



# Statute of the Saudi Authority for Intellectual Property

Council of Ministers Resolution No. 496

May 29, 2018



**NOTE:**

The translation of Saudi laws takes the following into consideration:

- Words used in the singular form include the plural and vice versa.
- Words used in the masculine form include the feminine.
- Words used in the present tense include the present as well as the future.
- The word “person” or “persons” and their related pronouns (he, his, him, they, their, them) refer to a natural and legal person.



## Article 1

In this Statute, the following words shall have the meanings assigned thereto, unless the context requires otherwise:

**SAIP:** Saudi Authority for Intellectual Property.

**Statute:** Statute of the Saudi Authority for Intellectual Property.

**Board:** SAIP's board of directors.

**Executive Director:** SAIP's executive director.

## Article 2

1. SAIP shall have a public legal personality and financial and administrative independence. Its organizational structure shall be determined pursuant to an order by the President of the Council of Ministers upon recommendation by the Council of Economic and Development Affairs.
2. SAIP shall be headquartered in the city of Riyadh. It may establish branches and offices within the Kingdom, and may, in coordination with the Ministry of Foreign Affairs, establish offices abroad.

## Article 3

SAIP aims to regulate, support, develop, sponsor, protect, and promote intellectual property in the Kingdom in accordance with best international practices, and enforce relevant provisions. To this end, SAIP shall assume the following powers and duties:

1. Setting the National Intellectual Property Strategy, monitoring its implementation upon approval, and developing work plans and timeframes, in coordination with relevant agencies.
2. Proposing relevant laws and regulations.
3. Registering intellectual property rights, and granting and enforcing protection documents.
4. Providing the public with information on intellectual property rights.
5. Raising awareness on intellectual property rights.
6. Representing the Kingdom in relevant regional and international organizations, and defending its interests.
7. Presenting its opinion on relevant international agreements.
8. Monitoring the implementation of obligations arising from the Kingdom's accession to international intellectual property conventions.
9. Utilizing intellectual property to create an advanced knowledge-based economy.



10. Establishing databases relating to SAIP's activities, and exchanging information with local, regional, and international bodies.

11. Issuing licenses to relevant activities.

#### **Article 4**

SAIP shall have a board of directors composed of the following:

1. A chairman to be appointed pursuant to an order by the President of the Council of Ministers upon recommendation by the Council of Economic and Development Affairs.
2. The Executive Director as a member.
3. A minimum of five members representing government agencies, the private sector, or both.

The Chairman of the Council of Economic and Development Affairs shall, upon recommendation by the Chairman of the Board, nominate the members referred to in paragraph (3) of this Article. Said members shall be appointed pursuant to an order by the President of the Council of Ministers for a term of three years, renewable once.

#### **Article 5**

The Board shall oversee the management of SAIP and the conduct of its affairs, and shall set its general policy. It shall, in particular, assume the following powers and duties:

1. Overseeing SAIP's implementation of its duties.
2. Approving SAIP's policies and plans.
3. Issuing SAIP's administrative and financial regulations, in coordination with the Ministry of Finance and the Ministry of Human Resources and Social Development, and other internal regulations.
4. Approving SAIP's organizational structure.
5. Approving the establishment of SAIP's branches within the Kingdom, and offices within the Kingdom and abroad.
6. Determining fees for SAIP's services.
7. Approving committee work procedures and determining the remuneration of committee members.
8. Appointing an external auditor, and a comptroller.



9. Approving SAIP's draft budget and final accounts as well as auditor's report, prior to submitting the same for completion of statutory procedures.
10. Approving SAIP's annual report.
11. Accepting gifts, aids, grants, bequests, and endowments, in accordance with applicable laws.
12. Approving the investment of SAIP's funds, subject to relevant provisions.
13. Approving the conclusion of contracts and authorizing the Executive Director to sign them.
14. Reviewing periodic reports relating to SAIP's activities and financial position.

The Board may delegate certain powers to its Chairman or to any of its members or SAIP's employees.

