



Law of Evidence

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(Chapter One) General provisions

Article one

The provisions of this law apply to civil and commercial transactions.

Article two

1. The plaintiff shall prove the right he claims, and the defendant has the right to deny it.
2. The facts to be proven shall be related to the case, originate in it, and may be accepted.
3. The judge may not rule with his personal knowledge.

Article Three

1. Onus of proof lies with the plaintiff and denial shall be supported by oath.
2. Evidence to prove the opposite of what is apparent, and an oath to preserve the original.
3. Evidence is a transitive argument, and acknowledgment is a limited argument.
4. What is proven by evidence is like what is proven by witnesses.

Article Four

Without prejudice to the provisions of this law, if the evidence of proof conflicts and it is not possible to combine it, the court shall take from it according to what is most likely confirmed to it regarding the circumstances of the case. If this is not possible, the court shall not take any of it, and in all cases it shall state the reasons for this in its judgment.

Article Five

There is no need to prove compliance in a specific form; unless there is a special text or agreement between the litigants.

Article Six

1. If the litigants agree on specific rules of evidence, the court shall implement their agreement; unless it violates public order.
2. The agreement of the parties stipulated in this law shall not be taken into account unless it is in writing.

Article Seven

1. Judgments, orders and decisions issued in evidentiary procedures; it is not necessary to reason it, unless it includes a final judgment.
2. In all cases, judgments issued in respect of urgent claims shall be reasoned.

Article Eight

1. If the court decides to initiate an evidentiary procedure, or assigns one of its judges to do so, it shall set a date for that.
2. The court initiates evidentiary procedures, even if the litigants or one of them does not attend; when have they informed with the specified date?

Article Nine

1. The court may retract the evidentiary procedures it ordered, provided that the reasons for the revocation are stated in the minutes of the session.
2. The court shall not take into consideration the outcome of the evidentiary procedure, provided that it states the reasons for this in its judgment.

Article ten

Any evidentiary procedure taken electronically shall be governed by the provisions stipulated in this law.

Article Eleven

1. Evidentiary procedures shall consist of acknowledgment, interrogation, testimony, or oath before the court. If this is not possible, the court may delegate or assign one of its judges to do so.
2. If the declarant, the interrogator, the witness, or the person to whom the oath is directed, or the like, resides outside the jurisdiction of the court, and it is not possible to conduct evidence

electronically; the court shall delegate the court of their place of residence. In this case, the delegation decision shall be informed to the delegated court.

Article Twelve

The acknowledgment of the mute person and who is assimilated, his interrogation, giving his testimony and oath, its directing, its refusal, and its rejection shall be in writing, and if he does not know how to write, then with his usual sign language.

Article Thirteen

Without prejudice to the Kingdom's obligations in the international agreements to which it is a party, the court may take evidentiary procedures that took place outside the Kingdom. Unless it violates public order.

(Chapter Two) acknowledgment and interrogation of litigants (part One) acknowledgment

Article Fourteen

1. The acknowledgment shall be judicial if the litigant admits before the court an incident of which he is accused, during the course of a case related to this incident.
2. The acknowledgment is non-judicial if it does not occur before the court, or occurs during the course of another case.

Article fifteen

1. It is required that the declarant be competent to dispose of what it has acknowledged.
2. It is valid for the circumspect minor who is authorized to buy and sell to the extent that he has been authorized to do so.
3. It is valid acknowledgment from the guardian, the trustee, the Endowment officer, or the like, regarding what they have undertaken within the limits of their jurisdiction.

Article sixteen

1. The acknowledgment shall be made explicitly or implicitly, verbally or in writing.
2. The acknowledgment is not accepted if it is apparently false.

Article Seventeen

Judicial approval is an uncontrovertible proof against the declarant, and it is limited to it.

Article eighteen

1. The declarant is obligated to acknowledge it, and his withdrawal from it is not acceptable.
2. The acknowledgment is not indivisible upon its holder, unless it is based on multiple facts, and the existence of one of them does not necessarily necessitate the existence of the other facts.

Article Nineteen

Proof of a non-judicial acknowledgment shall be in accordance with the provisions stipulated in this law, including that it may not be proven by testimony except in cases in which it is permissible to prove by testimony.

(Part Two) Interrogation of litigants

Article Twenty

1. The court - on its own initiative or at the request of one of the litigants - may interrogate any of the litigants present.
2. Either party may interrogate his litigant directly.

Article Twenty-One

1. The court - on its own initiative or upon the request of one of the litigants - may order the attendance of the litigant for interrogating, and whoever it is decided to interrogate shall attend the session specified for that.
2. If the litigant fails to appear for interrogation without an acceptable excuse, or refrains from answering without a valid justification, the court will conclude whatever it deems appropriate from that, and it may accept proof from the testimony of witnesses and presumptions in cases where that is not permissible.
3. The provisions of Paragraph (2) of this Article apply to anyone who fails to appear in the case or refrain from answering it.

Article Twenty-Two

If the litigant is incompetent person, his representative shall be interrogated and the court may be discussed is whether the distinctive things where authorized. The interrogation of a person with a legal capacity shall be through his legal representative. In all cases, it is required that the person to be interrogated be competent to dispose of the disputed right.

Article Twenty-Three

1. The answer shall be in the same session unless the court decides to give a date for the answer.
2. The answer shall be in front of who requested the interrogation, and the interrogation is not dependent on his presence.

