

# Environmental Bill

Ministry of Environment, Water and Agriculture

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# Environmental Bill

## Chapter 1 General Provisions

### Definitions

#### Article 1

In the application of the provisions hereof, the following phrases shall have the meanings ascribed thereto hereunder unless otherwise required by the context:

The Kingdom: Kingdom of Saudi Arabia.

The Law: Environmental Law.

The Regulations: Executive Regulations hereof.

The Ministry: Ministry of Environment, Water and Agriculture.

The Minister: Minister of Environment, Water and Agriculture.

Executive Centers of the Environment and Meteorology Sectors: mean the Executive Centers of the Environment and Meteorology Sectors, which are: The National Center for Environmental Compliance Control, the National Center for Meteorology, the National Center for Wildlife Development, the National Center for Vegetation Cover Development and Combating Desertification, or any other future executive centers.

Environment Fund: the financial unit of the Ministry, whose establishment regulation specifies its resources, expenditure and mechanism of work as well as the terms of reference of the Board appointed for the management thereof.

Committees of Irregularities: mean committees formed by a resolution of the Minister to consider the irregularities and penalties of the provisions hereof and of the Regulations.

Concerned Bodies: include governmental, semi-governmental, private and non-governmental bodies required to comply with the provisions hereof and of the Regulations.

Environmental Police: a security force that undertakes the enforcement of environmental laws and regulations, and that affiliates to the Ministry of Interior.

A Person: any natural or corporate person, including private corporations and companies.

Operators: the persons or entities that operate a facility or an activity that affects the environment, and who are subject to the environmental requirements, controls and standards issued by the Ministry, including the activities and facilities of governmental or non-governmental entities.

Licensors: governmental entities that have the authority to issue licenses for practicing developmental activities or services with environmental impact.

Service Providers: companies, corporations, persons or consultancy offices that provide environmental or meteorological services and that are licensed by the Ministry or the Executive Centers of the Environment and Meteorology Sectors.

Developmental sectors: activities, developmental projects and services with environmental impacts that are carried out by ministries, public institutions, bodies, companies and persons such as activities and projects of mining, exploration, energy, industry, water, agriculture, transport, municipalities, etc.

Permanent Sectoral Environmental Committees: a mechanism that enables the Ministry to exercise its responsibility of supervising the environmental performance of the developmental sectors.

Environmental principles: include the principle of sustainable development, the principle of intergenerational equality, the principle of integration, the principle of no harm to the environment, the principle of prevention, the polluter-pays principle and the principle of public participation.

Principle of Sustainable Development: the process of linking environmental considerations to the planning and development policies to meet the needs, requirements and aspirations of current generations without affecting those of future generations.

Principle of Intergenerational Equality: it is the duty of every person to protect the environment and secure the needs of the present generations without prejudice to the rights of future generations.

Principle of Integration: the integration of environmental considerations into the economic development and all activities affecting the environment.

Principle of No Harm to the Environment: includes prevention, reduction and control of the risk of causing environmental harm.

Principle of Prevention: preventive action aiming to avoid potential harm to the environment through the adoption of effective and appropriate measures based on scientific information and best available techniques and alternatives.

Polluter-Pays Principle: the polluter must bear the costs of corrective measures, pollution control, pollution damage reduction and rehabilitation.

Principle of Public Participation: the resolutions of environmental protection must integrate the views of authorities and persons.

Environment: it is all that surrounds human, animal, plant or any living organism, including water, air, land, soil, living beings and gases in the atmosphere, and the contents of such media, including inanimate objects, plants and animals, as well as various forms of energy, natural systems and processes, and human and non-human activities and the interaction between them.

Environmental Media: water, air, soil, biological diversity and ecosystems that surround humans.

Environment Sector: includes the environmental media and the related activities and programs (including, but not limited to, the proper management of waste and chemicals) which aim to ensure the protection and safety of the environment for future human generations, as well as the development of these media to ensure the sustainability and protection thereof against any source of pollution.

Meteorology: the condition of weather and climate, and the elements by which both of them are affected, as well as meteorological and marine phenomena.

Meteorology Sector: everything that is concerned with the continuous observation and monitoring of weather and climate, and the elements by which both of them are affected, as well as weather and marine phenomena and the effects thereof on life forms.

Environmental Pollution: the existence of one or more substances or factors in certain quantities or qualities for a period of time that directly or indirectly harm the environment and public health.

Harm to the environment: the present or future negative impact on the environment, which reduces the ecological, economic, historical, heritage-based or civilizational value thereof, adversely affects the possibilities of benefiting thereof, changes the nature thereof or leads to natural imbalance between the elements thereof, whether directly or indirectly.

Environmental Degradation: the severe harm to the environment by the depletion of the natural resources thereof, the destruction of ecosystems or natural habitats, the extinction of wildlife, or the pollution of the environmental media and the low quality of air, water and soil.



Environmental Disaster: an accident caused by nature or human that results in damage to the environment and that needs a response that requires potentials and procedures greater than those required for responding to normal accidents or those accommodated by the local capabilities, which in turn requires an intervention by and cooperation from state institutions concerned with responding to disasters.

Combating Desertification: integrated land development activities in arid, semi-arid, dry and sub-humid areas, which aim at preventing or reducing land degradation, rehabilitating partially degraded lands or reclaiming lands that have been degraded by various factors, including human activities and climate change.

Environmental Protection: the set of legislation, policies, laws, regulations, criteria, measurements and preventive or remedial measures, aiming at preserving the environment and ensuring sustainable development, with a view to prevent or mitigate pollution, or reduce environmental degradation.

Strategic Environmental Assessment Study: a study to identify, assess and evaluate the environmental impacts that may result from policies, strategies, plans and programs at the level of the sectors and areas proposed by the concerned bodies, and to integrate and include all environmental considerations in parallel with economic, social and security considerations, as well as identifying the required alternatives, compensation and procedures to protect the environment. This study is carried out by accredited environmental consultancy offices in the Kingdom.

Environmental Impact Assessment (EIA) Study: a study to identify, assess and evaluate the environmental impacts that may result from any creation, operation, modification or dismantling of any project or activity and to integrate and include all environmental considerations in parallel with economic, social and security considerations, as well as identifying the required alternatives, compensation and procedures to protect the environment. This study is carried out by accredited environmental consultancy offices in the Kingdom.

**Environmental Audit Study:** a study that includes the results of an objective, systematic, periodic and documented examination of the operational processes of a particular facility, being prepared after the installation or operation of the facility. It aims at verifying that the environmental requirements and controls included in the licenses are met, and ensuring the compliance with environmental laws, regulations criteria and measurements, as well as improving the environmental performance of the facility. This study is carried out by accredited environmental consultancy offices in the Kingdom.

**Environmental Inspectors:** employees of the Ministry or the Executive Centers of the Environment and Meteorology Sectors or the companies and persons certified and assigned by the Ministry or the Executive Centers of the Environment and Meteorology Sectors to carry out the environmental control, as well as monitoring and recording of the environmental irregularities.

**Environmental Control System:** a system to collect data on the condition of the environmental media and all that may affects them such as pollutants, wastewater, wastes, noise, etc., and to analyze and draft such data in reports to ensure environmental compliance and taking the necessary measures.

