that year.

Chapter IV : REVENUES AND FINANCIAL ORGANIZATION

ARTICLE (17)

The revenues of the Organization shall consist of:

1. the contributions of the employers and contributors provided for in Article (18), the contributions imposed to finance other branches of insurance in accordance with the provisions of Articles (1) and (4) of this Law, and the contributions paid in accordance with the provisions of paragraph (2) of Article (38);
2. the state annual subsidy allocated in the State general budget, as needed;
3. the additional amount provided for in paragraph (5) of Article (19) hereof in respect of delay in payment of contributions;
4. the returns of investment of the Organization's funds;
5. the donations and bequests made to the Organization; and
6. such other revenues as may be allocated for the Organization by virtue of the provision of another law or regulations.

ARTICLE (18)

1. The contributions for the Occupational Hazards Branch shall be fixed at 2% (two percent) of the contributory wages of the contributor and shall be payable by the employer. This rate of contribution may be increased to double the amount for employers who refuse to abide by the instructions issued by the competent authorities in regard of the safety and health of workers. The procedures for the implementation of this last provision shall be prescribed by the Regulations. As for the contributors of other categories mentioned in paragraphs (4) and (5) of Article (4), each of such contributors shall pay the fixed contribution.

2. a. The contribution for the Annuities Branch in respect of the contributing workers provided for in paragraph (2) of Article (4) shall be fixed at 18% (eighteen percent) of the contributory wage, of which 9% (nine percent) shall be payable by the employer and 9% (nine percent) shall be payable by the contributor, with due regard to the provisions of Article (65).

2.b. The contribution for the Annuities Branch, in respect of the contributors of the categories mentioned in paragraph (4) of Article (4) shall be fixed at 18% (eighteen percent) of the assumed wage chosen by the contributor in accordance with the provisions of Section 3 of Chapter V, which contribution shall wholly be payable by the contributor.

3. The rate of contribution provided for in the preceding two paragraphs may be modified by a decision of the Council of Ministers issued on the recommendation of the Minister after the Board of Directors shall have expressed a motivated opinion based on an actuarial study.

ARTICLE (19)

1.a. The contributions provided for in paragraphs (1) and 2(a) of the preceding Article shall be computed on the basis of the basic monthly wage received by the contributor. The Regulations shall prescribe the basic wage and may, for the purposes of computation of contributions, add to the wage any of the allowances and benefits in kind due to the contributor. The regulations shall also prescribe the method of determining the contributory wages of the contributing workers whose wages are determined by piece, as well as the method of computation of the amount of contributions payable in favour of the apprentice worker.

1.b. The maximum contributory wage shall be SR 45,000 (forty five thousand Saudi Riyals) per month. This limit may be raised by the Regulations as revealed by a revision of wage levels to be made

from time to time.

2. The contributions due under the provisions of paragraph 1 (a) for the increases in the contributory wage of the worker shall no more be paid with effect from the date on which he reaches age fifty except to the extent of the percentage prescribed by the Regulations, with due regard to the wage levels and the various increases therein.

3. The method of computation of contributions shall be determined by the Regulations. The Regulations may provide for the contributions to be computed on the basis of the wages referred to in paragraph 1 (a) and actually received month by month including any reduction or increase therein or to be computed on monthly basis without being affected by sudden reduction in such wage, or to be computed for all months of the insurance year on the basis of the contributory wages agreed for the first month of the year. The Regulations may also provide for contributions to be payable on lump-sum basis or according to the wage graduation in respect of certain categories of contributors. In all cases, benefits shall be computed on the basis of the wages used for the purposes of determining the due amount of contributions.

4. The employer shall pay to the Organization the full amount of contributions due from him and from his contributing worker, and the employer alone shall be responsible towards the Organization for the payment of such contributions. In return, the employer may deduct from the wage of his contributing worker the contributions due from the worker every time he pays him his wage. Should the employer fail to withhold such contributions upon payment of the wages, he may not withhold such contributions in any form thereafter.

5. Contributions shall be paid to the Organization within the first fifteen days of the month immediately following that for which the contributions are due. If payment is not affected within this period, the employer shall pay a fine for delay at the rate of 2% (two percent) of the unpaid contributions for each month or fraction of a month of delay. The Regulations shall prescribe the maximum fines for delay and the cases in which payment of all or part of the fines may be exempted.

6. All state and semi-state bodies and state-owned or shared companies, or joint stock companies shall require the employer dealing with them to submit a certificate issued by the appropriate insurance office evidencing that his firm has been registered with the Organization and that he has discharged all his obligations

towards the Organization or otherwise that he is not subject to the provisions of this Law, upon:

- a. claiming his due payments in accordance with the rules and procedures followed in the collection of entitlements of the Zakat and Income Department;
- b. tendering for execution of any of the works, supply, operation or maintenance contracts ;
- c. applying for amending his commercial register, reviewing it or making an addition to the date thereof;
- d. applying for receipt of the aid determined for him by the State;
- e. considering liquidation of his firm or firms;
- f. applying to the competent authorities for approval of recruiting workers from abroad ; or
- g. applying for a license for any project or for renewal of such license.

7. The Regulations shall specify the method of payment of the contributions. They may also provide for payment of contributions due in respect of certain categories of workers by means of stamps to be affixed to cards or booklets prepared for this purpose.

8. The Employer shall, within the period prescribed in paragraph (5) of this

Article, submit to the Organization monthly payrolls in the forms specified by the Organization.

ARTICLE (20)

1. The collection of contributions and fines imposed for delay is guaranteed as a privileged claim in favour of the organization which comes immediately after payment wages in the order of privileged claims.

2. The Organization may, after obtaining a court order, effect through the official authorities, attachment or compulsory execution on any of the funds owned by the employer or due to him from any government agency or individual for the purpose of settlement of the amounts due to the Organization so long as the statements of such amounts are duly approved by the Minister.

ARTICLE (21)

Each of the branches of insurance shall have accounts of its own. The Board of Directors shall allocate to each branch its share in the administrative expenses and shall lay down the rules governing the distribution among the various branches of the revenues that do not belong to any particular branch.

ARTICLE (22)

The funds and revenues of the Organization shall only be used for providing the benefits provided for in this Law and for covering the necessary administrative expenses of the Organization.