Article Twenty-Four

1. The litigant has the right to object to a question directed to him, and he shall explain the reason for his objection.
2. The court shall prohibit every question that is not related to the case, is not originated from it, or is not permissible to accept.

(Part Three) Writing (Chapter One) Official documents

Article Twenty-Five

1. An official document is one in which a public employee or a person charged with a public service records what was done by him or what he received from concerned parties, in accordance with the legal conditions, and within the limits of his authority and jurisdiction.
2. If the document does not meet the conditions stipulated in Paragraph (1) of this Article, it shall have the authority of the ordinary document when the concerned parties had signed it.

Article Twenty-Six

1. The official document is evidence against all of the matters recorded in it that were carried out by its editor within the limits of his mission, or occurred by concerned parties in his presence. Unless it is proven to be forged by legally prescribed methods.
2. The content of what any of the concerned parties mentioned in the official document shall be evidence against it. Unless proven otherwise.

Article twenty-seven

1. If the original of the official document exists, its official copy is considered proof to the extent that it is identical to the original.
2. The copy is official if it is taken from the original; In accordance with the procedures regulating this.
3. The official copy is identical to the original; unless any of the concerned parties dispute this, it shall be identical to the original.

Article Twenty-Eight

If the original of the official document is not available, the official copy shall have the validity of the original. As long as its external appearance does not allow for doubt as to its conformity to the original, any other copies should not be taken into account except for the sake of reference.

(Chapter Two) Ordinary documents

Article twenty-nine

1. The ordinary document is considered issued by the one who signed it and is evidenced by it. Unless he explicitly denies the handwriting, signature, seal, or fingerprint attributed to him, or denies his successor, or denies his knowledge that the handwriting, signature, seal, or fingerprint is the one from whom he received the right.
2. Whoever argues that it is ordinary document and discusses its subject before the court, it is not acceptable for him to deny its validity after that, or to maintain that he did not know that it was issued by someone from whom he received the right.

Article Thirty

Correspondences that are signed or attributed to their sender shall have the ordinary document in its authority of proof, unless the sender proves that he did not send the message and did not assign anyone to send it.

Article Thirty-One

1. Traders' books are not evidence against non-traders. However, the data recorded in them serves as a basis that allows the court to direct the supplementary oath to the one whose side is stronger from both parties, in what may be proven by the testimony of witnesses.
2. Regular, mandatory Traders' books are an argument for, the Trader, against his litigant, this argument withstands by proving the opposite of what is stated therein by all means of proof, including the litigant's regular books.
3. The mandatory Traders' books - whether regular or irregular - are evidence against their owner, the Trader, in what his litigant, the trader or non-trader, relied upon; In this case, the restrictions that are in the bookkeeper's right are also a proof for him.
4. If one of the two opposing traders relies on his litigant's books and acknowledges in advance what is contained therein, and the litigant refuses without justification to produce his books or enable access to them; the court may direct the supplementary oath to the one who relied on the books for the validity of his claim.

Article Thirty-Two

Private books and papers - even if they are recorded digitally - are not evidence against the person from whom they were issued except in the following two cases:

1. If it explicitly states that he has paid off his debt.
2. If he expressly stated in it that he intended what he wrote to act as a support for the one who has proven a right in his interest.

In both cases, if what was reported was not signed by the person from whom it was issued, he may prove the opposite by all means of proof.

Article Thirty-Three

1. The creditor's endorsement on the debt instrument in his handwriting without his signature indicating the debtor's release is considered evidence against the creditor until the contrary is proven. An endorsement of the same on the instrument is also evidence against the creditor, even if it is not in his handwriting or signed by him; As long as the instrument was never out of his possession.
2. The provisions of Paragraph (1) of this Article shall apply if the creditor records in his handwriting without his signature what indicates the debtor's release from liability in another original copy of an instrument or release, and the copy or release is in the debtor's possession.

(Part Three) Request to oblige the litigant to submit the documents in his possession

Article Thirty-Four

1. The opposing party may request the court to oblige his litigant to submit any document produced in the case that is under his control in the following cases:

A- If the law allows him to be claimed to present or deliver it.

B - If the document is joint between him and his litigant, and the document is considered joint in particular if it is in the interest of both litigants, or confirms their mutual obligations and rights.

C- If his litigant relies on it at any stage of the case.

2. The request referred to in Paragraph (1) of this Article shall not be accepted; unless it meets the following elements:

A- Descriptions of the document and its content in as much detail as possible.

B- Evidence and circumstances that support that the document is in the hands of the litigant.

C- The fact that the document is evidenced by, and the reason for obliging the litigant to submit it.

Article Thirty-Five

1. If the litigant acknowledges that the document is in his possession or remains silent, or the applicant proves the validity of his request, the court orders the submission of the document.
2. If the litigant refrains from submitting the requested document after informing him one time, the copy of the document presented by the applicant is considered correct and identical to its original. If he had not submitted a copy of the document; the court may take into account the applicant's statement regarding the form and content of the document.
3. If the litigant denies the existence of the document and the applicant does not provide the court with sufficient proof of the validity of his request, he may ask the court to direct an oath to his litigant with regard to this document, in accordance with the provisions stipulated in Chapter (Eight) of this law, and if the litigant declines the oath and does not tender back the oath to the applicant or he tender back to the applicant and he swore, the copy of the document presented by the applicant is considered valid and identical to its original. If he had not submitted a copy of the document; the court may take into account the applicant's statement regarding the form and content of the document.