#### **Article 6**

1. The Board shall convene once every two months. The Board may also convene if the need arises, at the Chairman's discretion, or if requested by at least one-third of its members. The Chairman of the Board may, in his absence, delegate a Board member from among representatives of the government agencies to chair the meetings. The call for the meeting, including its agenda, must be sent by the Chairman, in writing, at least seven days prior to the date of the meeting. A Board meeting shall be deemed valid only if attended by the majority of members, including the Chairman or his designee. Decisions shall be passed by the majority vote of attending members; in case of a tie, the meeting chairman shall have the casting vote.
2. The Board may, in exigent circumstances at the Chairman's discretion, hold its meetings and vote on decisions remotely. Decisions may be passed by circulation if the majority of members vote in their favor, provided that all members vote on such decisions.

#### **Article 7**

The Board may form standing or ad hoc committees from among its members or others to carry out certain tasks. The formation decision shall designate its chairman and members and determine its powers and duties. Said committees may seek the assistance of non-members to carry out certain duties.

#### **Article 8**



SAIP shall have an executive director appointed pursuant to a decision by the Board. Said decision shall determine his remuneration and other financial benefits. The Executive Director shall manage SAIP's affairs and shall assume the following powers and duties:

1. Supervising SAIP's activities in accordance with the regulations, plans, and programs.
2. Proposing and submitting to the Board SAIP's general policies and the plans and programs necessary for their implementation.
3. Proposing SAIP's organizational structure and submitting the same to the Board.
4. Preparing plans and programs relating to intellectual property rights.
5. Preparing SAIP's draft budget and final accounts, as well as auditor's report, and submitting the same to the Board.
6. Proposing committees' work procedures and determining the remuneration of their members.
7. Representing SAIP before government agencies and relevant entities within the Kingdom and abroad.
8. Proposing the regulations necessary for the conduct of SAIP's business and approving work procedures, subject to the regulations and Board decisions.
9. Disbursing from SAIP's approved budget and conducting all financial transactions, in accordance with applicable laws and regulations and the powers granted thereto by the Board.
10. Preparing reports on the implementation of SAIP's plans and programs, and submitting the same to the Board.
11. Concluding contracts for carrying out SAIP's works and services in accordance with the laws and the powers vested in him.
12. Preparing the annual report on SAIP's activities which shall include challenges encountered and recommendations to overcome such challenges, and submitting it to the Board for approval and submission to the competent authorities.
13. Supervising SAIP's participation in regional and international conferences, forums, and events.
14. Organizing relevant conferences, seminars, workshops, and training programs, in accordance with applicable procedures.
15. Issuing decisions necessary for the implementation of this Statute, its implementing regulations, and applicable rules and procedures, subject to the powers vested in him.



16. Appointing SAIP's employees, in accordance with the regulations, and supervising the performance of their duties.
17. Contracting with experts and consultants, in accordance with the regulations.
18. Approving training and scholarship plans and programs for SAIP's employees, and monitoring their implementation.
19. Assuming any other power assigned thereto by the Board or SAIP's regulations.

#### **Article 9**

1. SAIP's financial resources shall be as follows:

- a) Allocations in the State budget.
- b) Fees for services rendered by SAIP.
- c) Gifts, aids, grants, bequests, and endowments accepted by the Board.
- d) Any other resource approved by the Board.

2. SAIP's funds shall be deposited with the Saudi Central Bank. SAIP may, with the approval of the Ministry of Finance, open accounts with any bank licensed to operate in the Kingdom.

#### **Article 10**

1. SAIP shall have an independent annual budget issued in accordance with the State budget issuance arrangements.

2. SAIP's fiscal year shall be the same as the State's fiscal year. As an exception, SAIP's first fiscal year shall commence on the date this Statute enters into force and shall end on the date the State's following fiscal year ends.

#### **Article 11**

SAIP shall submit its annual final accounts to the Council of Ministers within 90 days from the end of its fiscal year, and shall provide a copy thereof to the General Court of Audit.

#### **Article 12**

SAIP shall, within 90 days from the end of its fiscal year, submit to the President of the Council of Ministers an annual report on its achievements, compared to the General Development Plan, challenges encountered, and recommendations for improvement.



### **Article 13**

Without prejudice to the jurisdiction of the General Court of Audit, the Board shall appoint and determine the fees of an external auditor, or more, licensed to practice in the Kingdom to audit SAIP's accounts, transactions, statements, annual budget, and final accounts. The auditor's report shall be submitted to the Board, and a copy thereof shall be provided to the General Court of Audit.

### **Article 14**

SAIP's employees shall be subject to the Labor Law and the Social Insurance Law.

### **Article 15**

This Statute shall be published in the Official Gazette and shall enter into force on the date of its publication.