Tourism Law

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وزارة السياحة
Ministry of Tourism

Article One

In this Law, the following terms and phrases shall have the meanings assigned thereto, unless the context requires otherwise:

- **Law:** Tourism Law.
- **Regulation:** One or more regulations issued for the implementation of the provisions of this Law.
- **Ministry:** Ministry of Tourism.
- **Minister:** Minister of Tourism.
- **Tourism:** The temporary travel or movement of an individual or group of individuals to, from, or within the Kingdom, for any tourism purpose; or the utilization of one or more tourism services as well as complementary and specialized tourism services.
- **Tourist:** A natural person who legally stays for a period of not less than one night outside his usual place of residence for the purpose of tourism, or utilizes one or more tourism services as well as complementary and specialized tourism services.
- **Strategy:** The approved general strategy for the development of national tourism.
- **Tourist Resources:** Any natural or material resources of touristic value, including natural landmarks and destinations as well as sites and buildings of historical or archaeological significance, and the like.
- **Tourism Destination:** Any geographical area or location where tourism activities are practiced or targeted, or which contains tourism resources, as specified in Article 6 of this Law.
- **Tourist Facility:** Any real property, building, or place licensed by the Ministry where a tourism activity or the like is practiced.
- **Travel and Tourism Services:** Arranging, organizing, and providing tourism-related services, including tours and tourism programs, the sale and marketing of travel tickets by licensed companies, visa issuance services or other travel-related services, services related to tourism activities or accommodation facilities and reservation thereof, and the like.

- **Tourist Guidance:** The practice of guiding tourists at tourist destinations and other places.
- **Tourist Accommodation Facility:** Any place that provides tourist accommodation for a fee, whether operating on a permanent or temporary basis.
- **Tourism Activities:** Any activity under the jurisdiction of the Ministry, including tourist guidance, travel and tourism services, management or operation of accommodation facilities, provision of tourism consultations, experiential activities, and the like, as specified by the Regulations, as well as any activity determined pursuant to a Council of Ministers' resolution to be subject to licensing by the Ministry, upon a proposal from the Minister.
- **Specialized Tourism Activities:** Activities targeting a specific category of tourists, which are subject to the jurisdiction of a government agency or agencies other than the Ministry, such as health tourism, sports tourism, exhibition tourism, festival tourism, and the like.
- **Complementary Tourism Activities:** Any activity practiced by a natural or legal person which involves the provision of a service or product to tourists for a fee and which directly impacts their experience, such as restaurants, parks, theme parks, auditoria, traditional and folk crafts, and transportation and car rental services.
- **License:** A document issued by the Ministry to practice an activity or provide a service in the field of tourism in accordance with this Law.
- **Licensee:** Any natural or legal person holding a license issued by the Ministry in accordance with this Law.

Article Two

1. A license or permit must be obtained from the Ministry prior to engaging in any tourism activity, as determined by the Regulations.
2. The Regulations shall specify the provisions relating to licenses, permits, criteria, and requirements necessary for the practice of tourism activities falling within the Ministry's jurisdiction, as well as the provisions relating to the classification of activities.

3. Additional criteria and requirements for the issuance of licenses, permits, and approvals necessary for practicing complementary and specialized tourism activities and monitoring such activities by the relevant agencies in tourist destinations shall be determined pursuant to a decision by the Minister, upon coordination with the competent agencies.

Article Three

A licensee shall:

1. Provide the best services, as per approved standards;
2. Comply with the conditions and requirements for licensing and classification during their validity, as specified by the Regulations;
3. Register the data of all his employees with the Ministry, and update such data in the event of any change thereto within a period not exceeding three months from the date of such change;
4. Submit tourism data, information, and statistics to the Ministry, as specified by the Regulations; and
5. Comply with the Ministry's decisions and instructions.

Article Four

A licensee shall provide financial guarantees for tourism activities requiring such guarantees. The Regulations shall specify said activities and the provisions related to the guarantees, including their amounts and conditions as well as the manner of collecting the fines and any amounts due to third parties from such guarantees, in agreement with the Ministry of Finance.