**Environmental Irregularity:** it is the non-compliance with the provisions hereof or of the regulations, and it constitutes a harm to the environment or the components, elements or media thereof. The environmental irregularity is punishable by the payment of immediate fine or of compensation appropriate for the size of the harm, or by other complementary penalties or by all of the above. In the event that the irregularity reaches the degree of environmental crime, it shall be submitted to the Public Prosecution to take the necessary action or forward it to the competent court.

Environmental Compensation: mean the amounts awarded or prescribed by the provisions of international conventions and that aim at compensation for the environmental damage, rehabilitation of the affected areas or both.

Pollutants: any solid, liquid or gaseous substances, smokes, fumes, emissions, noise, lighting, radioactive materials or other natural or human effects that directly or indirectly lead to pollution or degradation of the environment.

Environmental Measurements: they include both measurements of pollution at the source and the measurements of the environmental quality of the surrounding media, and they may be global measurements in the absence of national measurements.

Pollution Measurements at the Source: the limits or concentrations of pollutants or emissions from sources of pollution that are not allowed to be exceeded.

Measurements of Environmental Quality of the Surrounding Media: the limits or concentrations of pollutants that exist in the environmental media and that are not allowed to be exceeded.

Environmental Standards: the environmental specifications and requirements for controlling the sources of pollution and the quality of the degrading environmental media, and they may be global measurements in the absence of national measurements.

Projects: any facilities, premises or activities that may be a source of environmental harm.

Ozone Depleting Substances: the substances that are chemically stable in the atmosphere near to the Earth's surface, that contain one or more Chlorine or Bromine atoms or both, and that start reactions resulting in Ozone depletion.

**Chemical Safety:** the integrated management of chemicals, including their production, manufacture, importation, exportation, handling, transportation, storage, usage, treatment, destruction and disposal thereof in accordance with environmentally-safe methods and requirements.

**Hazardous Chemicals:** chemicals characterized by their toxicity or explosivity, or with having other characteristics that may pose a risk to human health or to the environment.

**Banned Chemicals:** any chemical substance whose uses have been banned in one or more categories of use under this Law and the Executive Regulations thereof for the purpose of protecting human health and the environment.

**Severely Restricted Chemicals:** any chemical substance whose uses are banned in one or more categories of use under this Law and the Executive Regulations thereof, except under specific conditions that allow for its use under restrictions, limitations and controls for such use.

**Pesticides:** any organic or inorganic, synthetic or natural chemical product or bioproduct containing elements of micro-organisms used in pest control or as plant growth regulators, defoliation materials, general leaf desiccants or transpiration regulators.

**Waste:** materials or things that are or to be disposed of, and include all types of waste (construction and demolition waste, municipal solid wastes, agricultural wastes, medical wastes, sludge, hazardous wastes, special wastes, etc.) except for radioactive or nuclear wastes.

**Construction and Demolition Wastes:** residues resulting from the alteration, construction, demolition, rehabilitation or levelling of houses, buildings, facilities and infrastructure.

Municipal Solid Wastes: residues of daily materials such as household wastes, packaging products, consumed furniture parts, bottles, food residues, etc.

Agricultural wastes: residues of materials resulting from agricultural and animal processes and activities.

Medical wastes: residues resulting from health care facilities such as hospitals, blood banks, medical research facilities, pharmacies, etc.

Hazardous Wastes: residues that retain hazardous or infectious properties, such as high toxicity, explosivity or flammability. Hazardous wastes also do not have any uses unless they are treated in accordance with special requirements.

Special Wastes: electronic residues, consumed batteries and appliances, tires unsuitable for consumption and damaged cars that are unusable.

Nuclear Wastes: residues of "nuclear material" as defined in the Nuclear and Radioactive Uses Safety Law.

Radioactive Wastes: regardless of the physical state thereof, radioactive wastes are residues of activities, practices or processes such as the removal of radioactive contamination. Radioactive wastes have a radiological activity or radiological concentration that exceeds the specified level of lifting the ban thereon.

Sludge: sediment produced by many industrial, agricultural and urban activities such as wastewater treatment, industrial residues, sediment in fuel tanks, etc.

Waste Management: control of wastes during all steps of the supply chain, including production, collection, storage, sorting, handling, transportation, treatment, recycling, importation, exportation and final disposal thereof.

Proper Waste Management: taking all practical steps to ensure waste management in a manner that protects public health and the environment against the negative impacts that may result from wastes.

Waste Treatment Units: any facility or unit within a project or premises that is concerned with one of the waste management areas.

Wastewater: liquid substances that carry residues that are being or to be disposed of, and whose source is housing, commercial and governmental buildings, institutions, factories and agricultural establishments.

Treated Wastewater: water discharged from the wastewater treatment plant after treatment according to the quality standards of this treated water.

Injection: pumping wastewater into the deep layers of the earth.

Biodiversity: diversity of types and numbers of floral, fauna or micro-organisms and disparity between such species, as well as differences between members of the same species.

Wildlife: means the wild organisms of plants and animals and their environments.

Wild Organisms: any living or dead wild organisms that scientifically belong to the fauna or floral groups.

Protected Areas: land, marine or coastal areas that are specified, declared and designated for the protection and development of wild organisms.

Habitat: the natural home where living organisms naturally live, grow or reproduce in a manner interrelated and integrated with the surrounding conditions.

Hunting: search, chase, catch, wound, killing, etc., of any wild animal, except for the measures taken by the Executive Centers of the Environment and Meteorology Sectors.

Trade in Wild Organisms: importation, exportation, re-exportation, transportation, offering, acquisition, or entering across the sea or through transit of wild organisms for whatever purpose.

Derivative: everything extracted from wild organisms, whether naturally or unnaturally.

Product: any part of any wild organism which is partially or wholly manufactured, or non-manufactured.

(Place of) Captivation: Any wholly or partially-controlled place where the wild living organisms are kept.

Vegetation Cover: all sites containing wild plants and the like (including, but not limited to pasturelands, forestlands, wetlands, flatlands, sandy areas (dunes), mountainous areas, valleys, coastal areas and islands) except for agricultural areas, municipal gardens and protected areas.

Forests: a vegan gathering consisting of one or more types of trees, shrubs or grass plants, each of which is of a pure or mixed condition with a tree density of not less than 10% of the site area, whether such gathering is natural or cultivated on lands over which no person or entity have jurisdictional rights.

Tree: a growing tree, with a wooden or air trunk, that is rising 1.5 meters or more above the earth's surface, whether natural or cultivated.

Shrub: a growing or cultivated plant, with a height ranging from half a meter to less than 1.5 meters.

Pasturelands: lands that are covered in whole or in part with native or exotic naturally-growing plants which vary in their plausibility and suitability for grazing and animal feeding, whether they are grasses, shrubs or trees, including pasturelands that have been degraded and re-cultivated with pastoral plants and that are located on lands unused for cultivation, housing and public utilities, and are located over which no person or entity have jurisdictional rights.

Climate Change: the statistical change affecting the averages of the climatic state over an extended period which is usually decades or longer due to natural internal processes or external influences, or due to changes related to human activities.

Marine and Coastal Areas: marine and coastal environments as well as islands or any of their natural components, whether trees or shrubs such as (*Avicennia* and *Rhizophora*), or plants, herbs, algae, coral reefs, marine- or micro-organisms, or any other components of plants, and are located over which no person or entity have jurisdictional rights. Marine areas include the inland marine waters, the territorial seas and the exclusive economic zone, while the coastal areas are where the sea meets land and the dimensions and distances thereof vary inside the sea and inside the land depending on the topography of the area and are determined from the lowest level of islands inside the sea to the furthest extent affected by the sea inside the land.



