



Human Resources and
Social Development

End of Service Regulations

(issued by the Civil Service Council's Resolution No. 1/813,
dated 20/08/1423 H. (26/10/2002 G.))

These Regulations have been approved by the Civil Service Council's Resolution No. 1/813, dated 20/08/1423 H. (26/10/2002 G.), circulated by the Council of Ministers Court's letter No. 7/B/44764, dated 17/11/1423 H. (20/01/2003 G.). Besides, these Regulations shall replace all the provisions stated in the Implementing Regulations of the Civil Service Law, from Article (30/1) to Article (30/17). In addition, Article (30/18) shall be abolished. These Regulations shall be applicable and circulated as of 17/11/1423 H. (20/12/2003 G.).

The aforesaid Civil Service Council's Resolution has been issued. The provision of the issued Resolution states as follows:

In paragraph (1) thereof, it states the amendment of Articles 30/1, 30/3, 30/4, 30/5, 30/8, 30/9, 30/10, 30/11, 30/13, 30/14, 30/15, 30/16 and 30/17, regarding the end of service stated in the implementing regulations of the Civil Service Law, as drafted in the Resolution. Besides, the provision of Article 30/18 of the Regulations shall be abolished. In Article (2) thereof, it states:

The Ministry of Civil Service shall collect the unamended existing articles and the amended articles in a form of regulations, entitled the "End of Service Regulations" to be easily referred to by the executive authorities and to be revised in the future as the case may be.

Accordingly, the Decree No. 36/2 of His Excellency, the Minister of Civil Service, dated 24/11/1423 H. (27/01/2003 G.), was issued decreeing that:

- First:** - The attached prepared wording of the End of Service Regulations shall be approved and shall replace all the articles stated in the implementing regulations of the Civil Service Law, from Article 30/1 to 30/17, in addition to the provisions of the Resolution No. 1/431, dated 29/06/1417 H. (10/11/1996 G.) on the end of service by resignation or retirement for the 14-grade and 15-grade employees.
- Second:** - These Regulations shall be enforced as of the date of circulating the aforesaid Civil Service Council's Resolution, dated 17/11/1423 H. (20/01/2003 G.).
- Third:** - The competent departments in the Ministry shall finalize the procedures required for printing and distributing these Regulations to the government authorities according to the followed procedures.

Civil Service Minister
Mohamed bin Ali Alfayez

End-of-service-related provisions in the Civil Service Council Law's

Article (30)

In order to pave the way for researchers and specialists, Article (30) of the Civil Service Law has been developed by the Royal Decree No. (M/49), dated 10/07/1397 H. (26/06/1977 G.). These Regulations have been issued for implementing such Article, which states:

(Considering the reasons for the end of service, an employee shall be **terminated for any of the following reasons:**

- a. Resignation;
- b. Request for early retirement before the legal age of the Civil Pension Law;
- c. Abolition of post;
- d. Reaching the legal age of retirement unless service is extended by a resolution from the competent authority;
- e. Physical disability;
- f. The failure to implement a transfer resolution for no legitimate excuse within fifteen days as of the date of notifying an employee of the resolution;
- g. Termination for disciplinary actions;
- h. Termination by a Royal Decree or a resolution from the Council of Ministers;
- i. Absence from work for no legitimate excuse for a period of consecutive fifteen days or intermittent thirty days within the year prior to the issuance of the termination resolution;
- j. Denaturalization;
- k. Missing an employee for a period specified by the Council of Ministers;
- l. Ineligibility of an employee who holds a position exempted from a competition or degree;
- m. Inadequacy for obtaining unsatisfactory job assessment for consecutive three time as determined by the Regulations; or
- n. Death¹.

¹ This Article has been amended based on the Royal Decree No. (M/95), dated 15/09/1439 H., to be read as stated above.