ARTICLE (23)

The fiscal year of the Organization shall be the Hijrah year.

ARTICLE (24)

1. The financial Regulations shall regulate the following matters:
 - a. The budget and final account.
 - b. The accounts.
 - c. The balances of contributors' entitlements which are not due yet.
 - d. The investment of funds.
 - e. Any other matter related with the financial management of the Organization and has not been provided for in this Law.

ARTICLE (25)

A detailed study of the financial position of the Organization and each insurance branch shall be made at least once every three years. The results of such study may be taken as a basis for the revision of the contribution rates in accordance with the provisions of paragraph (3) or Article (18). Should the study reveal an actuarial deficit, the State shall cover such deficit by means of subsidy appropriations in the general budget.

ARTICLE (26)

The administrative expenses of the Organization may not exceed 5% (five percent) of its revenues. However, the Minister may, by decision of the Council of Ministers on the recommendation of the Minister, reduce such rate or raise it up to 7% (Seven Percent) as a maximum.

Chapter V : THE BENEFITS

SECTION 1: BENEFITS UNDER THE OCCUPATIONAL HAZARDS BRANCH

ARTICLE (27)

1. Any accident suffered by the contributor during performance or by reason of work shall be considered an employment injury. There shall also be considered an employment injury any accident suffered by the contributor on his way from his dwelling to his workplace and back, or on his way from his workplace to the place where he usually takes his meal or gives his prayer and back. The same shall also apply to accidents suffered by the contributor during movements he makes for the purpose of doing an assignment required by the employer.
2. The disease established to be caused by work shall be considered as employment injury, and so does the occupational disease duly determined in accordance with the principles set forth in the next paragraph, and the date of the first medical diagnosis of the disease shall be regarded as the date on which the injury is sustained.
3. The occupational diseases shall be determined in accordance with such schedule as may be issued by the Board of Directors which shall review it whenever the need thereof arises. The Regulations may fix the maximum period during which the symptoms of the disease must appear in order to be considered as occupational disease in cases where the symptoms of the disease appear on the contributor after he has ceased to be engaged in an employment or occupation set forth in the schedule. The Organization's liability to award the benefits prescribed under this Law shall take effect on the date of cessation of the contributor's engagement in employment or occupation.

ARTICLE (28)

1. The contributor who has sustained an employment injury or his family members shall be entitled to claim the following benefits:
 - a. The medical care required by the physical condition of the contributor.
 - b. The daily allowances for temporary work disability, if, by reason of the injury, the contributor becomes temporarily unable to work.
 - c. The monthly benefit and lump sum compensation for permanent total or partial disability resulting from the injury.
 - d. The monthly benefits for the family members.
 - e. The grant for the family of the injured person or recipient of the benefit in the event of his death.

2. There shall be no entitlement to any of these benefits unless the injury is sustained by the worker after his registration is effected by the appropriate insurance office or within the time limit prescribed by the Regulations for the employer to register his workers or within the time limit prescribed by the Regulations for the worker to apply for his own registration if the employer has refused or failed to register the worker. Once this condition is fulfilled, accrual of the right to receive the said benefits shall not be subject to completing any period of contribution.

ARTICLE (29)

1. The medical care shall aim, through all possible means, at maintaining and restoring the health of the injured person, or, should this be impossible, at improving his health condition and his ability to work and to attend to his personal needs. Such medical care shall include the following :

- a. The services of general practitioners, medical specialists and medical aids.
- b. Dentistry services
- c. Diagnostic examinations of any kind or nature.
- d. Admission of the injured person to and his treatment in a hospital, convalescence center or in any other adequate institution.
- e. Medical substances required
- f. Artificial limbs and the like or any medical or surgical appliances required to correct the injury in addition to maintenance and replacement of these, as needed.
- g. The expenses of transportation of the injured person and the companion, as needed, from and to the workplace or from his dwelling to the medical center or hospital or medical clinic where he can receive the treatment required by his condition and back, as well as their lodging expenses.

2. Medical care shall be provided without any time limitation and for as long as the condition of the injured person requires.

3. The employer shall be liable to provide first-aid to the injured person and shall take the necessary measures to meet this liability, taking into consideration the number of workers he employs and the occupational hazards inherent in the performance of the operations carried out in his enterprise.

4. The medical care shall be provided by the hospitals, medical centers and clinics owned by the Organization or entered into contract with for this purpose, or by the public health centers and aid medical staff available at these centers which are likely to provide the proper care, without any charge to the injured person. In emergency cases, the injured person may have recourse to any physician or physician's aid or private medical clinic or private hospital, and the Organization shall bear the ensuing expenses, provided that it shall be notified of the same within three days from the date on which this right is exercised, save if exceptional circumstances should prevent

such notification, in which case the period shall be extended accordingly.

5. The Organization may, if the financial position of the Occupational Hazards Branch so allows, set up its own treatment centers or private hospitals for the treatment of injured persons and may establish appropriate institutions to rehabilitate and prepare them both physically and vocationally. Also, the Organization may, subject to the same conditions, establish special institutions for the employment of those who have sustained employment injuries and of the disabled persons who are unable to find jobs on the labour market.

6. The Regulations shall determine the manner in which the provisions of this Article will be implemented, the methods and grace periods of the reporting of employment injury cases which must be referred to the appropriate offices of the Organization, and the kinds of injuries that must be reported.

ARTICLE (30)

1. If, as a result of duly recorded employment injury, the injured person is temporarily disabled, he shall be entitled to a daily allowance for each day of work disability including holidays. The daily allowance for injury shall be paid as of the day following the day on which the injury is sustained. The entitlement to the daily allowance shall cease on the day of restoration of his work ability, his recovery, establishment of his permanent disability, or his death.

2. The amount of the daily allowance for injury shall be assessed at the rate of 100% (one hundred percent) of the injured person's daily contributory wage for the month preceding the month in which the injury was sustained, which amount shall be reduced to 75% (seventy five percent) of the said wage while he is under treatment at the Organization's expense at a treatment center or elsewhere.

3. The Regulations shall prescribe the method and intervals of payment of the daily allowance.

4. Payment of the allowance may be suspended by a decision of the director of the office to which the injured person belongs, if it is established by a medical report that the injured person has refused to abide by the medical instructions required by his physical condition or to undergo a medical examination.