Salt Spans (Salt Flats or Sabkhas): areas located between the beaches and the sea, and where seawater recedes therefrom at the time of ebb and covered them with water at the time of tide. Water may recedes intentionally by any cause or by currents or naturally and in such case receding disappears at the cessation of the cause.

Water Resources: include renewable and non-renewable surface and groundwater within the Kingdom's borders and its territorial waters, including water of wells, gorges, springs and dams, as well as rainwater.

Water Bodies: they are an accumulation of water above or underground, including oceans, seas, lakes, ponds, wetlands, rivers, groundwater and other geographical features where water moves from one place to another.

Environmental Units: they are administrative units established at the concerned bodies responsible for environment-related projects or at the licensors of projects with a potential negative impact on the environment. The goal of such units is to follow up and encourage such bodies to comply environmentally.

Environmental and Meteorological Guidance: specialized environmental and meteorological awareness programs targeting sectors or persons.

## Law Objectives and Scope of Application

### Article 2

This Law aims to achieve the following:

- (1) Fulfillment of a human's religious, patriotic and moral duty in terms of the commitment to preserve the integrity, diversity and balance of the environment, push for its improvement and sustainable development, rehabilitation and prevention of the pollution, degradation or harm thereof.
- (2) Commitment to environmental principles.
- (3) Conservation and development of the natural resources, as well as ensuring the sustainable use thereof in the interest of present and future generations in line with the objectives of sustainable development.
- (4) Development of the natural vegetation and combat desertification.
- (5) Promotion of the protection of the terrestrial, marine and coastal environment, enrich biodiversity and conserve species and return them to their natural habitats.
- (6) Reduction of pollution in all environmental media by enhancing control of environmental compliance and promotion of the use of environment-friendly technologies and recycling.
- (7) Promotion of climate change adaptation.
- (8) Protection of public health against environmental hazards and fulfillment of the human right to live in a clean, pollution-free and favorable environment allowing integrated healthy growth and full enjoyment of quality of life.

(9) Raising the environmental awareness level among community members and decision-makers, reinforcing the sense of individual and collective responsibility for protecting the environment and following environmentally-positive behaviors and patterns.

(10) Enhancement of the role of voluntary community participation in environmental protection and development.

(11) Commitment of the Kingdom to the relevant international conventions and treaties.

(12) Increasing the efficiency of meteorological operations, provision of accurate information, issuance of weather-related alerts and warnings and enhancement of the efficiency of early warning.

### Article 3

The provisions hereof and of the Regulations shall apply to all concerned bodies, persons, entities, professions, projects, activities and services related to the environment and meteorology sectors.

## Roles and Responsibilities The Ministry

### Article 4

The Ministry shall undertake the roles that would regulate, preserve, develop and not to harm the Environment and Meteorology Sectors, as well as ensuring their sustainability for the public interest, and shall have, in particular, the following powers:

(1) Development of national policies for the Environment and Meteorology Sectors in conformity with the Islamic perspective regarding the preservation of the environment, with the fundamentals of the Kingdom's regime, and with the Kingdom's regional and international commitments and national visions, and submit them for adoption.

- (2) Development of strategies and submittal of them for adoption, and setting national plans and programs for the Environment and Meteorology Sectors and coordination between national efforts for the implement thereof.
- (3) Proposition of the laws, issuance of the regulations, resolutions, measurements, criteria, controls and requirements for the Environment and Meteorology Sectors and supervising over the enforcement and application thereof.
- (4) Coordination with the concerned bodies to include environmental and meteorological considerations within the sectoral strategies of these authorities.
- (5) Follow up of the establishment of environmental units within the concerned bodies and supervise the performance of these units.
- (6) Supervision and monitoring of the environmental performance of the developmental sectors and follow up the state of the environment and meteorology in the Kingdom.
- (7) Issuance of the national reports for the Environment and Meteorology Sectors with a technical support from the Executive Centers of the Environment and Meteorology Sectors.
- (8) Supervision of the performance, work, activities and programs of the Executive Centers of the Environment and Meteorology Sectors and the Environment Fund.
- (9) Coordination with the environmental police.
- (10) Establishment of permanent environmental sectoral committees and supervision of their activities.
- (11) Study of the grievances received by the Ministry from the developmental sectors, companies, projects or persons and proposing the appropriate solutions therefor.
- (12) Representation of the Kingdom before the international community and communication and cooperation with regional and international organizations in all aspects related to the Environment and Meteorology Sectors and what is included in provisions hereof and the of the Regulations.

(13) Study and follow up of the regional and international conventions related to the environment and meteorology and preparation of draft memorandums of understanding with States, international organizations and bodies, and secretariats of regional and international conventions, treaties and protocols.

(14) Coordination at the national level with the concerned bodies to ensure national compliance with the obligations of the regional and international conventions signed by the Kingdom.

(15) Preparation of the national reports on regional and international commitments related to the environment and the meteorology in collaboration with the Executive Centers of the Environment and Meteorology Sectors.

(16) Work towards capacity building and strengthen human competencies in various environmental and meteorological disciplines, contributing to the preparation and implementation of environmental and meteorological strategies, plans, activities and programs.

(17) Development of a system for the management of environmental and meteorological information and the archiving of environmental and meteorological records, including environmental studies, complaints, permits, licenses, emergencies and response.

(18) Work with the concerned bodies towards encouraging the introduction and use of the best available technologies as for the Environment and Meteorology sectors.

(19) Consideration of the applications for approval of the licensing or renewal of the licenses of environmental associations, provided that their objectives are in consistent with the objectives hereof and of the National Environment Strategy.

(20) Encouragement and support of the environmental associations approved by the Ministry and review of the work thereof, as well as the development of the appropriate mechanisms and enablers so as to enhance their role in preserving the environment.

(21) Work towards raising the level of environmental and meteorological awareness in coordination with the concerned bodies and the media, and inclusion of both the environmental and meteorological dimensions in the educational curricula and extracurricular activities.

(22) Encouragement of research, development and studies to achieve the leadership of the Environment and Meteorology Sectors.

(23) Work on promoting the participation of the private sector in the provision of services related to the environment and meteorology sectors and investing therein.

(24) Proposition of the appropriate incentives that may be granted to persons, companies, projects or institutions when carrying out work and projects aiming at protecting and developing the environment in accordance with the regulations.

#### Executive Centers of the Environment and Meteorology Sectors

##### Article 5

By a resolution of the Council of Ministers, upon a proposal of the Ministry, Executive Centers are established to be concerned with Environment and Meteorology Sectors and carry out their roles and responsibilities under the provisions hereof and of the Regulations.

#### Concerned Bodies

##### Article 6

The executive officer at the concerned body shall abide by the preservation of the environment, and by the provisions hereof and of the Regulations.

## Article 7

The concerned bodies shall comply with the following:

- (1) Taking the necessary measures to apply the provisions hereof and of the Regulations to their affiliated projects and providing the financial and technical programs and tools for activating the same.
- (2) Establish an environmental unit within their organizational structure to be concerned with the implementation of the provisions hereof and of the Regulations.
- (3) Integration of the environmental and meteorological considerations into their executive strategies, programs and plans, and their operational work in coordination with the Ministry.
- (4) Compliance with the environmental laws, regulations, resolutions, instructions, and controls, as well as with the measurements, criteria and requirements of the Environment and Meteorology Sectors determined by the Ministry or the Executive Centers of the Environment and Meteorology Sectors at any phase of any project. Such measurements and requirements are prerequisite for such bodies to approve any project affiliated thereto.
- (5) Cooperation with the Ministry and the Executive Centers of the Environment and Meteorology Sectors to assist them in carrying out their roles and provide them with the required reports, data and information to help with the assessment of the environmental performance.
- (6) Commitment to use the best available technologies in respect of the Environment and Meteorology Sectors.
- (7) Inclusion of the environmental protection and pollution control requirements in local and foreign contracts whose implementation may have impacts on the environment, and the inclusion in these contracts clauses that ensure compliance with the provisions hereof and of the Regulations.