Article Thirty-Six

1. The litigant in commercial cases may ask his litigant to submit or review a document relevant to the case, and the court orders this in accordance with the following controls:
 - A- The document shall be specific stand-alone and defined in its type.
 - B- That the document be related to the commercial transaction that is the subject of the case, or lead to revealing the truth in it.
 - C- That it should not have a confidential nature by a special text or agreement between the parties, or that accessing it would not violate any right to trade secret or any rights related to it.
2. If the litigant refrains from submitting what the court ordered to be submitted to his litigant in accordance with the provisions of Paragraph (1) of this Article; the court may consider his refusal to be presumption.

Article Thirty-Seven

Taking into account the provisions stipulated in the previous articles, the court may, on its own initiative, or upon the request of one of the parties, and at whatever stage the case is, decide the following:

1. Inviting a third party to oblige him to submit a document under his control.
2. A request for a document from a public authority or a certified copy of it indicating its conformity with the original if this is not possible for the opposing party. The court may request the public authority to provide - in writing or verbally - whatever information it has relevant to the case, without prejudice to the laws.

(Part Four) Proving the authenticity of documents (Section One) General provisions

Article Thirty-Eight

1. The court may assess the consequences of material defects in the document, such as withdrawing or reducing its evidence of proof, and it may take all or part of what is included in the document.
2. If the authenticity of the document is in doubt in the eyes of the court, it may ask who issued it, or invite the person who wrote it to clarify the truth of the matter in it.

Article Thirty-Nine

1. The allegation of forgery is referred to on the official and ordinary document, but the denial of the handwriting, seal, signature or fingerprint is only referred to on the ordinary document.
2. The litigant who claims forgery bears the burden of proving his claim. As for whoever denies that the ordinary document was issued by him, or denies it by his successor or representative, or denies knowledge of it, the burden of proving that it was issued by him or his predecessor falls on his litigant.
3. If the litigant acknowledges the authenticity of the stamp signed on the ordinary document and denies that, he shall take the path of claiming forgery.

(Section Two) Denying the handwriting, signature, seal, or fingerprint, and verifying the handwriting

Article Forty

If the person who alleged that the ordinary document is not admissible as evidence denies its handwriting, signature, seal, or fingerprint, or his successor or representative denies it or rejects knowledge of it, and the other party continues to adhere to the document, and the document is involved in the dispute, and the facts and documents of the case are not sufficient to convince the court of the authenticity of the handwriting, signature, stamp, or fingerprint; The court shall order an investigation by matching, or by hearing witnesses, or by both, in accordance with the rules and procedures stipulated in this law. The testimony shall not be heard except with regard to proving that the writing, signature, stamp, or fingerprint of the document.

Article forty-one

1- The court sets a session for the litigants to attend to present the documents they have for matching, and agree on what is suitable for this purpose. If the litigant charged with proof fails to do so without an acceptable excuse, it may be ruled that his right to proof is forfeited, and if his litigant fails to do so, the court may consider the documents submitted for matching valid for it.

2- The litigant who disputes the authenticity of the document shall appear in person for the writing on the date specified for that. If he abstains from attending without an acceptable excuse, or attends and refrains from writing exemplars; the court may rule on the authenticity of the document.

Article forty-two

1. In the event that the litigants do not agree on the documents that are suitable for matching, only the following are acceptable:

A- The handwriting, signature, seal, or fingerprint placed on official documents.

B- The part of the document under investigation that the litigant acknowledges is authentic.

C- The litigant's handwriting or signature that he writes before the court or the fingerprint that he takes before it.

D- The handwriting, signature, seal, or fingerprint placed on ordinary documents proven to be attributed to the litigant.

2. What has been denied in terms of handwriting, signature, seal, or fingerprint shall be matched to what is proven by the document being investigated, such as handwriting, signature, seal, or fingerprint.

Article Forty-Three

1. If the entire document is ruled to be valid, the person who denies it shall be sentenced to a fine not exceeding (ten thousand) riyals, without prejudice to the right of the concerned parties to claim compensation.

2. The fine shall not be multiplied by the number of successors or representatives, and a fine shall not be imposed on either of them if his denial is limited to denying knowledge.

(Section Three) Allegation of forgery

Article Forty-Four

1. The allegation of forgery shall be made in whatever state the case is in. The plaintiff of forgery shall specify all the locations of the alleged forgery, its evidence, and the investigation procedures by which he seeks to prove it. This shall be done in a memorandum he submits to the court or by recording it in the minutes of the session.

2. If the allegation of forgery is relevant to the dispute and the facts and documents of the case are not sufficient to convince the court of the authenticity of the document or its forgery, and it deems that conducting the investigation requested by the plaintiff of forgery is Effective and permissible; it ordered it.

3. The order to investigate the allegation of forgery shall be by matching, hearing witnesses, or both, in accordance with the rules and procedures stipulated in this section.

Article Forty-Five

1. The plaintiff of forgery shall hand over to the court the document claimed to have been forged if it is in his possession or a copy notified to him in. If he refuses to hand over the document or a copy - as the case may be - his right to claim that it was forged will be forfeited, and this allegation will not be accepted from him after that.

2. If the document is in the possession of the litigant, the court may instruct him to deliver it to the court, or order its seizure and deposit. If the litigant refuses to hand over the document and the court is unable to seize it, it is considered non-existent. This does not prevent it from being seized - if possible - later.