ARTICLE (31)

1. In case of permanent total disability resulting from an employment injury, the injured contributor shall be entitled to a monthly benefit equivalent to 100% (one hundred percent) of his average monthly contributory wage determined in accordance with paragraph (4) of this Article. However, if the permanent total disability benefit payable within the Kingdom is less than SR 1,500 (one thousand five hundred Saudi Riyals), it shall be raised to such amount. The Regulations may provide for raising the minimum benefit based on the increase in the cost of living in the Kingdom and within such limits as may be permitted by the financial position of the Organization.

2. In case of permanent partial disability resulting from an employment injury which

is equivalent to or exceeding 50% (fifty percent), the injured contributor shall be entitled to a monthly benefit equivalent to the product of multiplying the percentage of such disability by the permanent total disability benefit to which he might have been entitled had he sustained a total disability.

3. The amount of the payable monthly benefit shall be increased by 50% (fifty percent) as an allowance if the injured person is in need of the constant help of others in the performance of his daily life activities, provided that the amount of such allowance shall not exceed the maximum prescribed by the Regulations.

4. The average monthly wage shall be computed by taking one third of the total contributory wages paid during the three months preceding the month in which the injury was sustained. If during this period, the injured person had not worked at all or had worked partially for the employer in whose employ the injury was sustained, the average monthly wage shall be computed by taking one third of the total wages which would have been subject to contribution had the injured person been working under the same conditions and continuously with the last employer throughout the base three months period.

ARTICLE (32)

In case of permanent partial disability resulting from employment injury which is less than 50% (fifty percent), the injured person shall be entitled to a lump sum injury compensation equivalent to 60 times the monthly benefit prescribed for permanent partial disability which he could have claimed according to the percentage of the resulting disability pursuant to the provisions of the preceding Article, if he was not over 40 years on the date he sustained the injury, otherwise the said compensation shall be reduced by a number of monthly benefits equivalent to the number of years in excess of his 40 years of age, provided that the amount of compensation shall not be less than 36 times the assumed monthly benefit and shall, in no way, be more than SR 165,000 (one hundred sixty five thousand Saudi Riyals). The Regulations may, by justifiable reasons, provide for raising this maximum.

For the purposes of implementation of the provisions of this Article, the fractions of a year shall be considered as one whole year if they are equivalent to or exceeding six months and shall be disregarded if they are less than six months.

ARTICLE (33)

1. Should a recipient of a permanent partial disability benefit be afflicted with another disability resulting from another employment injury, he shall be entitled to receive a new benefit computed on the basis of the total injuries sustained by him, taking into account that the total disability degrees shall not exceed 100% (one hundred percent), and on the basis of the average wage for the three months preceding the month in which the last injury was sustained. However, if such average wage proves to be less than that on the basis of which the first benefit was computed, the new benefit shall be computed on the basis of the higher average wage.

2. Should a contributor, who had previously received a lump sum injury compensation pursuant to the provisions of Article (32) hereof, sustain a new injury he shall be

entitled to a monthly benefit where the total percentage of his disability in both injures qualifies him to become a recipient of a permanent disability benefit as provided for in a paragraph (2) of Article (31), provided that the lump sum compensation amount already paid to him shall be recovered by the Organization by installment deduction of the same from the first thirty six benefit payments. However, where payment of the benefit is discontinued pursuant to the provisions of paragraph (2) of Article (34) or by reason of death before the full compensation amount is deducted, the balance of installments shall not be recovered.

3. In case an injury is repeatedly sustained the disability percentages shall be totaled notwithstanding that such totaling may not qualify the injured person for monthly benefit, so long as such totaling shall raise the compensation payable to the injured person for the total injuries sustained by him, in which case the compensation payments already received for the former injuries shall be deducted from the compensation payable for the total injuries.

ARTICLE (34)

1. The degree of permanent disability shall be determined according to the nature of the infirmity sustained, the general condition of the injured, his age and occupation, his physical and mental aptitudes and also according to his professional capabilities. This shall be done in accordance with the schedule of disability rates issued by the Board of Directors which shall review it whenever the need thereof arises.

2. The disability benefits shall be granted on temporary basis, and the Organization shall require the injured persons to undergo periodical examinations during the first five years following the assessment of the disability. The benefit shall become payable for life by the lapse of the said five years. The dates of the examinations shall be fixed by the Medical Boards provided for in Article (53) of this Law. Should such examinations show an increase or decrease in the degree of disability of the injured person, the Organization shall, of its own accord or at the request of the beneficiary, revise the benefit, and such benefit shall be raised, reduced or stopped, depending on the change in the condition of the beneficiary, as of the first day of the month immediately following the confirmation of the intervening change.

3. The injured contributor who is entitled to monthly benefit shall have the right to concurrently received both the monthly benefit and his employment wage.

ARTICLE (35)

1. The members of the family of the deceased contributor as defined by paragraph (8) of Article (2) shall be entitled to benefits in the proportions prescribed by paragraph (2) of this Article, if the contributor was a recipient of a permanent total or partial incapacity benefit or died in employment by reason of an employment injury. In the later case, the survivors benefits shall be computed on the basis of assumption of contributor's entitlement to a benefit equivalent to the permanent total disability provided for in paragraph (1) of Article (31).

2. The benefit shall be paid to the eligible family members on equal basis, at the rate of 100% (one hundred percent) for three members and at the rate of 75% (seventy five

percent) for two members, and at the rate of 50% (fifty percent) for one member, provided that the share payable within the Kingdom to any family member shall not be less than SR 300 (three hundred Saudi Riyals) per month, and that their total shares shall, accordingly, not exceed the average wage taken as a basis for the calculation of the deceased contributor's benefit or SR 1,500 (one thousand five hundred Saudi Riyals) per month whichever is greater. Should their total shares exceed such amount, their individual shares shall be reduced proportionately.

The Regulations may provide for raising said minimum subject to the increase in the cost of living in the Kingdom and the results of the review of the financial position of the organization. In case of cancellation of a share of a member of the family, his share shall be repaid to the other eligible family members without prejudice to the foregoing limits.