- (8) Inclusion of the environmental dimension in social responsibility programs.
- (9) Compliance with the specifications and measurements in coordination with the Executive Centers of the Environment and Meteorology sectors to develop and take the necessary steps to approve the specifications of the machinery, equipment and products in compliance with the measurements and requirements of the Environment and Meteorology Sectors.
- (10) Commitment of the authorities in charge of education at all levels to include the basic environmental concepts and basic meteorological information in the educational curriculum, in coordination with the Ministry.
- (11) Commitment of the bodies in charge of the qualification and training of judges and members of the Public Prosecution to include environmental and meteorological concepts in the qualification and training curriculum, particularly in dealing with environmental and meteorological crimes and violations, in cooperation with the Ministry.
- (12) Commitment of the bodies in charge of the Islamic affairs, dawah and guidance to promote the role of mosques in urging the community to preserve and protect the environment, in coordination with the Ministry.
- (13) The concerned bodies shall adhere to monitor the land, sea and air ports, and the markets in coordination with the Executive Centers of the environment and meteorology sectors according to the competence of each Center in respect of the implementation of the provisions hereof and of the Regulations.



## Licensors

### Article 8

Licensors shall comply with the following:

- (1) Establishment of an environmental unit within the organizational structure of such bodies to be concerned with the implementation of the provisions hereof and of the Regulations.
- (2) Inclusion of the environmental permits or licenses in the requirements of licensing of the licensors.
- (3) Prompt notification of the National Center for Environmental Compliance Control upon becoming aware of any environmental accident and compliance with the controls and requirements determined by the Regulations.

## Operators

### Article 9

The executive officer at the operator shall comply with the preservation of environment and the provisions hereof and of the Regulations.

### Article 10

Operators shall comply with the following:

- (1) Obtainment of an environmental or meteorological permit or license as determined by the Regulations.
- (2) Taking the necessary measures and decisions to implement the provisions hereof and of the Regulations and provide the financial and technical programs and tools for activating the same.
- (3) Application of the environmental laws and compliance with the regulations, resolutions, rules, controls and instructions, as well as the standards and requirements of the Environment and Meteorology Sectors determined by the Ministry or the Executive Centers of the Environment and Meteorology Sectors at any phase of any project. Such standards and requirements are prerequisite prior to the approval of these authorities of any affiliated project.

- (4) Inclusion of environmental and meteorological principles into their executive strategies and plans, and their operational work.
- (5) Setting, developing and implementing an environmental management program compatible with the best practices.
- (6) Establishment of an environmental unit within the organizational structure of these bodies concerned with the implementation of the provisions hereof and of the Regulations.
- (7) Adoption of a self-regulatory environmental system to ensure environmental compliance and fulfillment of the requirements of environmental licenses and permits as determined by the Regulations.
- (8) Keeping an updated environmental record to demonstrate the impact of their activities on the environment and actions taken as determined by the Regulations.
- (9) Establishment of monitoring, measurement and control systems and programs that are electronically linked to the National Center for Environmental Compliance Control.
- (10) Providing the Ministry and the Executive Centers of the Environment and Meteorology Sectors with the required reports, data and information to assist in the assessment of the environmental performance as determined by the Regulations.
- (11) Non-impedance of the work of the environmental inspectors and facilitate their regular, immediate, direct, sudden or emergency access to facilities.

(12) Prompt notification of the National Center for Environmental Compliance Control upon the occurrence of any environmental accident and compliance with the controls and requirements determined by the Regulations.

(13) Removal of the causes of environmental infringement and remedy of the damages arising therefrom in accordance with the provisions hereof and of the Regulations.

(14) Rehabilitation of the environmentally damaged places due to their projects and activities in coordination with the Executive Centers of the Environment and Meteorology Sectors.

(15) Use of the best available technologies in respect of the Environment and Meteorology Sectors.

(16) Inclusion of the environment protection and pollution control requirements in local and foreign contracts whose implementation may have impacts on the environment, ensuring compliance with the provisions hereof and of the Regulations.

(17) Inclusion of the environmental dimension in social responsibility programs.

## Environmental and Meteorological Service Providers

### Article 11

Environmental and meteorological service providers shall comply with the following:

(1) Obtainment of an environmental or meteorological permit or license as determined by the Regulations.

(2) Taking the necessary measures to implement the provisions hereof and of the Regulations.

(3) Compliance with the environmental laws, regulations, resolutions, instructions and controls, as well as with the measurements and requirements of the environment and meteorology sectors determined by the Ministry or the Executive Centers of the Environment and Meteorology Sectors.

(4) Providing the Ministry and the Executive Centers of the Environment and Meteorology Sectors with the required reports, data and information to assist in the assessment of environmental performance as determined by the Regulations.

(5) Prompt notification of the National Center for Environmental Compliance Control upon becoming aware of any environmental accident and compliance with the controls and requirements determined by the Regulations.

(6) Commitment to use the best available technologies in respect of the Environment and Meteorology Sectors.

#### Persons and Environmental Associations

##### Article 12

Environmental associations shall be committed to coordinate with the Ministry in implementing their programs, plans and initiatives.

#### Emergency and Environmental Disasters

##### Article 13

The Minister shall declare the state of emergency upon any emergency, disaster, imminent danger - God forbid - in respect of the environment and meteorology sectors, which may cause damage to the environment, human or public health, and shall take any exceptional measures to manage the crisis and prevent the aggravation thereof.

##### Article 14

(1) All concerned bodies and projects determined by the National Center for Environmental Compliance Control shall set a plan for preparedness and response to environmental emergencies in accordance with the Regulations.

(2) The bodies specified in Clause (1) hereof shall keep a record of emergencies in accordance with the Regulations.

(3) The bodies specified in Clause (1) hereof shall provide the National Center for Environmental Compliance Control with such records and any other information requested in accordance with the Regulations.

## Chapter 2

### Protection and Development of Environmental Media.

#### Article 15

This Chapter aims to ensure quality of air, water resources, land and soil, development of vegetation cover and marine and coastal areas, protection of wildlife and protected areas, reduction of pollution and sound and integrated management of chemicals, pesticides and wastes.

#### Air

#### Article 16

(1) The National Center for Environmental Compliance Control shall monitor, assess and improve air quality throughout the Kingdom.

(2) The concerned bodies and persons shall facilitate the Center's functions set forth in Clause (1) hereof as determined by the Regulations.

#### Article 17

(1) The concerned bodies and projects that are producing emissions affecting and polluting the air shall abide by establishing units and programs for monitor, measurement and control of air quality electronically linked to the National Center for Environmental Compliance Control as determined by the Regulations.

(2) The bodies specified in Clause (1) hereof shall periodically provide the National Center for Environmental Compliance Control with the electronic data and reports produced by such units for review and compliance, and to identify violations of the standards and requirements in accordance with the Regulations.

