

Commercial Register System

Article I:

The Ministry of Commerce sets a record in the cities determined by the decision of the Minister of Commerce to cover all regions of the Kingdom, to restrict the names of traders, companies and record all the data provided by this system.

Article II:

Each trader when his total capital reach hundred thousand riyals, within thirty days from the date of opening his shop, or from the date of owning the shop, or from the date of reaching capital quorum mentioned, must apply for the registration of his name in the commercial register, which is located in his constituency. This shop whether the headquarters or a branch or agency, its request must include the following information: -

1. Merchant's full name, title, place and date of birth, nationality, and a copy of his signature and signature of his representative (if any).
2. Trade name (if any).
3. Type of business activity, which is carried on by the merchant, and the date of inception.
4. Merchant capital.
5. The manager's name and place of birth, date, nationality and residence in the Kingdom, and the limits of his powers.
6. Name the main center for the tradesman and address, and his registration number, branches and agencies of him, whether inside or outside the Kingdom and commercial activity of each.

Article III:

Managers of the companies that are established in the Kingdom, must apply for registration in the commercial register within thirty days from the date of endorsing its articles of association at the notary, must apply for any branch within thirty days from the date of inception, and must be attached a copy of the Company articles of association and statute, if any, and include the demand for the following data:

1. Type of company and trade name.
2. Activity of the company.
3. The company's capital.
4. The company starting date and the expiration date.

5. The names of the general partners in Solidarity companies or recommendation, place of birth and date of each of them, address and nationality.

6. The names of the company's managers and the names of persons who have the right to sign their own name and place of birth and date of each nationality and a copy of his signature, with an indication of the extent of their powers in the administration and the signature, and identify actions they outlawed to conducted (if any).

7. Title Company's head office, branches and agencies, whether inside or outside the Kingdom.

Article IV:

The merchant or director of the company or the liquidator, must ask to mark in the commercial register any amendment in the previous data recorded in it, within thirty days of the date of this amendment, and as determined by the regulations.

Article V:

Whosoever applies to be registered in the commercial register, shall put with the Commercial Registry Office, within thirty days from the date of registration, a certificate of subscription in the Chamber of Commerce and Industry.

Article VI:

Foreign companies licensed to open a branch or office in the Kingdom, must apply to enroll this section or office in the commercial register within thirty days from the date of opening, attached to documents prescribed by the Regulations.

Article VII:

The trader, his inheritor or the liquidator - as the case may be - must apply to the Office of the Commercial Register at request to be delisted in the following cases: -

1. Leave a merchant trade once and for all.
2. Merchant's death.

The application must be submitted within ninety days from the date of the incident which require delisting, if stakeholders do not request delisting, the Office of the commercial register after verification of the incident, and after notice to stakeholders by a registered letter, write-off on its own will occur,

after thirty days from the date of notification, unless the office receive from the owner, during this period, a denial of the incident.

In the case of a judgment or final decision to write off the record pursuant to the regulations in force, the competent commercial register office writes it off once notified of the rule or the decision.

Article VIII:

The Office of the CR that checks for the existence of the necessary conditions for registration, mark or write-offs, has to instruct the applicant to submit supporting documents to the validity of the data contained in the request. The office of the record to refuse the request with a reasoned decision within thirty days from the date of submission.

Article IX:

Whoever to be registered in the commercial register, shall mention in all correspondence, publications, seals and paintings, in addition to his name registered in the commercial register, the name of the city restricted in, and that all data shall be written in Arabic.

Article X:

Judicial authorities must issue the following decisions and orders to notify the competent commercial register office within thirty days from the date on which it is considered as final: -

1. The provisions of the bankruptcy or revoked.
 2. Restitution provisions.
 3. Judgments in seizing on the merchant, or retain funds or to lift them.
 4. Ordinance to withdraw permission of trafficking or derogation to a minor, or an interdicted.
 5. Provisions of dismissing the partners or sacking directors.
 6. Provisions of the dissolution of the company or nullity and the appointment of liquidators, or dismissal.
 7. Judgments of the ratification of the Judicial Magistrate, or its revoke.
 8. Order of the opening of conciliation procedures to avoid bankruptcy, provisions of ratification, or revoke.
 9. Judgments of conviction in cases of fraud, forgery and bribery.
- the competent commercial register office shall mark the judgments and orders referred to, once notified.

Article XI:

Any person may obtain a copy derived from the commercial register for any dealer or company, and in the absence of a registration a certificate is given to a person to do so. However it is may not be for that to include the provisions of bankruptcy if sentenced to refund account nor the provisions of seizure or retention if they are lifted.

Article XII:

violations of the provisions of these rules, and decisions issued for its implementation, is to be done by the staff whom an order to appoint them is issued the Minister of Commerce, and this regulation shall set forth that they shall be committed on performing their jobs to good behavior, and on the necessity of to provide for the person concerned, when interviewed him, a proof of their identity, their official capacity and show the purpose for the visit. The Regulations specify the times of visiting stores for control purposes, and who have the right permission to enter shops for inspection purposes, when necessary.

Article XIII:

The data recorded in the Commercial Register are an argument for or against the trader from the date It recorded and may not be invoked on any other person in any registration by any statement due to enroll or marking unless this procedure has taken place. However, this person may protest this statement against the trader or the company, if this person has an interest.

Article XIV:

Whoever to apply to an official body for a request in his capacity as a merchant, a request as such shall not be accepted, unless registered in the commercial register.

Article XV:

Without prejudice to any severer penalty provided by another system, whoever to violate of the provisions of this system shall be punished by a fine not exceeding fifty thousand riyals, taking into account in determining the gravity of the violation, repeating, merchant capital and the damage which occurred on others because of that violation.

Article XVI:

Imposing penalties prescribed in this system is done by a committee formed by the Minister of Commerce of three members, at least one of them whom specialized in commercial systems.

Article XVII:

The decision of the Council of Ministers sets fees payable for registration and marking requests to modify previous data recorded or extract the data from the register or to obtain a certificate that there is no registration and no fees are paid on the request of delisting, nor on any print-outs required by government departments for official purposes.

Article XVIII:

Stakeholders may object to the Minister of Commerce on the decisions of the commercial register office and the decisions of the competent committee to impose sanctions, within thirty days from the date of informing them of the decision. The decision of the commercial register office to decline or to take the decision it had to be taken in accordance with the rules and regulations, is to prevail as final.

However, with regard also the owners have the right to appeal before the Bureau of Grievances the resolutions of the Minister of Commerce issued on their objections, within thirty days from the date of being informed of the decision of the minister, in the absence of a decision by the Minister on the objection submitted to him, within a period of sixty days from the date of submission of the objection, the appellant is entitled to object petition before the Bureau of Grievances of the decision of the Commercial Register Office, or the decision of the Committee applying sanctions, within thirty days of the expiration of the period specified for the Minister's decision.

Article XIX:

This system eliminates the system of the commercial register of the Royal Order No. 21/1/4470 dated 11/09/1375, its implementing regulations and inconsistent provisions contrary to it.

Article XX:

This order shall be published in the Official Gazette and shall be effective after ninety days from the date of publication. Those enrolled in the commercial register shall be given, before the entry into force of this

system, a grace of one year from the date of its enforcement to adjust their situations in accordance with its provisions, and the Minister of Commerce shall issue necessary regulations and decisions for its implementation.