3. a. The benefit payable to the widow, daughter, sister or grand daughter shall be suspended if she marries. However, if she is divorced or widowed thereafter, payment of her suspended share shall be resumed to her. If such share has already been wholly or partially redistributed among certain eligible survivors, their entitlements shall be reduced by the same amount, in which case the total amount of shares shall not exceed the limits provided for in paragraph (2).

b. In case of divorce or widowhood of the daughter, sister or granddaughter who was married at the time of death of the contributor or recipient of the benefit, the benefit shares shall be redistributed for the purpose of granting her the payable share.

4. The benefit payable to the incapacitated son, brother or grandson shall be cancelled in case he is no more incapacitated. However, if he is re-incapacitated his suspended share shall be returned to him. In case such share has already been wholly or partially redistributed among certain eligible survivors, their shares shall be reduced by the same amount, provided that the total shares shall not exceed the limits provided for in paragraph (2).

ARTICLE (36)

As an exception to the provisions of Articles (31) and (35), the non-Saudi injured person who qualifies for monthly benefit or the members of his family in the event of his death as a result of an employment injury, shall be paid a lump sum compensation in lieu of the monthly benefit. The lump sum compensation shall, in this case, be assessed according to the following rules:

1. The total benefit payable for seven years for the injured person who is afflicted with permanent total disability up to a maximum of SR 330,000 (three hundred thirty thousand Saudi Riyals).
2. The total benefits payable for five years for the injured person who is afflicted with permanent partial disability up to a maximum of SR 165,000 (one hundred sixty five thousand Saudi Riyals).
3. The total benefit payable for seven years for the contributor deceased as a result of an employment injury, which benefit amount shall be distributed among his eligible

family members in accordance with the provisions of paragraph (2) of Article (35) of this Law, provided that the distributed lump sum shall not exceed the maximum limit fixed under paragraph (1).

4. The Regulations may, for justifiable reasons, provide for raising the maximum limits mentioned in paragraphs (1) and (2).

ARTICLE (37)

The Organization shall be liable to pay the expenses of preparation and transportation of the body of the deceased contributor who was receiving an employment injury benefit in accordance with the details laid out in the Regulations.

SECTION 2: BENEFITS UNDER THE ANNUITIES BRANCH

ARTICLE (38)

1.

a. If the contributor attains 60 years of age and ceases to be engaged in any activity subject to this Law, he shall be entitled to a retirement pension if he has completed a minimum period of contribution of 120 (one hundred twenty) months.

b. The contributor who has not attained sixty years of age and ceased to be covered under the provisions of this Law, may receive a retirement pension if he has completed a minimum period of contribution of 300 (three hundred) months.

c. The female contributor, who leaves the activity subject to this Law, may receive her payable pension so long as, on the date of leaving the said activity, she has attained at least fifty five years of age and completed at least 120 (one hundred twenty) contribution months.

d. The contributors who work in arduous or unhealthy occupations and ceased to be covered under the provisions of this Law, may receive their payable pensions so long as they have completed 120 (one hundred twenty) contribution months, provided that the Regulations shall specify such occupations, their employers and their pensionable age of early retirement.

e. The Organization shall pay the retirement pension to the family of the contributor who is sentenced for a term of imprisonment so long as he has completed at least 120 (one hundred twenty) contribution months even though he may be under 60 years of age. The Regulations shall set the rules and procedures for the implementation of this provision including the term of imprisonment for the purposes of taking advantage of this provision.

f. The contribution months shall be computed in accordance with the provisions of Article (47) and the age of the contributor shall be determined in accordance with provisions of Article (48)

2. The contributor who has completed at least five years of contribution and his contribution has discontinued at age sixty without completing the period qualifying for retirement pension, may claim to be credited for certain period provided that the period credited for shall not exceed five years or the period required to qualify him for retirement pension whichever is less. He shall, in this case, pay to the Organization the total contributions payable to the Annuities Branch provided for in sub-paragraph 2(a) of Article (18) for each month of the credited period, computed on the basis of the average monthly contributory wage to be used for the purposes of determination of pension. The said amount of contributions shall be paid in one payment or in monthly installments as provided for in the Regulations.

3.

a. The retirement pension shall be computed by multiplying one-fortieth of the average monthly wage for the last two years by the number of contribution years and months, provided that the pension amount shall not exceed 100% (one hundred percent) of the said average.

b. "Average monthly wage" shall mean one twenty-fourth part of the total contributory wages received throughout the last twenty four months of contribution period.

c. The average referred to in the preceding sub-paragraph shall not exceed 150% (one hundred only) of the contributory wage received at the beginning of the last five years of the contribution period. The Board of Directors may raise this percentage in accordance with the wage graduation. This provision shall apply to the contributors who are not covered under the provision of paragraph (2) of Article (19) in respect of the last five years of their contribution period.

d. If it is established that the contributor's average monthly wage for the last two years of his contribution period is less than his average wage for former years, his pension shall be computed on the basis of dividing his contribution periods into separate periods should the contributory wages vary. The pension in respect of each period shall be based on the average wage for the last two years of such period, taking into consideration that the final pension shall be equivalent to the total pensions payable for the separate periods, provided that it shall not exceed 100% (one hundred percent) of the mean average wages taken as a basis for the computation of pensions payable for the separate periods.

The Regulations shall specify the rates of contributory wage variation between one contribution period and another justified to be reckoned as separate period and shall set forth the maximum number of periods which may be considered as separate periods.

e. The Regulations shall determine the method of computation of pension for the period of contribution paid totally or partially with more than one employer.

f. The retirement pension payable to the contributor shall not be less than the minimum limit provided for in paragraph (1) of Article (31).

4. a. With due regard to the provisions of paragraph (2) of Article (4), if a recipient of a retirement pension resumes work whereby he benefits from the provisions of this Law, his pension shall be suspended as long as he is engaged in this work. If his wage from his new work is less than his average wage taken as a basis for the adjustment of such pension or his last wage included in such average, whichever is greater, a pension amount will be credited to him to make up the difference. Upon the termination of his final employment, he shall be treated by one of the following two methods, whichever is more suitable to him:

1. The pension shall be adjusted for the total of the previous and the final periods of contribution, as both are considered as one integrated unit, on the basis of the average contributory wage for the last two years of the final period of contribution.