#### Article 18

The National Center for Environmental Compliance Control shall publish air quality indicators on governmental websites or by any other appropriate means to inform people thereof and of the measures to be taken when about to exceed the environmental quality standards of air in accordance with the Regulations.

#### Article 19

(1) The concerned bodies, projects and persons are prohibited from carrying out any action that would pollute or harm the air quality or negatively affect the utilization thereof.

(2) The concerned bodies and projects shall comply with the non-emission or leakage of air pollutants beyond the maximum limits allowed and determined by the Regulations.

#### Article 20

The National Center for Environmental Compliance Control shall propose lists, to be approved by the Ministry, of the ozone-depleting substances in compliance with the Kingdom's regional and international commitments.

#### Article 21

The National Center for Environmental Compliance Control shall prepare and implement plans to phase out the substances that affect air quality and ozone-depleting substances.

#### Article 22

All bodies, companies and persons are prohibited from importing, exporting, re-exporting, trading, manufacturing or using ozone-depleting substances on included on the list of the National Center for Environmental Compliance Control except upon obtaining its consent in accordance with the Regulations.

#### Article 23

It is prohibited to import, export, re-export, manufacture or use the new, used or recycled machinery, equipment or products that contain ozone-depleting substances included on the list of the National Center for Environmental Compliance Control except after obtaining its consent in accordance with the Regulations.

#### Article 24

(1) It's prohibited to dispose of ozone-depleting substances included on the list of the National Center for Environmental Compliance Control except in accordance with the Regulations.

(2) It's prohibited to dispose of the machinery, equipment or products that contain ozone-depleting substances included on the list of the National Center for Environmental Compliance Control except in accordance with the Regulations.



## Water Resources

### Article 25

(1) The National Center for Environmental Compliance Control shall monitor the quality of water resources throughout the Kingdom.

(2) The concerned bodies and persons shall facilitate the Center's functions set forth in Clause (1) hereof as determined by the Regulations.

### Article 26

The National Center for Environmental Compliance Control shall publish water resources indicators on government websites or by any other appropriate means to inform people thereof and of the measures to be taken when about to exceed the environmental quality standards of water resources in accordance with the Regulations.

### Article 27

(1) The concerned bodies and projects whose work produces wastewater, as determined by the National Center for Environmental Compliance Control in its lists, shall abide by establishing units and programs for monitoring, measuring and controlling water resources quality to be electronically linked to the National Center for Environmental Compliance Control as determined by the Regulations.

(2) The bodies specified in Clause (1) hereof shall periodically provide the National Center for Environmental Compliance Control with the electronic data and reports produced by such units for review and compliance, and to identify violations of the measurements and requirements in accordance with the Regulations.

## Article 28

(1) The concerned bodies, projects and persons are prohibited from carrying out any action that would pollute the water resources or negatively affect their utilization.

(2) It is prohibited to dump, discharge, or dispose of sewage, industrial or agricultural wastewater, or any liquid components in water bodies, passages of valleys or aquifer outcrops, or to the treatment plants, except in accordance with the environmental requirements and standards determined by the Regulations.

(3) It is prohibited to dump, discharge, dispose of or inject sewage, industrial or agricultural wastewater, or any liquid components in the groundwater wells for any reason whatsoever.

(4) It is prohibited to dump, discharge or dispose of treated wastewater by way of injecting thereof in groundwater wells except in accordance with the environmental requirements and standards determined by the Regulations.

(5) It is prohibited to use or dispose of sludge except in accordance with the environmental requirements and standards determined by the Regulations.

## Article 29

(1) The concerned bodies, projects or persons shall be committed to discharge all types of wastewater in the wastewater networks allocated to it when available.

(2) Upon the reuse of water resources, the concerned bodies, projects or persons shall comply with the environmental requirements and standards determined by the Regulations.

## Land and Soil

### Article 30

The concerned bodies shall adopt the principle of sustainable development for lands and encouragement of the rational use of the terrestrial environment and of the soil.

### Article 31

(1) The National Center for Environmental Compliance Control shall monitor the soil quality throughout the Kingdom in cooperation with the other Executive Centers of the Environment and Meteorology Sectors within their competence.

(2) The concerned bodies and persons shall facilitate the Center's functions set forth in Clause (1) hereof as determined by the Regulations.

### Article 32

The National Center for Environmental Compliance Control shall publish soil quality indicators on government websites or by any other appropriate means to inform people thereof them and of the measures to be taken when about to exceed the environmental quality standards of soil in accordance with the Regulations.

### Article 33

(1) The concerned bodies and projects shall abide by establishing units and programs for monitoring, measuring and controlling soil quality to be electronically linked to the National Center for environmental Compliance Control as determined by the Regulations.

(2) The bodies specified in Clause (1) hereof shall periodically provide the National Center for Environmental Compliance Control with the electronic data and reports produced by these units for review and compliance, and to identify violations of the measurements and requirements in accordance with the Regulations.

#### Article 34

(1) The concerned bodies, projects and persons are prohibited from carrying out any action that would in harm, degradation, erosion or pollution of the terrestrial environment and of the soil or would negatively affect the utilization thereof.

(2) It is prohibited for the concerned bodies, projects and persons to dump, discharge or dispose of sewage, industrial or agricultural wastewater, or any liquid components in the terrestrial environment except in accordance with the environmental requirements and standards determined by the Regulations hereof.

### Vegetation Cover

#### Article 35

Public vegetation cover lands are owned by the State and are prohibited from being owned or granted to any person or certain body.

#### Article 36

(1) The National Center for Vegetation Cover Development and Combating Desertification shall monitor the status of vegetation cover throughout the Kingdom.

(2) The National Center for Vegetation Cover Development and Combating Desertification shall issue the resolutions, requirements, controls and lists for regulating the entry of wild plants and their seeds, authorizing the entry thereof into the Kingdom and determining how to use them.

(3) The National Center for Vegetation Cover Development and Combating Desertification shall issue resolutions, requirements, controls and lists for regulating the entry of the Biological Control Means into the Kingdom and how to use them.

(4) The concerned bodies and persons shall facilitate the Center's functions set forth in Clause (1) hereof as determined by the Regulations.

#### Article 37

The National Center for Vegetation Cover Development and Combating Desertification shall publish vegetation Cover status indicators on government websites or by any other appropriate means to inform people thereof.

#### Article 38

It is prohibited to carry out any activities or work within the vegetation cover areas except under a license or permit issued by the National Center for Vegetation Cover Development and Combating Desertification as determined by the Regulations.

#### Article 39

Whatever may cause harm to or disruption of the natural balance of the vegetation cover areas shall be prohibited, in particular:

(1) Hunting, transporting, killing, hurting or attacking wild organisms within the places where hunting is prohibited.

(2) Causing harm to trees, shrubs, grasses or plants in vegetation cover areas or cutting, uprooting or transporting thereof, or stripping them of the husks, leaves, or any other part thereof, or transporting or dredging the soil thereof. It's also prohibited to use any harmful substances on or near them, or any other means that cause their weakening or death.