(End of Service Regulations) Resignation and Early Retirement

Article (1):

- a. A resignation is a written request submitted by an employee to his/her immediate superior, declaring his/her desire to leave work.
- b. A resignation of 15-grade or 14-grade employees shall be accepted by a decree from the competent minister or the head of an independent entity after obtaining the His Highness's approval. The resignation of employees of other grades shall be accepted by the authorized person.
- c. An employee shall not be terminated except by issuing a decision to accept the resignation or after thirty days as of the date of submitting the request for resignation. However, an employee may not leave work before the date specified for the resignation or after "thirty" days. If an employee is absent from work within that period for no legitimate excuse, such employee shall be treated according to Article (10) of these Regulations².
- d. The Minister – or the head of the independent entity – within the thirty-day period, referred to in paragraph (c) of this Article, may notify the employee that his/her resignation shall be delayed, as required by the interest of work, for a period not exceeding (90) days as of the date stated in the resignation. Besides, an employee's resignation shall not be accepted or an employee shall not go into retirement before reaching the legal age of retirement or if such employee is suspended from work or referred for investigation or trial³.

Article (2):

An immediate superior shall register the request for resignation on the date of the receipt of the resignation. The registration date shall be the resignation submission date.

Article (3):

An employee may not withdraw the resignation or apply for the early retirement except by the Minister's approval or by the approval of the head of the independent entity. Besides, such approval shall be obtained before the date specified for leaving the work.

² Paragraph (c) has been amended by the new provision, upon the Resolution No. (1/185) of Civil Service Council, dated 03/05/1434 H. (04/03/2014 G.).

³ Paragraph (d) has been amended by the new provision, upon the Resolution No. (1/185) of Civil Service Council, dated 03/05/1434 H. (04/03/2014 G.).

Article (4):

An employee – of whatever grades – including the employees who hold 15-grade or 14-grade positions, may go into an early retirement by the approval of the entity that has the right to appoint a substitute for such employee if such employee has been in service for a period of twenty years, but less than twenty-five years. However, when a 15-grade or 14-grade employee has been in service for twenty-five years or above, their early retirement shall be accepted by a decree from the competent minister or the of the independent authority, after obtaining a permission from His Highness.

Article (5):

An employee, whose service ends by means of resignation or early retirement, may be appointed only after a period of six months from the date of the end of service. Besides, an employee whose service ends according to Article (10) of these Regulations, may not be reinstated before one year for the date of their termination⁴.

Article (6):

- A. An employee shall go into retirement by the force of law when reaching the age of sixty. However, the Civil Service Council may extend the employee's service once or more until the employee reaches the age of sixty-five.
- B. If a 15-grade or 14-graded employee reaches the age of retirement by the force of law, the Minister, or the head of the independent entity, shall issue the implementing decree thereon.

Article (7):

An employee who reaches the legal age of retirement while being suspended by the competent authority, or while being suspended from work, tried or investigated, shall go into retirement if their term of service reaches twenty-five years and above on the date of suspension. Besides, the employee's end-of-service entitlement shall be settled and disbursed to such employee. However, the settlement of the employee's other financial entitlements shall be delayed until the lawsuit, for which the employee was suspended from retirement, has been adjudicated upon. On the other hand, if the term of service is less than twenty-five years, the settlement of the employee's entitlements shall be delayed until the relevant lawsuit has been adjudicated upon.

⁴ The Decree No. (71) of the Council of Ministers, dated 30/01/1438 H. (31/10/2016 G.), was issued on amending Article (5) to be read as stated above.

Article (8):

A. If an employee remains in service after the legal age of retirement, for legal reason, such employee shall be deemed an actual employee and shall be treated as follows⁵:

- 1- The term of service of such employee after the legal age of retirement shall not be considered.
- 2- The payments received by such employee shall be a consideration for the tasks performed by the employee. Besides, any retirement return withholdings shall be refunded to such employee.
- 3- The person, who caused the employee to remain in service after the legal age of retirement for no legal reasons, shall be held accountable for the same by the authority.

This provision shall also apply to an employee who is a defendant in a lawsuit during being in service over the period from the date of termination, based on the disciplinary or court judgement, until the date of issuing the implementing decree on termination.

B. An employee who is deprived from the Saudi citizenship, for illegally obtaining it, shall be treated as an actual employee and shall be terminated. The payments received by such employee shall be a consideration for the tasks performed by such employee. Besides, any withheld retirement deductions from the salary shall be refunded to such denaturalized employee. As for an employee who illegally obtains the nationality, the retirement withholdings shall be refunded to the government authority, where such employee has worked for.