2. The pension shall be adjusted for the final period of contribution, regardless how small such period may be, on the basis of the average monthly wage for the last two years of the said period or for the whole said period if it is less, and such pension amount shall be added to the pension he used to receive before resuming the insurable work.

b. Should the final period of contribution be terminated by reason of non-occupational disability or death, the pension payable to the contributor or to members of his family, as applicable, shall be computed on the basis of the retirement pension provided for in the sub-paragraph (4.a.2) of this Article or on the basis of the survivors' or disability pension computed in accordance with either the provisions of Article (39) or the provisions of Article (40), as applicable, and on the basis of integrating both the previous and final periods of contribution (whichever is greater between the two pensions).

ARTICLE (39)

1. The contributor who is afflicted with a non-occupational disability shall be entitled to a pension so long as he has completed a period of contribution of 12 (twelve) consecutive months of contribution or 18 (eighteen) non-consecutive months immediately following the date of his actual registration with the Organization.
2. The disability shall have occurred before attainment of age 60 and the contributor shall have been covered under the provisions of this Law, provided that the disability shall be established by the appropriate Medical Boards within 18 (eighteen) months from the date of termination of the contribution period. However, where the disability has occurred while the contributor is no more covered under the provisions of this Law, he shall be entitled to the retirement pension without having to wait until he is sixty years of age so long as he has completed ten or more years of actual contribution or has completed the same by period credited to him by virtue of the provisions of paragraph (2) of Article (38).
3. The non-occupational disability pension shall be computed in accordance with the retirement pension computation rules provided for in Article (38), provided that the pension amount shall not be less than the minimum provided for in subparagraph 3 (f) of the said Article or 50% (fifty percent) of the average monthly contributory wage for the last two years (or of the average wage for the contribution period, if less) whichever is greater.
4. The disability pension shall be increased by 50% (fifty percent) as an allowance if the disabled is in need of the help of others in the performance of his everyday life activities, provided that the amount of allowance shall not exceed the maximum prescribed by the Regulations.
5. The non-occupational disability pension shall be granted on a temporary basis and for as long as the disabled meets the conditions laid down in this Article.

Continuity of the state of disability shall be determined by subjecting the pensioner to periodical examinations by the Medical Board referred to in Article (53) which shall fix the date of the next examination.

The non-occupational disability pension shall become final when the pensioner attains sixty years of age.

6. Within the meaning of this Article, the contributor shall be considered afflicted with a non-occupational disability if he meets the following conditions:
 - a. If, by reason of his deteriorated physical, psychological or mental state of health, or of the amputation of one of his organs or of his affliction with an infirmity, taking into consideration the general conditions of the work opportunities, the disabled contributor finds it impossible to earn a wage equals to at least one third of his previous wage in his original occupation or in any other occupation compatible with his capabilities, age, physical and mental aptitudes and vocational training.

b. If, according to medical prognosis, the state of disability mentioned in sub-paragraph(a) is such as would, by medical judgment, be presumed to last for a period equaling or exceeding six months.

7. If a recipient of a non-occupational disability pension is re-covered under the provisions of this Law prior to attaining sixty years of age, he shall be examined by the appropriate Medical Board. If it deems that he is recovered, his pension shall be discontinued, but if it deems that he is still disabled according to the medical concept provided for in the preceding paragraph, he shall be treated as a retired pensioner who is re-covered under the provisions of this Law as provided for in paragraph (4) of Article (38).

ARTICLE(40)

1. In the event of the death of a recipient of a non-occupational disability pension or a recipient of a retirement pension, each of his family members shall be entitled to a share of the pension of the deceased. Also in the event of death of a contributor in an insurable employment, his family members shall be entitled to survivor's pensions if the deceased contributor had period of contribution of not less than three consecutive months or six non-consecutive months immediately following the date of his actual registration with the Organization. In the said cases, the survivors' pension shall be computed in the same method as the non-occupational disability pension. However, if the contributor dies after he leaves the insurable employment, his family members shall be granted the retirement pension if he has completed the period qualifying for such pension under the provisions of paragraphs (1.a) and (2) of Article (38).

2. For the purposes of application of the provisions of the preceding paragraph, the pension shares of the family members and such amendment as may be made thereto, shall be determined in accordance with the provisions applied in respect of entitlement to the survivors' benefits in Article (35) of the Occupational Hazards Branch.

ARTICLE (41)

1. The contributor who has attained age sixty or over or the contributor who is afflicted with a disability of the kind provided for in paragraph (6) of Article (39), if he fails to qualify for a retirement or disability pension, shall be entitled to a lump sum compensation assessed at the rate of 10% (ten percent) of the average contributory wage taken as basis for the computation of the retirement pension, for each month of contribution in the first five years and at the rate of 12% (twelve percent) for each month in excess thereof.

In exception of this paragraph, the lump sum compensation payable for the period of contribution completed before this Law is put into effect shall be computed at the rate of 6% (six percent) of the said average wage for each month of his contribution in the first five years and at the rate of 7% (seven percent) for each month in excess thereof.

2. In the event of death of a contributor who failed to satisfy the conditions qualifying for survivors' pension, his family members shall be entitled to the compensation

amount computed in accordance with the provisions of the preceding paragraph, which compensation shall wholly be divided among the family members who are eligible for pension in their respective proportions.

3. In exception of the provisions of paragraph (1), the contributor may, in the event of his leaving the insurable employment, receive a lump sum compensation payable under the provisions of the said paragraph, without having to wait until he is 60 years of age or becomes disabled, in the following cases:

a. If he moves to another employment insured under the civil or military retirement scheme, and the relevant legislation do not permit to take into account his period of contribution upon determination of his entitlements under the said scheme.

b. If the contributor is a female.

c. In such other cases as may be determined in accordance with the controls and criteria provided for in the Regulations.

4. If the contributor returns to an insurable employment after having received a lump sum compensation, he may repay what he has already received in consideration of re-inclusion of the relevant period of contribution, in accordance with such provisions as may be laid down by the Regulations.