Article forty-six

1. It is permissible for anyone who claims that a document was forged to waive his allegation before the end of the investigation procedures, and his allegation of forgery of a document will not be accepted after his waiver.
2. The defendant of forgery may terminate the forgery investigation procedures - in whatever state he is in - by relinquishing his adherence to the allegedly forged document. In this case, the court may order the seizure or preservation of the document if the plaintiff of the forgery requests this for a legitimate interest.

Article forty-seven

An order to investigate the allegation of forgery suspends the authority of the document claimed to be forged for execution, without prejudice to precautionary measures.

Article Forty-Eight

The court may - even if forgery has not been alleged before it - rule to reject any document and invalidate it if it appears to it clearly from its condition or from the circumstances of the case that it is forged, and in this case it shall state in its judgment the circumstances and presumption from which it has become evident.

Article forty-nine

1. If the allegation of forgery of the document is ruled to be rejected or the plaintiff of forgery's right to proof is forfeited, he shall be sentenced to a fine not exceeding (ten thousand) riyals, without prejudice to the right of the parties concerned to claim compensation.
2. A fine shall not be imposed on the plaintiff of forgery if he abandons his allegation before the end of the investigation procedures. Unless it is proven to the court that he intended to harm his litigant or delay the decision of the case
3. A fine shall not be imposed on the plaintiff of forgery if some of what he alleged is proven.
4. If the document is proven to be forged, the court refers it to the Public Prosecution; to take the necessary measures.

(Section Four) The original forgery case

Article fifty

Anyone who fears to claiming that it is a forged document may sue the person in possession of this document and whoever benefits from it, in accordance with the procedures regulating filing a case. In investigating this case, the court shall take into account the rules and procedures stipulated in this section.

(Part Five) Final provisions in writing

Article fifty-one

1. It is permissible, in cases where written proof is required, to be replaced by a judicial acknowledgment, a decisive oath, or the principle of written proof supported by another means of proof. This is not stated in this law.
2. The principle of proof by writing is: every writing issued by the litigant would make the alleged acts likely to exist.

Article fifty-two

Without prejudice to the Kingdom's obligations under the international agreements to which it is a party, the court may accept as evidence a paper or digital document issued outside the Kingdom and certified by the competent authorities in the country in which it was issued and the competent authorities in the Kingdom, unless it violates public order.

(Chapter Four) Digital Evidence

Article Fifty-Three

Any evidence concluded from any data generated, issued, delivered, preserved or communicated by digital means, and which is retrievable or obtainable in a form that can be understood, is considered digital evidence.

Article Fifty-Four

The digital evidence includes the following:

1. Digital record.
2. The digital document.
3. Digital signature.
4. Digital correspondence, including digital mail.
5. Means of communication.

6. Digital media.

7. Any other digital evidence.

Article Fifty-Five

Proof by digital evidence shall have the same authenticity as proof by writing as stipulated in this law.

Article fifty-six

The official digital evidence shall have the authenticity assigned to the official document. If it meets the conditions stipulated in Paragraph (1) of Article (Twenty-Five), including what is issued automatically from the digital systems of public entities or entities charged with a public service.

Article fifty-seven

Unofficial digital evidence shall be evidence against the parties to the transaction - unless proven otherwise - in the following cases:

1. If it was issued in accordance with the electronic transactions system or the electronic commerce system.
2. If it is derived from a digital means stipulated in the disputed contract.
3. If it is derived from a documented or publicly available digital means.

Article fifty-eight

The litigant who alleges that the digital evidence stipulated in Articles (Fifty-Six) and (Fifty-Seven) is invalid has the burden of proving his allegation.

Article fifty-nine

Except for what is stipulated in Articles (Fifty-Six) and (Fifty-Seven) of this law; the digital evidence shall have the authenticity prescribed for a regular document. In accordance with the provisions of this law.

Article 60

The digital evidence is presented in its original form, or by any other digital means, and the court may request that its content be submitted in writing. Whenever his nature allows it.

Article sixty-one

If any of the litigants refuses to provide what the court requested to verify the authenticity of the digital evidence without an acceptable excuse; He has forfeited his right to cling to it or to consider it as evidence against it, depending on the circumstances.

Article sixty-two

If it is not possible to verify the authenticity of the digital evidence for a reason not attributable to the litigants, the court shall assess its authenticity based on the circumstances of the case that appear to it.

Article sixty-three

1. Extracts from digital evidence shall have the authenticity prescribed for the evidence itself, to the extent that the extracts are identical to their digital record.
2. The provisions of Paragraph (1) of this Article is valid for extracts from digital payment methods.

Article sixty-four

Unless stipulated in this chapter, the provisions stipulated in Part (Third) of this law shall apply to the digital evidence, in a manner that does not conflict with its digital nature.

(Chapter Five) The testimony (Chapter One) the subject of the testimony

Article sixty-five

It is permissible to prove it with the testimony of witnesses; unless there is a text stating otherwise.

Article sixty-six

1. Any transaction whose value exceeds (one hundred thousand riyals or its equivalent) or whose value is not specified shall be recorded in writing.
2. Witness testimony shall not be accepted in proving the existence or cessation of the transactions mentioned in Paragraph (1) of this Article, unless there is an agreement or text stipulating otherwise.
3. The obligation is estimated based on its value at the time the transaction is issued, without adding the annexes to the original.

4. If the case includes multiple requests arising from multiple sources, it is permissible to prove it through witness testimony in each request whose value does not exceed (one hundred thousand riyals or its equivalent); Even if these requests as a whole exceed that value, or their origin is in relationships between the litigants themselves or transactions of the same nature.