- (3) Ignition or use of fire in other places than those designated for it and in violation of the controls set by the National Center for Vegetation Cover Development and Combating Desertification.
- (4) Dumping, leaving, burying or burning wastes of all kinds.
- (5) Cutting or destroying the fenced areas or tampering with the stumps, or the boundary or indicative signs, or any other facility inside the vegetation cover areas.
- (6) Grazing outside the specified areas and periods or in violation of the regulations and requirements set by the National Center for Vegetation Cover Development and Combating Desertification.
- (7) Cultivating inside the vegetation cover areas, except by the National Center for Vegetation Cover Development and Combating Desertification or any authorized body in the context of the improvement and development of the vegetation cover.
- (8) Travel of vehicles on the unallocated roads.
- (9) Proceeding with the establishment of fenced areas, installations or buildings at the unallocated places.
- (10) Introduction of any exotic or invasive plant or animal species into the vegetation cover areas or the surrounding places.

#### Article 40

All forms and types of domestic firewood-gathering shall be prohibited. It is also prohibited to produce, sell, transport or store domestic firewood or coal without the permission of the Ministry as determined by the Regulations.

## Marine and Coastal Areas

### Article 41

The National Center for Environmental Compliance Control shall monitor and protect the marine and coastal areas against pollution and harm throughout the Kingdom.

### Article 42

The National Center for Wildlife Development shall protect, develop, propagate and monitor the status of marine and coastal wild organisms throughout the Kingdom.

### Article 43

The National Center for Vegetation Cover Development and Combating Desertification shall protect and develop the vegetation in the coastal areas throughout the Kingdom and the islands, particularly the mangrove environments.

### Article 44

The Permanent Committee for the Protection of Coastal Areas Environment shall develop and implement the plan of coastal area management in coordination with the concerned bodies and persons.

### Article 45

(1) All concerned bodies and persons are prohibited from causing harm or damage to marine and coastal areas, and may not carry out any works or activities (including, but not limited to excavation, landfill, dredging, construction, prospecting, exploration or exploitation, and researches) in the marine and coastal areas without fulfilling the environmental requirements, controls and measurements, and obtaining the licenses or permits from the competent center in accordance with the environmental requirements and standards determined by the Regulations.

(2) It is prohibited to use, enter or remove any material or tool that would or likely to harm the marine and coastal environment, salt spans (salt flats or sabkhas) and islands or any of their components, except after obtaining the licenses or permits from the competent center.

(3) All persons, concerned bodies and projects are prohibited to throw, dump, bury, discharge or dispose of any wastes or liquid or solid components in the coastal and marine areas for whatsoever reason except after treatment and fulfillment of the environmental requirements, controls and standards, and taking the licenses or permits from the National Center for Environmental Compliance Control.

#### Article 46

The authority concerned with marine transport shall oblige all means of marine transport to keep a special record listing the preventive measures to be taken or that have been taken to prevent pollution that may be caused by the means of marine transport. The Regulations shall specify the data to be included in that record. In addition, such means are obliged to inform the competent port authorities of any hazardous substances they are transporting.



## Wildlife, Protected Areas, Trade in Organisms and Hunting

### Article 47

The National Center for Wildlife Development shall develop and implement the action plans for the preservation of wild organisms and their natural habitats and genetic resources, and the system of protected areas in coordination with the concerned bodies.

### Article 48

(1) The National Center for Wildlife Development shall protect, develop, propagate and monitor the status of wild organisms throughout the Kingdom.

(2) The concerned bodies and persons shall facilitate the Center's work set forth in Clause (1) hereof as determined by the Regulations.

### Article 49

The National Center for Wildlife Development shall publish the status of wildlife's indicators on government websites or other appropriate means to inform people thereof.

### First: Protected Areas

#### Article 50

Protected areas are established on land that is not privately owned and over which no one has the right of jurisdiction. In case there is a right of ownership or jurisdiction, the matter shall be dealt in coordination with the competent authorities.

### Article 51

(1) The protected (land, coastal and marine) area and the type, boundaries and coordinates thereof throughout the Kingdom shall be determined, and shall be adopted and declared by a resolution of the Council of Ministers upon a proposal of the National Center for Wildlife Development as determined by the Regulations.

(2) The concerned bodies shall cooperate to submit the proposals of the protected areas through expressing approval or rejection and explaining the reasons within a period not exceeding four (4) months as of the date of receipt of the application for adoption of the protected areas. In the absence of any feedback from any authority during the said period, it shall be considered an implicit consent and the authority shall not have the right to object.

(3) The resolution of the Council of Ministers to adopt and declare the protected area shall enter into effect after the elapse of a period of thirty (30) days as of the date of the publication thereof in the Official Gazette.

### Article 52

It is prohibited to carry out any activities or works within the boundaries of the protected areas except under a license or permit issued by the National Center for Wildlife Development and the Regulations shall specify the activities permitted to be carried out.

### Article 53

Whatever may cause harm to or disruption of the natural balance of the protected areas shall be prohibited, in particular:

(1) Unauthorized access to the protected areas.

(2) Hunting, transporting, killing, hurting or attacking wild organisms within the places where hunting is prohibited.

- (3) Causing harm to trees, shrubs, grasses or plants in vegetation cover areas or cutting, uprooting or transporting thereof, or stripping them of the husks, leaves, or any other part thereof, or transporting or dredging the soil thereof. It's also prohibited to use any harmful substances on or near them, or any other means that cause their weakening or death.
- (4) Ignition or use of fire in other places than those designated for it and in violation of the controls set by the National Center for Wildlife Development.
- (5) Dumping, leaving, burying or burning wastes of all kinds.
- (6) Cutting or destroying the fenced areas or tampering with the stumps, or the boundary or indicative signs, or any other facility inside the protected areas.
- (7) Polluting the soil, water or air of the protected areas.
- (8) Grazing outside the specified areas and periods or in violation of the regulations and requirements set by the National Center for Wildlife Development.
- (9) Travel of vehicles on the unallocated roads.
- (10) Proceeding with the establishment of the installations or buildings at the unallocated places.
- (11) Introduction of any exotic or invasive plant or animal species into the protected areas or the surrounding places.

## Second: Trade in Wild Organisms and The Products Thereof

### Article 54

The National Center for Wildlife Development shall issue the resolutions, requirements and lists of species of wild organisms and the products thereof to regulate trading therein in compliance with the Kingdom's regional and international commitments.

### Article 55

The concerned bodies and persons are prohibited from:

- 1) Acquiring any wild organism that has been obtained contrary to the provisions hereof and of the Regulations.
- 2) Transporting the wild organisms contrary to the provisions, controls and specifications provided for herein and in the Regulations.
- 3) Keeping the wild organisms in the places of captivity contrary to the provisions, controls and specifications provided for herein and in the Regulations.

### Article 56

Any of the following activities relating to the samples and the products thereof that are included in the lists of the National Center for Wildlife Development are prohibited without prior authorization from the National Center for Wildlife Development in accordance with the Regulations:

- 1) Importation, exportation or re-exportation of any wild organism or the products or derivatives thereof.
- 2) Land, air or sea transiting of any wild organism or the products or derivatives thereof.
- 3) Transporting of any wild organism or the products or derivatives thereof inside the Kingdom.
- 4) Selling of any wild organism or the products or derivatives thereof.

5) Commercial presentation or offering of any wild organism or the products or derivatives thereof.

Article 57

Samples of species and the products thereof included in the lists of the National Center for Wildlife Development may be traded internationally with countries not parties to CITES, provided that such trading shall be subject to official authorizations from such countries.

Article 58

Under a final judgment made against the violators of the provisions hereof and of the Regulations, that includes the right to seizure, the National Center for Wildlife Development shall be entitled to dispose of what has been seized. The concerned bodies shall also handover to the National Center for Wildlife Development any seized wild organisms or the products or derivatives thereof.