(Physical Disability)

Article (9):

An employee's service shall end if established that such employee is physically disabled, based on a decision issued from the medical authority. This shall take effect as of the date on which the employee's workplace is notified of the medical authority's decision. The employee shall be terminated within thirty days as of the date of issuing the medical authority's decision. In addition, the Ministry of Civil Service shall specify the procedures to be followed in that regard⁶.

⁵ The Council of Ministers' Decree No. (152), dated 10/05/1425 H. (28/06/2004 G.), was issued, stipulating that an employee who remains in service after the legal age of retirement, shall not benefit from the retirement entitlements until the end of service of such employee. Besides, the person who caused this to occur shall be held accountable for the same, including militaries and civilians. In such a case, the pension and the job salary shall not be combined.

⁶ The Civil Service Council's Resolution No. (1/1684) on 20/04/1433 H. (13/03/2012 G.), stating as follows:

(First: The approval for the following controls:

- If an employee is absent from work for no legal reason, for the period after which such employee shall be terminated for absence, the competent government authority shall serve a written notice to such employee to their permanent address for inquiring about the reason for absence and notifies such employee that in case of the failure to give acceptable reason within (fifteen) days, the authority shall take legal actions against such employee, according to the Civil Service Council's Resolution No. (1/1045), dated 07/03/1426 H. (30/05/2001 G.).
- For the purpose of amending the reason for an employee's termination from absence to physical disability, the following requirements shall be fulfilled:

An employee, whose service ended for health conditions, may be reinstated without a competition, to the previous position if vacant, or to another position with the same requirements fulfilled by such employee in the same authority where the employee used to work, or any other authority under the following conditions:

1. Such employee shall be examined by the public medical authority to prove if physically fit for the job.
2. The absence period shall not exceed two years.
3. The grade to which the employee is intended to be reinstated shall not be above the grade of the previous job before the end of service. Besides, an employee shall be reinstated to the authority where such employee used to work for if there is a suitable job. Otherwise, another suitable job shall be found by the Ministry of Civil Service in the other government authorities.

Termination

Article (10):

The management may terminate an employee in any of the following cases:

1. If such employee fails to implement the transfer decision for no legitimate excuse within fifteen days as of the effective date.
2. If such employee is absent from work for no legitimate excuse for consecutive fifteen days or intermittent thirty days over the last year of issuing the decision.
3. If such employee fails to return to work after a leave, a training period, a secondment, or any absence period permitted by the Law, within fifteen days.

Article (11):

An employee who is absent from work, and fails to return to work for a legitimate excuse, shall serve a notice of such excuse; or otherwise, the administrative authority may terminate such employee for being absent from work.⁷

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- a. The terminated employee shall submit a request for amending the reason for termination before elapsing (five years) as of the date of absence from work. Such request shall state acceptable justifications for the reasons for the delay in submitting the request and the reasons for the failure to submit the documents which prove the employee's physical disability on a timely basis.
 - b. The public medical authority shall issue a report based on established facts and authenticated medical reports issued before or during the employee's absence from work, stating the employee's case and health condition which may justify the employee's absence.

Second: These controls shall be applicable as of the dated of circulating them by the Royal Court.

Third: The similar cases prior to these controls shall be treated according to the High Order No. (5110/ M B), dated 08/08/1432 H. (09/07/2011 G.).

⁷ The Civil Service Council's Resolution No. (1/1045), was issued on 07/03/1426 H. (16/04/2005 G.), circulated by the Council of Ministers Court's letter No. 14095/B. In paragraph (Second), the Resolution states: (The government authorities shall serve a written notice to an employee who is absent from work to his/her permanent address for inquiring about the reasons for absence from work. In case of the employee's failure to give reasons acceptable by the management within fifteen days, the management shall take the legal actions against such employee).