SECTION 3: PROVISIONS FOR APPLICATION OF THE ANNUITIES BRANCH TO VOLUNTARY CONTRIBUTORS

ARTICLE (42)

The provisions of this Section shall apply to the voluntary Saudi contributors. Save for the provisions of this Section, all other provisions of this Law that apply to the other contributors and their family members shall apply to the voluntary contributors in accordance with the provisions of the Implementing Regulations.

ARTICLE (43)

1. In exception of the provisions of paragraph (2) of Article (19), the voluntary contributor shall choose, from among the income categories prescribed by Schedule No. (1) hereto attached, the category on which basis he wishes to contribute. Such income category shall be deemed as the contributory wage for the purposes of application of all the provisions of the Law. The Regulations which shall also prescribe the rules that shall be followed in the event of the contributor's wish to change the category into a higher or lower one.

2. By decision of the Minister, on the recommendation of the Board of Directors of the Organization, higher income categories may be added to Schedule No.(1) attached hereto, subject to the determined increase in the maximum contributory wage limit of all contributing workers.

3. The Regulations shall lay down the procedures for payment of contributions in respect of the said categories.

4. The voluntary contributors of the said categories shall be excepted from the provisions of sub-paragraph (3.c) of Article (38).

ARTICLE (44)

1. In exception of the provisions of Article (39), if the contribution commences after the contributor reaches age fifty, the period qualifying for the non-occupational disability pension shall not be less than twenty four consecutive contribution months or thirty six non-consecutive contribution months, provided that the disability should have rendered the contributor totally and permanently unable to engage in his normal occupation or activity or any other occupation or activity compatible with his aptitudes and capabilities.

2. In exception of the provisions of Article (40), if the contribution commences after the voluntary contributor reaches age fifty, the period qualifying for survivors' pension shall be twelve consecutive contribution months or eighteen non-consecutive contribution months.

ARTICLE (45)

In exception of the provisions of paragraphs (1) and (2) of Article (38), the voluntary contributor may not demand early retirement and payment of his pension before he attains sixty yeas of age unless he proves the termination of his activity on which basis he has contributed to the scheme.

ARTICLE (46)

If the voluntary contributor's contribution ceases without having completed the contribution period qualifying him for pension, his contribution shall be cancelled, and he or his family members, as applicable, shall be refunded the total contributions he has already paid.

SECTION 4: THE PROVISIONS COMMON TO THE OCCUPATIONAL HAZARDS BRANCH AND ANNUITIES BRANCH

ARTICLE (47)

1. The Regulations shall specify the way of computation of the contribution months credited to the contributor on the basis of the method adopted for the computation of contributions in accordance with the provisions of paragraph (3) of Article (19).
2. The periods during which the contributor received daily allowance for injury shall be regarded as contribution periods for the purposes of entitlement to benefits under the Annuities Branch. Accordingly, every 30 daily allowances shall be regarded as a contribution month.

ARTICLE (48)

The age of the contributor shall be determined by means of his birth certificate or by the certificate duly issued by the appropriate authorities. If it is impossible to produce such documents, the age shall be determined by one or more physicians to be designated by the Organization. The person concerned may appeal against the physician's decision before the appropriate Medical Board provided for in Article (53). Wherever entitlement to or determination of the amount of the benefit depends on the age of the contributor, the same procedure shall be applied.

The age determined as above shall be final notwithstanding that a difference between the actual age and the determined age may be discovered later.

ARTICLE (49)

The Regulations implementing this Law shall lay down the following:

1. The procedures for and times of payment of benefits and pensions.
2. The procedures for payment of benefits to the beneficiaries residing outside the Kingdom.

ARTICLE (50)

The widow, daughter, sister or granddaughter who is eligible for monthly benefit or pension under the provisions of the Law shall be paid, for once, a marriage grant equals in amount 18 (eighteen) times the monthly benefit or pension she was receiving, and, accordingly, payment of such benefit or pension shall discontinue at the end of the month in which the marriage took place.

If, after payment of such grant, the benefit or pension share of any of the said persons is reinstated as a result of her divorce or widowhood prior to the lapse of the eighteen months period from the date of discontinuity of payment of benefit or pension, the balance for the remaining period shall be recovered from her share determined to be reinstated.

ARTICLE (51)

The Organization shall pay a grant equivalent to the deceased contributor's pension or benefit for three months up to a maximum of SR 10,000 (ten thousand Saudi Riyals) in the following cases:

1. In case of death of a contributor as a result of an employment injury or death of a recipient of permanent total or partial disability benefit.
2. In case of death of an employed contributor who has completed the period qualifying his family members for pension.
3. In case of death of a recipient of an old age or non-occupational disability pension.

The Regulations shall designate the persons to whom the grant shall be paid, and the Board of Directors may, for justifiable reasons, raise the maximum amount of the grant.

ARTICLE (52)

1. Payment of the monthly benefit and pensions provided for in this Law shall commence on the first day of the month immediately following the month during which the conditions required to qualify for benefits are satisfied, except that the permanent total or partial disability benefits shall be paid as of the day on which payment of the daily injury allowance is discontinued.
2. Payment of benefits and pensions shall cease at the end of the month in which the respective beneficiaries die or otherwise on the day on which they cease to qualify for such benefits or pensions in other cases.

ARTICLE (53)

1. The degree of disability required for entitlement to occupational and non-occupational disability benefits shall be assessed by the Primary Medical Boards set up at the Organization's Head Office and offices, as needed. The Medical Boards shall also have the authority to determine whether an injury or disease is occupational or non-occupational and to determine the prescribed period of disability.
2. The contributor or his eligible survivors (as applicable) or the Organization may appeal against the decisions issued by the Primary Medical Boards before an Appeal Medical Board to be set up at the Head Office of the Organization.
3. The Regular shall set forth the composition of the Medical Boards provided for in the two preceding paragraphs, their rules of procedure, and the method of appointment and remunerations of their members and such other provisions as may be related to such Boards.

ARTICLE (54)

1. The Organization shall pay to the contributor or to his family members the full benefits provided for in this Law regardless of the causes and circumstances of the

contingency. However, such benefits shall not be due if the contingency has resulted by willful conduct or criminal act of the beneficiary.