Third: Hunting of Wild organisms

Article 59

It is prohibited to hunt without a license from the National Center for Wildlife Development in accordance with the requirements and controls set forth in the Regulations.

Article 60

Hunting license is personal and non-transferable to other parties than the licensee. Such license must be carried and submitted when requested by the environmental inspectors or environmental police.

### Article 61

The National Center for Wildlife Development shall have the right to prohibit hunting of certain species in accordance with lists of species that are periodically specified and updated.

## Noise Pollution

### Article 62

1) The National Center for Environmental Compliance Control shall monitor the levels of noise throughout the Kingdom.

2) The concerned bodies and persons shall facilitate the Center's functions set forth in Clause (1) hereof as determined by the Regulations.

### Article 63

The concerned bodies, projects and persons shall commit not to exceed the permissible limits for noise specified in the Regulations.

### Article 64

The National Center for Environmental Compliance Control shall publish noise pollution indicators on government websites or by any other appropriate means to inform people thereof and of the measures to be taken when about to exceed the permissible limits as specified in the Regulations.

## Chemicals and Pesticides

### Article 65

The National Center for Environmental Compliance Control shall publish a list of chemicals and pesticides (including, but not limited to banned chemicals, hazardous chemicals and severely restricted chemicals) in compliance with the Kingdom's obligations under the relevant regional and international conventions and under the approval thereof by the Ministry.

### Article 66

The National Center for Environmental Compliance Control shall prepare, implement and update the national plan for chemical safety in cooperation with the concerned bodies in compliance with the Kingdom's obligations under the relevant regional and international conventions and in accordance with the Regulations.

### Article 67

The authorities concerned with specifications and measurements, shall coordinate with the National Center for Environmental Compliance Control to develop and implement the necessary procedures to adopt the specifications of the devices, equipment and products containing the chemicals and pesticides included in the lists of the National Center for Environmental Compliance Control.

### Article 68

It is prohibited for all bodies or persons to import, export, re-export, manufacture, sell, buy or use the banned chemicals.

#### Article 69

Bodies and persons concerned with the handling of the chemicals and pesticides shall take the necessary measures to ensure the sound management of chemicals in accordance with the best international practices, in particular the "strategic approach to the sound management of chemicals", as determined by the Regulations.

#### Article 70

It is prohibited to produce, import, export, re-export, transport, use, handle, store, process, reuse or dispose of chemicals and pesticides included in the lists of the National Center for Environmental Compliance Control except with a license by the Center as determined by the Regulations.

#### Article 71

Bodies and persons concerned with the handling of the chemicals and pesticides included in the lists of the National Center for Environmental Compliance Control shall make available chemical safety data sheets and shall create a database and records relating to the management of such substances and to the measures taken thereby to prevent pollution, as well as providing the Center with such data and any other information to be requested as determined by the Regulations.



## Waste Management

### Article 72

This Law intends to ensure the sound and integrated management of wastes in terms of reducing the generated quantities, sorting at the source, raising the efficiency of waste collection and transportation, waste reuse and recycling, waste-conversion to fertilizers, landfill diversion, waste valorization and optimal final disposal of wastes, and adoption of the best techniques and practices.

### Article 73

Waste management shall be subject to the requirements, standards and procedures set forth in the Regulations and the concerned bodies shall coordinate with the National Center for Waste Management regarding the management of wastes.

### Article 74

The National Center for Waste Management shall develop and implement the action plans that aim at ensuring the sound and integrated management of wastes.

### Article 75

All concerned bodies, companies or persons engaged in handling, producing, packaging, reusing, recycling, transporting, exporting, storing, treating or disposing of waste shall comply with the Regulations and all the technical and operational precautions, requirements and standards determined by the National Center for Waste Management.

#### Article 76

Any projects for the purpose of handling, collecting, transporting, sorting, recycling, reusing, treating, storing or disposing of wastes shall be prohibited save under a license by the National Center for Waste Management, as determined by the Regulations.

#### Article 77

Waste disposal shall be prohibited except in the designated areas approved by the National Center for Environmental Compliance Control.

#### Article 78

All bodies, projects and persons designated by the National Center for Environmental Compliance Control shall be committed to establish units for the treatment of wastes generated by their respective activities in accordance with the standards and requirements determined by the Regulations.

#### Article 79

The concerned bodies, projects or persons shall be prohibited from importing, entering or exporting hazardous wastes from and to the Kingdom or transporting them across the Kingdom's (maritime or land) boundaries (or airspace) except under a permit by the competent national center, and in accordance with the lists prepared thereon and in compliance with the Kingdom's obligations under the relevant regional and international conventions.

#### Article 80

All bodies or persons shall be prohibited from importing, entering or exporting waste to and from the Kingdom or transporting them across the Kingdom's (maritime or land) boundaries (or airspace) except under a permit by the National Center for Waste Management as determined by the Executive Regulations hereof and in compliance with the Kingdom's obligations under the relevant regional and international conventions.

### Article 81

The persons and bodies concerned with the handling, collecting, transporting, sorting, recycling, reusing, treating or storing of wastes shall establish database and records for the management of such wastes and provide the National Center for Environmental Compliance Control and the National Center for Waste Management with such data and records, as well as any other information to be requested as determined by the Regulations.

### Article 82

The Minister is entitled to grant an exclusive license for a specific period in a specific geographical area for carrying out waste management activities, if the same is necessary to ensure the economic viability of the project.

## Chapter 3 Environmental Assessment and Compliance

### Article 83

All concerned bodies shall prepare strategic environmental assessment studies and submit them to the Ministry for approval prior to the adoption of policies, strategies, plans or programs at the sectoral or regional level as determined by the Regulations.

### Article 84

All concerned bodies or persons shall prepare environmental impact assessment studies and submit them to the National Center for Environmental Compliance Control for approval and for issuance of the necessary licenses prior to the initiation or commencement of any project, the introduction of any amendments or expansions to the existing activities, or the final approval of any engineering or technical designs as determined by the Regulations.

### Article 85

(1) Authorities, institutions, companies, lending funds and project-financing banks shall be prohibited from granting loans to any projects prior to the fulfillment of the environmental requirements as determined by the Regulations.

(2) The CEO of the National Center for Environmental Compliance Control is entitled to demand these funds, banks or authorities to stop dealing with the borrower in case it is found that the project is in violation of the provisions hereof and of the Regulations until the causes of violation are eliminated.

#### Article 86

All operators shall prepare environmental audit studies and submit them to the National Center for Environmental Compliance Control for approval, upon the renewal of environmental licenses or the receipt of environmental complaints against them, as determined by the Regulations.

#### Article 87

Consultancy offices, research centers or entities accredited by the National Center for Environmental Compliance Control shall prepare the environmental studies set forth in this Chapter as determined by the Regulations. Any study submitted by an entity not accredited by the Center shall not be considered.

### Environmental and Meteorological Services and Licenses

#### Article 88

Environmental and meteorological services shall be provided by the Executive Centers of the Environment and Meteorology Sectors or the licensed entities or persons, in return for consideration, as determined by the Regulations.

#### Article 89

Licensees shall be prohibited to assign their rights granted to them under the license, either in full or in part, or to dispose of the license in any manner of disposal without the consent of the competent center.

#### Article 90

Consultancy offices, laboratories, projects and bodies concerned with the preparation of environmental studies and records shall provide correct, accurate and reliable information and data, and shall be responsible for damages caused by incorrect information and data.