5. What matters is proving partial fulfillment of the value of the original obligation.

Article sixty-seven

Proof by witness testimony is not permissible even if the value of the transaction does not exceed (one hundred thousand riyals or its equivalent) in the following cases:

1. The law stipulates that it shall be in writing for its authenticity or proof.
2. If what is required is the remainder or part of a right, it may not be proven except in writing.
3. In what contradicts or exceeds what is included in written evidence.

Article sixty-eight

It is permissible to prove by witness testimony what should have been proven in writing in the following cases:

1. If the principle of proof is found in writing.
2. If there is a physical or moral impediment that prevents obtaining written evidence, and one of the physical impediments is the absence of someone who can write, or that the person requesting the proof is a third person who was not a party to the contract, and one of the moral impediments is the marital bond, Affinity and kinship up to the Fourth degree.
3. If it is proven that the plaintiff lost his written evidence for a reason beyond his control.

Article sixty-nine

Testimony shall be based on sight, inspection, or hearing. Testimony shall not be accepted in elaboration except in what is often impossible to know without it, including the following:

1. Death.
2. Marriage.
3. Kinship ties
4. Absolute ownership.
5. Endowment and will and their disposition.

(Part Two) Conditions and contraindications for testimony

Article seventy

1. Anyone who has not reached the age of (fifteen) and who is not of sound mind is not eligible to testify.
2. It is permissible to hear the statements of someone who has not yet reached the age of (fifteen) as a matter of reference.

Article seventy-one

1. The witness shall, before giving testimony, disclose any relationship he has with the parties to the case, or any interest he has in it.
2. The testimony of someone who by his testimony warding off harm or bringing benefits will not be accepted. It will not accept the testimony of the parent for the descendant, the testimony of the descendant for the parent, the testimony of one spouse for the other even after their separation, and the testimony of the guardian or trustee for the person under guardianship.
3. It is not permissible for employees and those assigned to a public service - even after leaving their work - to testify about confidential information that has come to their knowledge by virtue of carrying out their work, unless it is classified as confidential, or the competent authority authorizes it to testify. At the request of the court, or one of the litigants.

(Part Three) Procedures for proof by testimony

Article seventy-two

1. The litigant who requests proof through witness testimony shall state the facts he wants to prove, the number of witnesses and their names.
2. If the court permits one of the litigants to prove a fact through the testimony of witnesses, the other litigant has the right to deny it in this way. In all cases, testimony to the denial is not accepted unless it is limited.
3. The court - on its own initiative or at the request of one of the litigants - may summon to testify whomever it deems necessary to hear his testimony; to demonstrate of the truth.

Article seventy-three

If one of the litigants requests a grace period to bring his witnesses, he will be given one grace period. If he does not bring them on the specified date without an excuse accepted by the court, or he will bring someone whose testimony has not accepted. The court shall decide the dispute.

Article seventy-four

1. Testimony is given orally. It may be performed in writing with the permission of the court.
2. The court may make the witness swear an oath when necessary, and if he refrains from swearing, the court shall determine the effect of that.

Article seventy-five

1. Testimony shall be given in the presence of the parties, and the testimony of each witness shall be heard in private, except for a valid reason.
2. The failure of the opposing defendant party does not prevent the testimony from being heard. He has the right to review the minutes of hearing witnesses.

Article seventy-six

In the event of disagreement in the testimony of witnesses, the court takes into consideration the extent of the testimony that it is convinced of its veracity. Provided that this difference does not lead to contradiction in their testimony.

Article seventy-seven

1. Any of the litigants may direct questions directly to the witness. If the litigant has finished questioning the witness, he may not ask new questions except with the court's permission.
2. The court may ask the witness whatever questions it deems useful in revealing the truth.
3. The litigant does not have the right to interrupt the witness' words while giving testimony or answering.
4. The litigant may object to a question directed at the witness, and he shall explain the reason for his objection, and record the objection and what the court decides regarding it in the minutes of the session.
5. A witness may refrain from answering a question directed to him, and he shall explain the reason for his refusal, and record that and what the court decides regarding it in the minutes of the session.

Article seventy-eight

The testimony is registered in a record, in which the witness's information, his contact with the litigants, the text of his testimony, and his answers to the questions directed to him are recorded.

Article seventy-nine

1. The opposing defendant party may explain to the court anything that impairs the witness's testimony, such as any challenge to him or his testimony. The court assesses the impact of this on the testimony.
2. The court can assess the fairness of the witness in terms of his behavior ,conduct and other circumstances of the case, without the need for recommendation, and when necessary, it may use whatever means it deems necessary to assess justice.

Article Eighty

If the court proves during the hearing of the case or when ruling on its merits that the witness testified falsely, it shall draw up a report on that and refer it to the Public Prosecution to take the necessary measures.

(Part Four) The urgent case to hear testimony

Article Eighty-One

1. Anyone who fears missing the opportunity to cite a witness on a matter that has not yet been brought before the judiciary and may be brought before the judiciary may request, in the face of the concerned parties, to hear this witness, and submit the request in an urgent case to the competent court, in accordance with the procedures regulating that, and when necessary, the court hears the witness's testimony; When the incident is one that may be proven by witness testimony.
2. The court may hear defense witnesses upon the request of the other party to the extent required by the circumstances of urgency in the case.
3. Other than that, the rules and procedures governing this testimony shall be followed. In this case, it is not permissible to hand over a copy of the minutes of hearing the testimony or submit it to the judiciary unless the trial court considers it permissible to prove the incident with the testimony of witnesses, and the opposing party may object to the admission of this evidence before it. He may also request hearing defense witnesses on his behalf.