- The Civil Service Council's Resolution No. (1/1831) was issued on 11/04/1435 H. (11/02/2014 G.) stating the abolishment of paragraph (Second) of the Civil Service Council's Resolution No. (1/1045), dated 07/03/1426 H. (16/04/2005 G.). However, this may be revised in the future by the Ministry of Civil Service in the light of

Article (12):

- A. An employee shall be terminated by the force of law. Such termination shall be for disciplinary actions in the following cases:
1. If a final ruling is issued against the employee by a judicial authority, stating that such employee committed an act that shall be punished by Sharia.
 2. If a final Sharia ruling is issued against such employee for committing an act that shall be punishable in person.
 3. If a final ruling is issued against such employee by a judicial authority stating that such employee is convicted and sentenced for the following crimes: bribe, forgery, embezzlement, smuggling, drugs and intoxicant promotion or trade)⁸.
 4. If such employee is sentenced to be imprisoned for one year.
- The suspension of the sentenced punishment shall not affect the application of this provision⁹.
- B. If a penalty is imposed on the employee by any competent authority, which is legally authorized to impose certain penalties, but such penalty does not require termination by the force of law according to the pervious paragraph, the issue shall be referred to the competent authority in the disciplinary court for deciding the disciplinary penalty against such employee.

Article (13):

Subject to the provision of Article (19) of the Civil Service Law, if a terminated employee is suspended from work, or equivalent, such employee shall be terminated as of the date of suspension or the date of provisional detention.

Article (14):

By a royal order, a high order or a resolution by the Council of Ministers, an employee may be terminated if required by the public interest. Such termination shall not be deemed for disciplinary actions except if the order or decree states the same. Besides, an employee may not be reinstated without the approval of the authority which issued the order of termination.

any updates after effecting the articles on addresses and work according to the provisions of the Council of Ministers' Decree No. (252), dated 24/07/1434 H. (03/06/2013 G.).

⁸ The Ministry of Justice's letter No. 6/94920/29, dated 03/09/1429 H. (03/09/2008 G.) states: "A drug user's sanction is a Taziri punishment. Sanction therein means the magnitude of punishment. It is not a Hadi punishment according to the Resolution No. (85) of the Council of Senior Scholars, dated 11/11/1401 H. (09/09/1981 G.).

⁹ In addition to the last provision of this paragraph (A) of the abovementioned Article (12), the Royal Decree No. M/44, dated 28/07/1425 H. (13/09/2004 G.), based on the Council of Ministers' Resolution No. 210, dated 21/07/1425 H. (06/09/2004 G.), stating: "Ancillary penalty and its criminal effects shall not drop if a pardon is granted from Uli al-amr for the original penalty, unless otherwise stated in the order of pardon".

(General Provisions)

Article (15):

The employee appointed before the prohibition periods stated in paragraphs (e) and (f) of Article (4) of the Civil Service Law and Article (5) of these Regulations shall be treated as follows:

- A. If the employee's act is detected before completing the prohibition period, such employee shall be terminated and the payments received by such employee shall be a consideration for the tasks performed by him/her and any retirement withholdings shall be refunded to the employee.
- B. If the employee's act is detected after the prohibition period, such employee shall continue in service. Besides, the employee's legal term of service shall be calculated from the date of the completion of the prohibition period. In addition, the payments previously received by the employee shall be a remuneration for the tasks performed by such employee.
- C. If such employee's act is detected after the end of service, the employee's service shall be deemed legal as of the date of the completion of the legal prohibition period. Besides, the payments previously received by the employee shall be a remuneration for the tasks performed by such employee.

In all cases, if it is established that an employee has been appointed before the completion of the prohibition period by fraud or by negligence of the competent authority, the person who caused the same shall be referred to the competent authority for taking legal actions against them.

Article (16):

Considering the transfer conditions, an employee whose job is abolished shall be transferred to another job equivalent in grade with the same Ministry or authority. If not possible, such employee shall be transferred to lower job. Besides, the provision of Article (18/C) of the Civil Service Law shall apply to such employee. If there is no vacancy or the employee does not desire to be transferred, such employee shall be terminated and shall be deemed coordinated.

Article (17):

By a resolution of the competent authority, an employee appointed in a position exempted from educational degree or the competition requirements may be transferred to a lower grade. Such employee may be terminated if not qualified for work.