## Chapter 4

### Investment in Environmental and Meteorological Activities and Projects

#### Article 91

Executive Centers of the Environment and Meteorology Sectors, according to the respective competencies thereof provided for in their respective regulations, shall implement the tasks and plans aiming to encourage the private sector to invest in the environmental activities, projects and services.

#### Article 92

In addition to the achievement of the objectives of the national strategies and policies of the Kingdom, the participation of the private sector in the environmental and meteorological activities, projects and services, must achieve the following:

- (1) Private sector's assumption of its social responsibility and role in the protection and development of the environment and in the conservation of natural resources and public health.
- (2) Expansion of scope of participation in the environmental and meteorological activities and investment therein.
- (3) Creation of jobs and investment opportunities.
- (4) Raising the level and quality of the environmental and meteorological services.

Chapter 5  
Penalties and Ascertaining of Irregularities

Article 93

- (1) Irregularities shall be ascertained and investigated by the environmental police or inspectors.
- (2) The Ministry and the Centers shall have the right – each in accordance with its area of jurisdiction – to qualify specialized companies or offices to carry out the tasks of inspection and ascertaining of irregularities in accordance with the rules and standards determined by the Regulations.
- (3) Subject to the rights and guarantees prescribed in the related laws, environmental police and inspectors shall have the right to:
  - (a) Establishing immediate financial penalties for irregularities, of no more than fifty thousand (50, 000) Saudi Riyals per irregularity as determined by the Regulations.
  - (b) Arresting of any container or means of transportation that is violating or suspected to violate the provisions hereof and of the Regulations.
  - (c) Accessing and inspecting the facilities that are subject to the provisions hereof, and reviewing the records and information and attach them to the incident report or take copies thereof.
  - (d) Closing any facility not licensed as determined by the Regulations.
  - (e) Immediate seizing of the vehicles, tools and seizures used in the irregularity and delivering them to the competent center.

(4) Any person upon whom any of the above penalties have been imposed shall have the right to appeal against them before the Committee of Irregularities within a period of (15) fifteen days as of the date of notification.

#### Article 94

Without prejudice to any more severe penalty contemplated by any other law, anyone who violates the provisions hereof or of the Regulations, or the requirements of licenses shall be liable to one or more of the following penalties:

- (1) A fine of no more than thirty (30) million Saudi riyals at the first time, and in case of repeated irregularity, the fine shall be doubled without exceeding, in any case, the double of its maximum limit.
- (2) Suspension of the activity or the service, in full or in part.
- (3) Suspension or revocation of the licenses.
- (4) Imprisonment for a term not exceeding ten years.

#### Article 95

The violator shall be obliged to remove the effects of the irregularity and shall be responsible for the rehabilitation in accordance with the compensation and costs calculation principles determined by the Ministry or the Executive Centers of the Environment and Meteorology Sectors.

#### Article 96

Seizures, vehicles and tools used in the crime or irregularity shall be confiscated if the judgment of penalty imposition rendered by the competent court includes confiscation and is final.



### Article 97

The verdict of the penalty may include a provision to publish the operative part thereof **at the violator's cost in a local newspaper**. In the event that there is no newspaper at the place where the violator is based in, then it may be published in a newspaper located at the nearest area thereto or be published by any other appropriate means, depending on the irregularity's type, severity and effects, provided that the publication of the verdict shall be after being protected by the expiration of the statutory fixed period or after being upheld by the competent court.

## Committee of Irregularities

### Article 98

Consideration of and decision on violations of the provisions of this Law and the adoption of penalties contemplated by this Law, except for the penalty of imprisonment, shall all be carried out by one (or more) committee of irregularities consisting of three members from among the employees of the Ministry or the Executive Centers of the Environment and Meteorology Sectors, provided that they shall include a statutory of legal specialist and a technical specialist, as follows:

- (1) The Committee of Irregularities shall be formed by virtue of a resolution made by the Minister for a renewable period of three years term.
- (2) The Committee of Irregularities shall consider the violations of the provisions hereof as determined by the Regulations.
- (3) Regulations shall determine the working rules and procedures of the Committee of Irregularities and the remunerations of its members.
- (4) The Committee of Irregularities shall render its decision (15) fifteen days after the receipt of the irregularity thereby, such period shall be renewable for another similar period, and appeal against the decisions of the Committee may be made before the competent court within (30) thirty days as of the date of in which the decision is being notified.

#### Article 99

The Minister or Chairman of the Board of Directors of the concerned Center shall adopt the resolutions of the committees of irregularities which include the following penalties:

- (1) Fine of (SAR 5,000,000) five million Saudi Riyals or more.
- (2) Revocation of license.
- (3) Full suspension of activity or service.

#### Article 100

The penalties shall be determined according to the size of each crime or irregularity. If the crime or irregularity is punishable by imprisonment, it shall be referred to the Public Prosecution within a period not exceeding (30) thirty days as of the date of the adoption of the irregularity to complete the legal proceedings related thereto.

#### Article 101

The Minister or his authorized representative shall be entitled to take a precautionary decision to suspend the activity either in whole or in part in the event that any irregularity that requires urgent procedures is ascertained, the same shall be for the avoidance of any damage, and the irregularity shall be referred to the committee of irregularities within ten (10) days as of the date of such suspension for consideration and decision thereon urgently within (15) fifteen days as of the date of referral.

#### Article 102

All funds collected from fines and compensations shall be deposited in the Environment Fund, including the consideration for rehabilitation and removal of damages, as well as the value of confiscated seizures in accordance with the legal procedures in a manner consistent with the Regulations of the Centers.

## Chapter 6 Transitional and Final Provisions

### Article 103

Persons and bodies shall be given a time limit to rectify their situations in accordance with the provisions hereof and of the Regulations, of no more than (6) six months starting as of the date of publication of this Law in the Official Gazette, and to apply to the competent center with a plan to rectify their situations, provided that the period of corrective actions shall not exceed (3) three years as of the date of publication of this Law, as determined by the Regulations.

The Minister is entitled to extend such time limit if the interest and nature of work so require.

### Article 104

This Law shall supersede and replace:

(1) Law of The National Commission for Wildlife Conservation and Development promulgated by the Royal Decree no. (M\22) dated 12/09/1406 AH.

(2) Law of Trade in Endangered Wild Organisms and the Products Thereof promulgated by the Royal Decree no. (M\9) dated 06/03/1421 AH.

(3) General Environmental Law promulgated by the Royal Decree no. (M\34) dated 28/07/1422 AH.

(4) Forest and Pasture Law promulgated by the Royal Decree no. (M\55) dated 29/10/1425 AH.

(5) Resolution of Civil Defense Council on the definition of the roles and responsibilities of the General Presidency of Meteorology and Environment Protection dated 06/09/1431 AH.

(6) Updated Law of Wildlife Protected Areas promulgated by the Royal Decree no. (M\66) dated 19/10/1436 AH.

This Law also shall supersede and replace all provision in conflict therewith while the regulations and resolutions promulgated before the Law came into force shall continue to be in force until amended.

Article 105

Subject to the provisions of the international regulations and conventions, the Minister shall issue the regulations, resolutions and instructions related to this Law within (180) one hundred and eighty days as of the date of the publication thereof in the Official Gazette.

Article 106

The Minister shall be entitled to continue in issuing all the resolutions and instructions relating to the implementation of the provisions of this Law without abiding by definite time limit.

Article 107

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