(Part Five) Final provisions in the testimony

Article eighty-two

It is not permissible to harm a witness. The court shall prevent any attempt aimed at intimidating or influencing him when giving testimony.

Article Eighty-Three

The court, based on the witness's request, estimates his transportation expenses and the fee for his disruption, and they are borne by the party who lost the case, unless the loss is relative, each of the parties will bear to the extent of his loss. The court shall state this in the judgment issued on the merits of the case.

(Chapter Six) presumptions and Res Judicata (part One) presumptions

Article Eighty-Four

The presumptions stipulated by law or regulation suffices the person in whose favor it is determined from any other method of proof, provided that its connotation may be challenged by any other method. Unless there is a text stating otherwise.

Article Eighty-Five

1. The court may conclude other presumptions for proof, in cases where it is permissible to prove by testimony to explain its connotation.
2. The court may use scientific methods to conclude presumption.

(Part Two) the res judicata

Article eighty-six

Judgments that have the res judicata are evidences regarding the rights disposed upon, and it is not permissible to accept evidence that contradicts this res judicata .These judgments do not have this res judicata except in a dispute that arose between the litigants themselves without their capacity changing, and it is related to the right itself with respect to both subject and cause. The court consider this evidence on its own.

Article eighty-seven

The court shall not abide by the criminal judgment related to the case before it except in the facts that were decided by that judgment, and in which its judgment was necessary. However, it shall not abide by the judgment of non-conviction unless it is based on denying the attribution of the fact to the accused.

(Chapter Seven) Custom

Article Eighty-Eight

It is permissible to prove it by custom or usage between litigants, unless there is a special text or agreement between the parties or what does not contravene public order.

Article eighty-nine

1. Whoever adheres to custom or usage between litigants shall prove their existence at the time of the incident.
2. Any of the litigants may challenge the establishment of custom or usage between the litigants, and they may oppose them with something stronger than them.

Article ninety

Custom between litigants and private custom takes precedence over public custom in the event of a conflict.

Article ninety-one

When necessary, the court may appoint an expert to verify custom or usage between the litigants, in accordance with the provisions stipulated in Chapter (Ten) of this law.

(Chapter Eight) The Oath (Chapter One) General Provisions

Article ninety-two

1. The decisive oath: It is the one sworn by the defendant to ward off the case, and it may be tender back to the plaintiff, in accordance with the provisions contained in this chapter.
2. The supplementary oath: It is the one that the plaintiff takes to complete the evidence, and it may not be tendered back to the defendant, in accordance with the provisions contained in this section.

Article Ninety-Three

The oath legislates on the part of the strongest litigants.

Article ninety-four

1. It is required that One who takes an oath be competent to act on what he swears to do.
2. The representation is not accepted in taking the oath, but it is accepted - with a special power of attorney - to direct, accept, renounce and reject the oath.

Article ninety-five

1. If the incident upon which the oath is based is related to one who takes an oath or proving the action of someone else; he swear on affirmation. If it is related to denying the action of someone else, he swears to deny knowledge, unless the oath is something that the one who takes an oath can know about. So he swear on affirmation.
2. The oath shall be administered in the form approved by the court.

(Chapter Two) The decisive oath

Article ninety-six

1. An oath may be directed regarding financial rights, and in any case the claim is, in accordance with the provisions contained in this chapter.
2. It is not permissible to take an oath in an incident that violates public order.
3. The court shall prohibit giving the oath if it is not related to the case, is not effective, or is not permissible to accept. The court may prevent its directive if the litigant is arbitrary in doing so.

Article ninety-seven

1. If the plaintiff is unable to provide proof and requests the oath of his litigant, he will be testified under oath. If he renounce to take the oath then the oat tenders back to the plaintiff in defendant's request, then if the plaintiff renounces to take the rejected oath, his claim will be rejected.
2. The oath shall not be rejected if the defendant has sole knowledge, and it shall be determined by refusal to take the oath.
3. The plaintiff may request the oath of his litigant, unless the case is decided by a final judgment.
4. It is not permissible for the person who take or reject the oath to retract it once his litigant accepts to take the oath.

Article ninety-eight

Whoever is sworn and he took it, a judgment was ruled in his behalf. However, if he renounced it without tenders back to his litigant, he will be sentenced after warning him. The same applies to anyone to whom the oath was tender back and he renounced it.

Article ninety-nine

1. The plaintiff may withdraw his evidence and direct the oath to the defendant directly.
2. The plaintiff may direct the oath to the defendant before presenting his known evidence, and this is considered a withdraw of his evidence; after informing the court of this.
3. Taking into account what is stated in Paragraph (2) of this Article, it is not permissible for the litigant to prove that the oath is false after it has been taken by the litigant to whom it was directed or responded to. However, if the oath is proven to be false by a penalty provision, the litigant who suffered damage from it has the right to demand compensation, without prejudice to the right he may have to object to the judgment issued against him due to the false oath.

Article hundred

The guardian, the trustee, the Endowment officer, and those in their position have the right to direct the oath, renounce it, or return it in what it is permissible for them to dispose of, and the oath is directed to them in what they have commence to dispose of.