2. The employer shall not be liable to pay a benefit to the contributor who sustains an employment injury or to his family members unless the injury has been caused by the employer's willful conduct, gross error or failure to abide by the Law or occupational health and safety regulations. In these cases, the injured person or his family members shall reserve their full rights to the benefits prescribed for them by the Islamic Shariah or other legislations. The injured person or his family members shall also reserve their full rights to such benefits in case of an employment or ordinary injury which is caused by the fault of a third party other than the employer. In all cases, the Organization shall pay to the beneficiaries the benefits awarded under the Law.

3. Failure on the part of the employer to pay the contributions shall not prejudice the entitlement of the worker to benefits.

ARTICLE (55)

1. The Organization shall pay to the family members of the contributor, who is sentenced for a term of imprisonment, his injury benefits and pensions, as long as he is detained in prison.

2. The injury benefits and the non-occupational disability pensions may be suspended in accordance with the provisions of paragraph (4) of Article (30), if without legitimate excuse, the beneficiary refuses to submit to medical treatment, visits and examinations or to regularly attend the occupational re-training or rehabilitation courses prescribed by the appropriate agencies of the Organization, or to abide by any other medical instructions.

3. The combination of both the benefits awarded under the Occupational Hazards Branch and the benefits awarded under the Annuities Branch shall be within the following limits:

a. The contributor may combine both the benefit and pension within a limit not exceeding 100% (one hundred percent) whichever is greater between the following two amounts:

The first : The average wage taken as a basis for the computation of the occupational disability benefit after it is raised by an assumed annual increment of 7% (seven percent) for each full year falling between the date of establishment of his disability and the date of his retirement provided that it shall not exceed age sixty.

The second : The average wage taken as basis for the computation of the pension.

b. The contributor or his eligible survivors (as applicable) may combine the lump sum compensation payable under the Occupational Hazards Branch with the benefits payable under the Annuities Branch. They may also combine the refund of contributions payable under the Annuities Branch and the benefits due under the Occupational Hazards Branch.

c. The combination of both the benefits and pensions payable to the family members shall be in the following cases:

1. The sons and daughters eligible for pension or benefit shall combine their entitlement in respect of their father with their entitlement in respect of their mother.

2. The widow shall combine her own pension with her husband's pension.

3. The beneficiary who is incapacitated for work shall combine both the pensions and benefits payable to him.

d. It is not permissible to combine the grants prescribed in paragraphs (1), (2) and (3) of Article (51).

e. In cases other than the foregoing ones, it is not permissible to the family members to combine more than one benefit or between the benefit and work income, except in cases and within the limits provided for by the Regulations.

ARTICLE (56)

The cash benefits provided for in this Law are neither attachable nor assignable save in accordance with the same conditions as provided for in the workmen and Labour Law.

ARTICLE (57)

Claims for daily injury allowances, transportation and lodging allowances and deceased's family grant shall not be accepted after the expiry of one year, and claims for the remaining benefits shall not be accepted after the expiry of five years from the date on which the right to benefit arises unless there is an excuse acceptable to the Organization.

ARTICLE (58)

The Organization shall pay the benefits determined by the Law to the family members of the missing contributor in accordance with the following provisions:

1. The “missing ” shall mean the contributor established to be missed in an incident most likely to have perished him without finding his body, like being missed in an incident of drowning, fire, explosion or natural catastrophe.

2. For the purposes of insurance entitlements due to the family members, the missing contributor shall be treated the same as the deceased after the lapse of at least six months from his date of missing. If it is established by the Organization by decisive evidence that such missing has taken place during or by reason of the work and the missing contributor has been covered under the Occupational Hazards Branch, the entitlements of his family members shall be determined in accordance with the provisions of the said Branch.

3. Should the missing contributor be discovered to be alive, his entitlements shall be re-adjusted according to the Law, and the amounts already paid by the Organization to discharge its obligation shall be valid in respect of the contributor and shall be deducted from his entitlements. If such amounts are in excess of his entitlements, the recovery of the balance shall be disregarded.

4. The rules and procedures for application of the provisions of this Article shall be laid down in the Regulations which may further include other forms of missing cases in which the family of the missing contributor shall receive the said benefits in accordance with the conditions provided therein

Chapter VI: GENERAL PROVISIONS

ARTICLE (59)

1. The Organization shall be exempted from all taxes and fees.
2. The benefits provided for in this Law shall be exempted from all taxes and fees and from all kinds of levies.

ARTICLE (60)

1. The application of this Law and the relevant measures and regulations for the purpose of its implementation by the employers and workers shall be supervised by the insurance inspectors who shall be designated by the Organization. The employers and their representatives shall allow the Organization's inspectors to obtain such information and documents as may be required to facilitate the performance of their tasks and to examine the records related to the nature of work, numbers of workers, wages of workers and the method of calculation and payment of such wages. Any act of opposition or hindrance committed against the Organization's inspectors during the performance of their tasks shall be subject to the same penalties prescribed for cases of opposition and hindrance to the performance of the functions of the labour inspectors.

2. The insurance inspectors shall submit to the Organization reports on the violations, if any. The Organization shall take all the measures to verify and investigate such violations and take the necessary action in respect thereof.

3. The organization's inspectors and other employees shall be liable to show good treatment and maintain the secrecy of the information that come to their knowledge in the course of the performance of their functions. Under no circumstances shall they disclose or convey any of such secrets to any one other than the competent agencies of the Organization. The Organization shall apply to the violating employees such penalties as may be required under the laws.

ARTICLE (61)

1. The employers, contributors and whoever may be acting on their behalf shall have the right to submit, through hierarchical levels, and appeal to any decision issued by any competent agency of the Organization in connection with the registration, contributions or benefits. Such appeal shall be submitted to the agency immediately above the one that issued the decision appealed against, as shown below.

- a. To the Governor of the Organization, with regard to the decisions made by a director of an office.

b. To the Board of Directors, with regard to the decisions made by the Governor.

2. Employers, workers and whoever may be acting on their behalf, whose appeal submitted through hierarchical levels has not been accepted, may lodge a complaint with the juridical authority concerned with labour cases hearings.

ARTICLE (62)

1. An employer who does not comply with any of the provisions of this Law and its Implementing Regulations shall be penalized with a fine not less than SR 5,000 (five thousand Saudi Riyals). This limit shall be doubled if the same violation is committed again. The fine shall be multiplied by the number of contributors in respect of whom the employer committed one or more violations, provided that the aggregate amount of the fines imposed each time shall not exceed SR 50,000 (fifty thousand Saudi Riyals).