Article Five

1. The Ministry and government agencies, each within their jurisdiction, shall endeavor to achieve the objectives of this Law and the Strategy, in collaboration and partnership with the private sector, non-profit sector, and local community.
2. Without prejudice to relevant laws and regulations, government and private agencies shall adhere to the criteria, conditions, and rules stipulated in Article 2(3) of this Law, which represent the minimum required criteria and rules, and which shall not restrict the powers of such agencies to apply more stringent criteria or other rules.

Article Six

1. Tourist destinations, and all matters related thereto, shall be determined pursuant to a Council of Ministers' resolution upon a proposal by the Minister, particularly the following:

a) Identifying tourist resources to be exploited, and targeted tourism activities.

b) Specifying State real property or property allocated to government agencies at tourist destinations.

c) Setting the requirements for environment protection and the application of environmental standards, in accordance with the provisions of the Environmental Law.

d) Stating all matters related to the responsibilities, competencies, and powers of government agencies, in order to propose the Ministry's participation therein or the transfer of the same to the Ministry within the limits of a tourist destination.

e) Setting urban planning requirements for a tourist destination.

f) Setting rules for the disposition of a tourist destination for the purpose of development and investment thereof, in accordance with applicable statutory procedures.

g) Setting the criteria, requirements, and mechanisms necessary for the practice of tourism activities in a tourist destination.

h) Identifying the economic and social impact on the area where the tourist destination is located.

The Regulations shall specify the other requirements necessary to identify tourist destinations and matters related thereto.

2. Without prejudice to the provisions of paragraph (1) of this Article, a tourist destination may not be designated except upon coordination with the Ministry.
3. The Ministry and the State Properties General Authority shall identify State-owned tourist destinations that the Ministry deems appropriate for tourism development, as referred to in paragraph 1(b) of this Article.

Article Seven

1. Without prejudice to relevant laws and regulations, it is prohibited to undermine the reputation of tourism in the Kingdom, encroach on or cause damage to tourist destinations and tourist resources, or take any action that would harm their touristic value or importance.
2. The Ministry shall coordinate with the Ministry of Interior and other relevant agencies to develop a mechanism to ensure the protection of tourist destinations and resources, and to prevent encroachment thereon.
3. Government agencies in charge of planning shall, upon planning cities, villages, and State- owned projects, take into account the preservation of tourist destinations and resources, and shall coordinate with the Ministry prior to approving any projects or developing any plans that would temporarily or permanently affect such destinations and resources.

Article Eight

Without prejudice to relevant laws and regulations, the Minister shall, in a decision issued thereby in coordination with the competent authorities, determine the rules for investment in tourist destinations, and any facilitations required therefor.

Article Nine

1. Taking into account the services provided by existing government centers and electronic platforms and avoiding duplication of roles, the Minister may, pursuant to a decision issued thereby and upon coordination with the relevant agencies, set up a comprehensive service center or electronic platform to provide the services necessary for tourism, tourists, and tourist service providers, or integrate with other government centers and electronic platforms, as specified by the Regulations.
2. The Ministry shall establish a database to provide data, statistics, and information on all tourism-related aspects in the Kingdom in line with international best practices, as well as to provide the necessary information to tourism stakeholders, including investors, associations, service providers, tourists, and others. Such data, statistics, and information shall be updated regularly, in coordination with the relevant agencies, and shall be published on the Ministry's website, as specified by the Regulations.
3. Government agencies, companies, and other entities engaged in tourism activities, as defined by the Regulations shall, without prejudice to relevant laws and regulations, provide the Ministry with any information or documents the Ministry deems necessary for the tourism sector.

Article Ten

If the Ministry, in coordination with competent authorities, finds that a tourist facility poses an imminent danger to public health or safety, it shall take the necessary precautionary measures, including the closure of said facility. If it is an accommodation facility, it shall be immediately evacuated, and all guests legally residing therein shall be moved to an alternative accommodation. The Regulations shall specify relevant rules.