Article one hundred and one

Whoever directs the oath to his litigant shall clearly state the facts on which he wants to take an oath , and state the wording in clear terms, and the court may amend it to be directed clearly and precisely on the fact to which he is required to swear on.

Article one hundred and two

The oath shall be directed in front of the person requesting it, unless he decides to waive his attendance at the oath, or fails to attend even though he knows the date of the session.

Article one hundred and three

1. Whoever is called to come to court to take the oath shall attend.
2. If the person to whom the oath was directed attends in person and does not dispute its permissibility or its relevance to the case, he shall perform it immediately or tender it back to his litigant, otherwise he will be considered to have renounced it. If he fails to attend without an excuse, he will be considered to have renounced it.

Article one hundred and four

1. Oaths are multiplied by the number of those entitled to them; unless they are partners in the truth or are satisfied with one oath.
2. Oaths are as many as the number to whom they are directed.
3. The court may suffice with one oath if multiple requests are combined.

(Chapter Three) The supplementary oath

Article one hundred and five

1. The court directs the supplementary oath to the plaintiff if he presents incomplete evidence regarding financial rights. If he swears, a judgment will be given to him, and if he renounces it, his evidence will not be taken into account.
2. The supplementary oath is based on the affirmation.
3. It is not permissible to tender back the supplementary oath to the other litigant.

Article one hundred and six

The supplementary oath shall be taken by the guardian, trustee, endowment officer, and the like regarding what they have undertaken to dispose of.

Article one hundred and seven

If there are multiple plaintiffs and they present incomplete evidence, the court shall direct the supplementary oath to all of them. Whoever swears an oath will be judged for him, and whoever denies his evidence will not be considered.

(Chapter Nine) Inspection

Article One Hundred and Eighth

1. The court - on its own initiative or upon the request of one of the litigants - may decide to inspect the disputed matter, specify the date and place in the inspection decision, and inform any of the parties who were absent of it at least (twenty-four) hours before the scheduled date.
2. The court may assign an expert to assist him in the inspection, and it may hear whomever of the witnesses it deems appropriate to hear.

Article one hundred and nine

1. Anyone who fears the loss of milestones of an event that may become the subject of a dispute before the judiciary may request to inspect them and prove their condition. The request shall be submitted in an urgent case to the competent court in accordance with the procedures regulating that. In inspection and proof of the condition, the provisions of Article (108) shall be taken into account.

2. The court may, in the event of a case being filed against it, assign an expert to move, inspect, and hear the statements of whomever it deems necessary to hear his statements. The court shall set a session to hear the litigants' comments on the expert's report and his work. The rules stipulated in Chapter (Ten) of this law shall be followed.

(Chapter Ten) Expert

Article one hundred and ten

1. The court - on its own initiative or upon the request of one of the litigants - may decide to appoint one or more experts; to express his opinion on the technical issues required to the Disposition of the Case.

2. When selecting the expert, the compatibility of his technical knowledge and experience with the subject of the dispute should be taken into account.

3. If the litigants agree to choose one or more experts, the court shall confirm their agreement.

Article one hundred and eleven

The operative of the decision to assign the expert shall include an accurate statement of his mission, his powers, and the urgent measures he is authorized to take.

Article one hundred and twelve

1. The court determines - when necessary - the amount determined for the expert, the litigant charged with depositing the amount, and sets a deadline for that.

2. If the assigned litigant does not deposit the amount specified for the expert within the specified period, the other litigant may deposit the amount without prejudice to his right of recourse against his litigant.

3. If neither party deposits the amount, the court may decide to stop the case until it is deposited. When the Disposition on the matter depends on the expert's decision, or it is decided that the litigant's right to adhere to the assignment decision will be forfeited if the excuses he expressed are found to be unacceptable.

Article one hundred and thirteen

Before undertaking the mission, the expert shall disclose any relationship he has with the parties to the case or any interest he has in it. If he fails to do so, the court will rule to dismiss him and return the amounts he has received. The judgment shall be final and not subject to objection, without prejudice to disciplinary penalties and the right of the concerned parties to recourse against for compensation.

Article one hundred and fourteen

1. It is permissible for any of the litigants to request expert dismissal if there is a reason for his inability to carry out his mission impartially. In particular, the expert may be rejected if he is a relative or in-law up to the fourth degree of the litigants, or an attorney of one of them in his private business, or a guardian or trustee and endorsement officer of one of the litigants and the like, or he worked for one of the litigants, or had a dispute with one of them; Unless this dispute was initiated after the expert was appointed with the intention of its dismissal.
2. A dismissal request from someone who has been assigned an expert based on his choice will not be accepted unless the reason for the dismissal occurred after he was assigned. In all cases, the request for dismissal shall not be accepted after the pleadings are closed.
3. The court shall decide on the dismissal request within (three) days from the date of submitting the expert's answer or from the expiry of the deadline set for submitting it, and the judgment issued on the request shall be final and not subject to objection.

Article one hundred and fifteen

In order to perform his mission, the expert may do the following:

1. Hearing the litigants' statements and comments, and anyone who wants to hear his statements if the assignment decision includes permission for him to do so.
2. To ask the litigants or others to hand over to him or show him the books, records, documents, papers, or things that he deems necessary to carry out his mission.
3. Inspecting the facilities, places and things that need to be inspected to carry out his mission.

