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THE NEW JUDICIAL FEE LAW OF THE KINGDOM OF SAUDI ARABIA



Recently the Courts and Legal System of the Kingdom of Saudi Arabia introduced a new Royal Decree No. M/16 on 30/1/1443H to amend the judicial cost systems and to implement the court fee for the newly filed legal suits. The new law came into effect on 13th March 2022 and it aims to encourage litigants to amicably settle their disputes.

Even though the filing charges are already in existence in most of the countries, this is the new implementation by the Courts in Saudi Arabia, where there were no filing charges or court fee since the inception the Civil Courts in the jurisdiction. Since there were no filing charges

earlier, the courts in Saudi Arabia were struggling with voluminous of cases which resulted in very lengthy court proceedings and delay in pronouncing decisions.

The new law applies to all lawsuits, petitions and requests submitted to the Courts except Criminal Cases, Disciplinary Cases or Cases relating to the Provision of Bankruptcy Law. The Law also exempts certain categories from having to pay the court fee which includes the claim brought by the employees in relation to their employment contracts and claims commenced by ministries and government bodies.

The new Law or otherwise titled as "Judicial Fee Law",

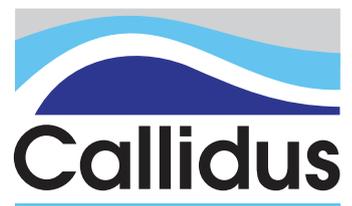
stipulates the different fees applicable to claims and applications. When the law sets a certain percentage of the claim amount as the court fee payable for various categories of Civil Suits including but not limited to the legal suit to nullify the Arbitral Award, the maximum ceiling of court fee set out is SAR 1,000,000 under all categories. However, the fee shall be reduced to 25% of the fee payable if the parties settle after the first hearing but prior to the court's decision in the case and the balance shall be refunded if paid. Further, the Law also states that is a request results in a change in the estimation of the value of the case, the judicial costs



**THOUGHT
for
the MONTH**

THE BAD NEWS IS TIME FLIES;
THE GOOD NEWS IS YOU ARE
THE PILOT

MICHAEL L. ALTSHULER



of the case will be calculated based on the estimation of the new value thereof.

The law also has provision to refund the entire amount of Court Fee paid, in the event of (1) If the decision or Judgment pronounced in favor of the Plaintiff or the Claimant; Appellant or

Applicant; (2) If the Claimant withdraws the claim in accordance with the applicable rules before the first hearing; (3) If the Parties settles the dispute before the end of first hearing; (4) If any Civil claim was raised alongside the Criminal Proceedings and the Civil

Claim is settled between the Parties regardless of the stage of the case.

However, it is also to be noted that except in limited circumstances, failure to pay the court fees does not prevent the court from hearing and determining the claim and application.

DATA PRIVACY

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Sometimes we wonder how the online shopping applications suddenly start showing offers for a product that we searched for on Google lately. Also, if we notice, Google shows a similar pattern of results in line with our previous search history, catering exactly to our needs. Our personal information is stored in online applications, websites, and social media platforms that we use. Such online platforms require our personal information to cater to their various services.

The Digital Era is characterized

by many pros and cons. With the development of technology and a tremendous rise in the usage of various applications, social media platforms, and websites, data privacy has become a major concern. While using many applications and websites, the user's personal data is shared, but the user may not receive the data privacy that they expect, resulting in data theft. Most of the time, users need to compromise on privacy in order to use various apps.

In simple words, data privacy means the reasonable expectation of privacy

towards the personal information one gives while using applications, websites, and social media platforms. Data privacy is important because the risks of misusing users' personal information are high in an internet-driven era.

To ensure data privacy, three questions need to be taken care of. They are:

- What data can be collected?
- How is the collected data used?
- How is the collected data stored and protected?

If we look at the various data protection laws, data privacy

depends on these three questions.

INTERNATIONAL PRIVACY LAWS

International privacy laws are still evolving, and about 71% of countries have data protection legislation. The General Data Protection Regulation (GDPR) is an international law that is forward-thinking and comprehensive legislation on data protection that protects the data privacy of European Union (EU) citizens. As a result, any organization intending to collect data from EU citizens must comply with the GDPR.

Another robust legislation in this field is the California Consumer

Privacy Act (CCPA), which extends data protection for the residents of California. Other states in the US are developing regulations for data privacy which no doubt will be in line with regulations like GDPR and CCPA.

Personal Information Protection and Electronic Documents Act (PIPEDA) is the legislation for data protection in Canada which is closely aligned with GDPR. There are many more legislations to provide data privacy which follow the standards set by GDPR.

CONCLUSION

The common procedure in any privacy

law is to get the consent of the user before collecting his/her personal information. The privacy policy of the website, application or social media platform is to be accepted by the user, thereby acknowledging what data is collected; how it is used, stored, and protected. Also, if the data is shared with any third parties, that should be mentioned. Such privacy policies are in adherence with the respective data protection laws of the subjects. The importance of privacy policies in data privacy is increasing day by day, requiring stringent regulations to be made applicable in order to avoid misuse.



HOT NEWS

**SHIPSALE 22 :
BIMCO'S OWN
FIRST SHIP SALE
AND PURCHASE
AGREEMENT**

For the first time, BIMCO has produced its own ship sale and purchase agreement, SHIPSALE 22, with the aim of making the authoring, negotiation and execution process faster and simpler, and to provide the market with a modern and comprehensive alternative to existing sale and purchase form.

The agreement consists of four parts: -

1. First section summarizes key information such as the details of the ship, inspection and the



SHIPSALE 22

A new standard ship sale and purchase agreement

2. The second section contains the terms and conditions of the agreement in an easy – to – follow structure;
3. The third section deals with the documents to be provided plus the protocol of delivery and acceptance;

4. Fourth section is where any items that are excluded from the sale should be listed.

Despite being a new and more modern agreement, it retains the necessary familiarity for users transitioning from other forms used for buying and selling ships

Courtesy: www.bimco.org

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