Article Eleven

The Regulations shall determine the fees for the following:

1. Licenses for tourism activities issued by the Ministry.
2. Services and activities provided by the Ministry under this Law and its Regulations.

Article Twelve

The Ministry shall issue approvals for tourist visas in accordance with rules agreed upon with the Ministry of Interior and the Ministry of Foreign Affairs. The Regulations shall specify procedures for the issuance of said approvals.

Article Thirteen

1. Inspectors appointed by the Minister shall record and investigate violations of this Law and its Regulations, and shall verify that tourism activities satisfy relevant conditions and rules. In carrying out their duties, said inspectors may review records and data, receive complaints, question the staff of the facility under inspection, and obtain any information they require. They shall detect and record violations and refer them to the Committee stipulated in Article 15(1) of this Law.
2. Inspectors may not be prevented from performing the duties stipulated in this Article. Owners and workers of facilities under inspection shall cooperate with the inspectors and provide them with the required assistance.

Article Fourteen

The Ministry may, without prejudice to the main duties assigned thereto under this Law, outsource certain duties to specialized companies or agencies in accordance with rules specified by the Regulations.

Article Fifteen

1. The Minister shall form a committee or more, comprising at least three members, one of whom is a legal specialist to review violations of this Law and its Regulations and impose the penalties stipulated in Article 16 of this Law, excluding instantly issued fines stipulated in Article 16(5).
2. The Regulations shall specify the committee's work procedure, and the remuneration of committee members shall be determined pursuant to a decision by the Minister.

Article Sixteen

1. Without prejudice to any harsher penalty stipulated in another law nor to the right of an aggrieved party to be compensated for any damage sustained as a result of violating the provisions of this Law, any person who violates any of the provisions of this Law or its Regulations shall be subject to one or more of the following penalties:
   a) A warning notice.
   b) Temporary or permanent closure of the tourist facility or part thereof.
   c) Lowering of classification.
   d) Suspension of license for a period not exceeding one year.
   e) Revocation of license.
   f) A fine not exceeding one million riyals.
2. The committee referred to in Article 15(1) of this Law may:

a. Impose a fine on the violator for each day the violation continues after notification of the committee's decision; said fine shall be calculated from the date specified by such decision.

b. Double the fine imposed on the violator without exceeding its maximum limit in case the violation is repeated; a violation shall be deemed repeated if committed within one year from the date of committing the previous violation.

c. Include in the penalty decision the publication of its contents at the expense of the violator in a local newspaper issued in the area of his residence or, if his area has no local newspaper, in the local newspaper nearest to his place of residence, or by using any other appropriate medium, depending on the type, gravity, and impact of the violation; the decision shall be published only after it becomes final either upon the lapse of the statutory period or the issuance of a final ruling thereon.

3. The penalty decision shall include a provision compelling the violator to rectify the violation, pay the damages, and refund collected amounts to their owners, if any. Collected amounts and gains shall be deposited with the State treasury.

4. The penalty shall be proportionate to the violation, taking into consideration the nature and gravity of the violation, as well as aggravating and mitigating circumstances.

5. The Minister shall issue a table comprising a classification of violations and their corresponding penalties, as provided for in paragraph (1) of this Article, as well as the amount and duration of such penalties, taking into account the gradual application thereof. Said table shall include violations that entail a fine not exceeding ten thousand riyals instantly issued by the competent inspector upon detection.

6. Decisions issued by the Ministry may be appealed before the Administrative Court within 60 days from the date of notification of the decision.

Article Seventeen

The Minister shall issue the Regulations within 90 days from the date of publication of this Law in the Official Gazette. The Regulations shall become effective from the date this Law enters into force.

Article Eighteen

This Law shall supersede the Tourism Law issued by Royal Decree No. (M/2), dated 9/1/1436H, and shall repeal any provisions conflicting therewith.

Article Eighteen

This Law shall enter into force 90 days following the date of its publication in the Official Gazette.


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