Article one hundred and sixteen

1. It is not permissible for any person to abstain without legal justification from enabling the expert to perform his mission in accordance with what was stipulated in Article (115). In the event of abstention, the expert shall report this to the court, and it may decide what it deems appropriate, including obligating the abstainer. And resort to coercive force when necessary.
2. The expert shall file a complaint with the court if there is an obstacle to his work that prevents him from continuing his mission or the matter requires expanding the scope of his mission, and the court shall decide what it deems appropriate.

Article one hundred and seventeen

1. The expert prepares a report on his work, which shall include the following:
 - A- A statement of the assigned mission in accordance with the assignment decision.
 - B- The work he completed in detail, the statements of the litigants and others, the documents and evidence they presented, and the technical analysis thereof.
 - C- Opinions of the experts he consulted.
 - D- The result of his work and technical opinion, and the aspects on which he relied accurately and clearly.
2. If there are multiple experts, they shall prepare one report, and if their opinions differ, they shall state in the report the opinion of each of them and its reasons.

Article one hundred and eighteen

1. If the expert does not carry out his mission without an acceptable excuse or fails to perform it, or is unjustifiably late in submitting the report on the specified date, a warning shall be issued to him no later than (five) days from that, and if he does not respond within (five) days of being notified With a warning, the court ruled to dismiss him and ordered him to return the amounts he had received, without prejudice to the disciplinary penalties and the right of the concerned parties to demand compensation from him.
2. The judgment issued to dismiss the expert and oblige him to return what he received shall be final and not subject to objection.
3. If the court finds out that the delay resulted from a fault by one of the litigants, it shall sentence him to a fine not exceeding (ten thousand) riyals, and it may rule that his right to adhere to the expert's assignment decision shall be forfeited.

Article one hundred and nineteen

If the expert's mission is completed, he shall return all the papers, documents, or other things he received within (ten) days from the date of the end of the mission. If he refuses without an acceptable excuse, the court will rule him to hand over everything he received and a fine not exceeding (ten thousand) riyals. Its judgment is final and not subject to objection.

Article one hundred and twenty

The court - on its own initiative, or upon the request of one of the litigants, and at whatever stage the case is - may take the following:

1. Ordering the expert to be summoned to a session it determines to discuss his report verbally or in writing, and it may ask him whatever questions it deems appropriate.
2. Ordering the expert to complete the deficiencies in his work and correct the deficiencies or faults that it discovered. It may also assign one or more experts to join the previously assigned expert.
3. Assigning one or more other experts to complete the deficiencies in the work of the previous expert and correct any deficiencies or faults found in it, or to re-examine the mission. Whoever the court assigns may seek assistance from the information of the previous expert.

Article one hundred and twenty-first

1. The litigants may, even before filing the case, agree to accept the result of the expert's report, and the court shall implement their agreement. Unless the report includes anything that violates public order.
2. Without prejudice to the provisions of Paragraph (1) of this Article, the expert's opinion shall not be binding on the court, and if the court does not accept it in whole or in part, it shall state the reasons for that in its judgment.
3. If the court does not accept the expert's report in whole or in part due to the expert's negligence or fault, it may order him to return all or part of what he received - as the case may be - without prejudice to disciplinary penalties and the right of the concerned parties to seek compensation from him.

Article one hundred and twenty-two

The litigant who lost the claim subject to the expert shall bear the amount determined for the expert, unless the loss is relative, in which case each of the litigants shall bear the extent of his loss, and the court shall state this in the judgment issued on the merits of the case.

Article one hundred and twenty-three

1. As an exception to the procedures regulating expert, the court may - by a decision recorded in the minutes of the session - assign an expert to express his opinion orally on a simple technical issue that does not require long or complex work, and the court may decide to submit the opinion in writing.
2. The court shall specify in the decision the date of the session in which the expert shall present his opinion orally or the deadline within which the written opinion shall be submitted.

Article one hundred and twenty-four

The court may rely on an expert's report submitted in another case instead of seeking the help of an expert in the case, without prejudice to the right of the litigants to discuss what was contained in that report.

(Chapter Eleven) Final provisions

Article one hundred and twenty-five

1. The provisions of the law of Civil Procedure or the Commercial Courts law - as the case may be - shall be applied to the procedures **related** to proof, unless stipulated in this law.
2. Taking into account what is stated in Paragraph (1) of this Article, the provisions derived from Islamic Sharia that are most appropriate to the preferences of this law shall be applied to matters of proof for which there is no provision in this law.

Article one hundred and twenty-six

1. The Minister of Justice, in coordination with the Supreme Judicial Council, shall issue the following:
 - A- Controls for evidentiary procedures electronically.
 - B- The rules for organizing expert matters before the courts.
 - C- Procedural guides and decisions necessary to implement this law.
2. The controls, rules and procedural guides referred to in Paragraph (1) of this Article shall be published in the Official Gazette, and shall be effective from the date of implementation of this law.

Article one hundred and twenty-seven

It is permissible to seek assistance from the private sector in evidentiary procedures, and the Minister of Justice, in coordination with the Supreme Judicial Council, shall issue the rules regulating this.

Article one hundred and twenty-eight

This law abolishes Chapter (Nine) of the law of Civil Procedure issued by Royal Decree No. (M/1) dated 1/22/1435 AH, and Chapter (Seven) of the Commercial Courts law issued by Royal Decree No. (M/93) dated 8/15/1441 AH. It repeals all provisions that conflict with it.

Article one hundred and twenty-nine

This law shall be valid after (one hundred and eighty) days from the date of its publication in the Official Gazette.