2. Without prejudice to any penalty more severe provided for in another law, a person who willfully gives incorrect information for the purpose of obtaining for others any undue benefits shall be penalized with a fine no more than SR 2,000 (two thousand Saudi Riyals). The said fine limit shall be doubled if the same violation is committed again.

3. A person who gives incorrect information for the purpose of obtaining for himself undue benefits shall be penalized with a fine to be paid to the Organization. Such fine shall not exceed the total amount of benefit unduly paid to him by the Organization. Furthermore, he shall be required to repay whatever is paid of such social insurance benefits.

4. Investigation committees shall be formed in the Organization's offices to examine the violations and determine the fines.

5. The decision for imposing the fine provided for in the preceding paragraphs shall be issued by the Governor of the Organization. The concerned person may, within thirty days from the date of notifying him of the decision, appeal against the decision in accordance with the provisions of Article (61).

6. None of the fines provided for in this Article may be imposed in respect of the violations committed before five or more years.

ARTICLE (63)

Any agreement or settlement which is made by those covered by this Law and is inconsistent to the provisions of this Law shall be considered null and void if it is liable to prejudice the rights of the beneficiaries or to impose additional obligations on the contributors or their family members.

Chapter VII : TRANSITIONAL AND CONCLUDING PROVISIONS

ARTILCE (64)

The workers covered under the provisions of this Law who work within the Kingdom and suffer accidents during or by reason of work or contract occupational diseases before the Occupational Hazards Branch applies to them, shall be treated in accordance with the other statutory provisions related to compensations for employment injuries which are in effect on the date of occurrence of the accident or discovery of the disease.

ARTICLE (65)

In exception of the provision of sub-paragraph 2 (a) of Article (18), the contributing worker's share of contribution shall be graduated at the following rates: at 6% (six percent) of the contributory wage for one year from the date this Law is put into effect, then raised to 7.5% (seven and a half percent) for another year, and raised to 9% (nine percent) thereafter.

ARTICLE (66)

In exception of the provisions of paragraph (3) of Article (38) and Article (41), the benefits payable for the period preceding the implementation of this Law for which the contributor has paid contributions on the basis of wages higher than the wages prescribed by virtue of paragraphs (1) and (2) of Article (19), shall be computed on the basis of the contributory wages regardless of the length of the period, or on the basis of the last wages at the end of the final period of contribution, whichever is better for the contributor, with due regard to the rules for entitlement and computation of pension and lump sum compensation provided for in this Law.

ARTICLE (67)

The contributor or any of his family members, as applicable, who satisfies the conditions set forth in the Regulations and is receiving within the Kingdom on the

date this Law is put into effect, a monthly benefit or pension payable under the former Social Insurance Law, his payment shall be increased as follows:

1. If the benefit or pension received by the contributor is less than SR 1,500 (one thousand five hundred Saudi Riyals) per month, it shall be raised to this amount.

2. If the benefit or pension which has, after the death of the contributor, been divided among his family members is less than SR 1,500 (one thousand five hundred Saudi Riyals) per month, the shares of the eligible family members shall be re-determined on the basis of raising their breadwinner's entitlement to this amount.

3. If the share of any of the family members in the benefit or pension is less than SR 300 (three hundred Saudi Riyals), it shall be raised to this amount, provided that the total amount of the shares of the family members pursuant to this provision shall not exceed SR 1,500 (one thousand five hundred Saudi Riyals) per month or the average wage taken as a basis for the calculation of the benefit or pension payable to the deceased contributor, whichever is greater, without prejudice to the provisions of the preceding paragraph.

4. The provisions of the preceding paragraphs shall be applicable with effect from the beginning of the month immediately following the date of putting this Law into effect.

ARTICLE (68)

1. The Minister shall, on the approval of the Board of Directors, and within six months from the date of publication of this Law, issue the decisions and regulations required for putting it into effect and such decisions and regulations shall be published in the official gazette.

2. The decisions and regulations in force on the date of putting this Law into effect shall continue to be valid in such matters as may not contradict the provisions herein until the decisions and regulations provided for in the preceding paragraph are issued.

3. Until the schedule of occupational diseases provided for in paragraph (3) of Article (27), the schedule issued by the Council of Ministers resolution No. 165 dated 07/10/1420 H shall continue to apply.

4. Until the schedule of disability rates provided for in paragraph (1) of Article (34), the schedule issued by the Council of Ministers resolution No. 191 dated 11/11/1418 H. shall continue to apply.

ARTICLE (69)

1. This Law shall replace the Social Insurance Law issued by the Royal Decree No. M/22 dated 6/9/1389 H and shall invalidate all the provisions that are contradictory hereto, and the ensuing rights and obligations shall transfer to the Organization, including the obligations resulting from its replacement of the Contractors' Fund.

2. The Minister may, by a decision to be issued by him on the approval of the Board of Directors, prescribe the provisions hereof that apply to the contributors whose

contribution period has been terminated prior to putting this Law into effect, as well as to their family members.

ARTICLE (70)

This Law shall be published in the official gazette, and shall come into force with effect from the beginning of the month immediately following the expiry of sixty days from the date of its publication.

SCHEDULE NO. (1)

THE CATEGORIES OF THE MONTHLY INCOME TAKEN AS A BASIS FOR
THE COMPUTATION OF THE CONTRIBUTION OF THE
NON-WAGE- EARNING CONTRIBUTORS

Category No.	Amount in Riyals	Category No.	Amount in Riyals
1	1,200	21	7,900
2	1,400	22	8,600
3	1,600	23	9,400
4	1,800	24	10,300
5	2,000	25	11,300
6	2,200	26	12,400
7	2,400	27	13,600
8	2,600	28	14,900
9	2,800	29	16,300
10	3,000	30	17,800
11	3,300	31	19,600
12	3,600	32	21,600
13	3,900	33	23,800
14	4,200	34	26,200
15	4,600	35	28,800
16	5,000	36	31,700
17	5,500	37	34,900
18	6,000	38	38,400
19	6,600	39	42,200
20	7,200	40	45,000